

**CHARTER
CHILDREN’S HEALTH INSURANCE PROGRAM WORKING GROUP**

Authority

Section 311(b)(1)(C) of the Children’s Health Insurance Program Reauthorization Act of 2009, P.L. 111-3 (Feb. 4, 2009). The Children’s Health Insurance Program (CHIP) Working Group is governed by the provisions of the Federal Advisory Committee Act, P.L. 92-463 (Oct. 6, 1972), as amended, 5 U.S.C. App.

Objective and Scope of Activities

The Working Group shall develop a model coverage coordination disclosure form and identify impediments to the effective coordination of coverage between group health plans and state plans under titles XIX and XXI of the Social Security Act, as described in subparagraphs (1) and (2), respectively, of the Description of Duties section of this charter.

The Working Group shall also submit to the Secretary of Health and Human Services and the Secretary of Labor the model disclosure form and a report containing recommendations for appropriate measures to address the impediments to the effective coordination of coverage between group health plans and the State plans under titles XIX and XXI of the Social Security Act.

Description of Duties

Section 311(b)(1)(C) of the Children’s Health Insurance Program Reauthorization Act of 2009, P.L. 111-3 (Feb. 4, 2009) (CHIPRA), directs the Secretary of Health and Human Services and the Secretary of Labor to jointly establish a Medicaid, CHIP, and Employer-Sponsored Coverage Coordination Working Group (“the Working Group”) no later than April 4, 2009. The purpose of the Working Group shall be to:

- (1) Develop a model coverage coordination disclosure form for plan administrators of group health plans to complete for purposes of permitting a state to determine the availability and cost-effectiveness of coverage available under group health plans to employees who have family members who are eligible for premium assistance offered under a state plan under titles XIX or XXI of the Social Security Act and to allow for coordination of coverage for enrollees of such plans.

- (2) Identify the impediments to the effective coordination of coverage available to families that include employees of employers that maintain group health plans and members who are eligible for medical assistance under title XIX of the Social Security Act or child health assistance or other health benefits coverage under title XXI of the Social Security Act.
- (3) Not later than August 5, 2010, submit to the Secretary of Labor and the Secretary of Health and Human Services the model disclosure form as described in subparagraph (1) above along with a report containing recommendations for appropriate measures for addressing the impediments (as described in subparagraph (2) above) to the effective coordination of coverage between group health plans and the state plans under titles XIX and XXI of the Social Security Act.

Agency or Official to Whom the Working Group Reports

The Working Group reports to the Secretary of the Department of Health and Human Services (HHS) and the Secretary of the Department of Labor (DOL)

Support

Coordination, management, and operational services shall be provided by the Centers for Medicare & Medicaid Services (CMS) and the Department of Labor, Employee Benefits Security Administration with or without reimbursement, as jointly determined by such Departments.

Estimated Annual Operating Costs and Staff Years

The estimated annual operating cost in fiscal year (FY) 2009, including contracts and compensation and travel expenses for members is \$135,870. The estimated annual FY 2009 full-time equivalent is 2.4 FTEs at an estimated annual cost of \$259,107. The estimated annual costs for FY 2010 are \$361,679.

Designated Federal Officer

Centers for Medicare & Medicaid Services and the Employee Benefits Security Administration will jointly select a fulltime or permanent part-time Federal employee to serve as the Designated Federal Officer (DFO) to attend each Working Group meeting and ensure that all procedures are within applicable statutory and regulatory directives. The DFO will approve and prepare all meeting agendas, call all of the Working Group and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the Working Group reports. The DFO or his/her designee shall be present at all meetings of the full committee and subcommittees.

Estimated Number and Frequency of Meetings

Meetings shall be held up to three times over the life of the Working Group. Meetings shall be open to the public, except as determined otherwise by the Secretaries or other official to whom the authority has been delegated in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)). Adequate advance notice of all meetings shall be published in the *Federal Register*, as required by applicable laws and Departmental regulations, stating reasonably accessible and convenient locations and times.

Duration

17 months from the date this charter is filed.

Termination

The Working Group shall terminate 30 days after the date of the issuance of the report.

Membership and Designation

The Working Group shall consist of not more than 30 members, jointly appointed by the Secretary of Health and Human Services and the Secretary of Labor, including the chair(s), one of whom shall be appointed by the Secretary of Health and Human Services and one of whom shall be appointed by the Secretary of Labor.

The Working Group shall be composed of representatives of: the Department of Labor; the Department of Health and Human Services; state directors of the Medicaid Program under title XIX of the Social Security Act; state directors of the State Children's Health Insurance Program under title XXI of the Social Security Act; employers including owners of small businesses and their trade or industry representatives and certified human resource and payroll professionals; plan administrators and plan sponsors of group health plans as defined in section 607(1) of the Employee Retirement Income Security Act of 1974, as amended; health insurance issuers; and children and other beneficiaries of medical assistance under title XIX of the Social Security Act or child health assistance or other health benefits coverage under title XXI of the Social Security Act.

Subcommittees

Subcommittees composed of members and nonmembers of the parent committee may be established with the approval of the Secretaries or their designees. The subcommittees must report back to the parent committee and do not provide advice or work products directly to the agency. The Department Committee Management Officer will be notified upon establishment of each standing subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

Recordkeeping

The records of the Working Group, established subcommittees, or other subgroups of the Working Group, shall be managed in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Filing Date

May 1, 2009

**CHARTER
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Approved:

April 3, 2009

Date

/S/

Charles E. Johnson, Acting Secretary
Department of Health and Human Services

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Approved:

April 3, 2009

Date

/S/

Hilda L. Solis, Secretary
Department of Labor