BYLAWS
AGENCY FOR HEALTH CARE ADMINISTRATION
ORGAN TRANSPLANT ADVISORY COUNCIL

ARTICLE I - NAME
1.1 This body shall be known as the Agency for Health Care Administration (AHCA or the Agency) Organ Transplant Advisory Council (Council) and is established under the authority of Section 765.53 Florida Statutes, (F.S.).
1.2 The area served shall be the sixty-seven counties in the State of Florida.
1.3 Organ transplantation shall cover transplantation of all organs and tissues except for cornea.

ARTICLE II - PURPOSE
2.1 The responsibilities of the Council shall be to recommend to the Agency for Health Care Administration indications for adult and pediatric organ transplants. The Council shall also formulate guidelines and standards for organ transplants and for the development of End Stage Organ Disease and Tissue/Organ Transplant programs. The recommendations, guidelines, and standards developed by the Council are applicable only to those health programs funded through the Agency for Health Care Administration.

ARTICLE III - MEMBERSHIP
3.1 The Council shall be composed of twelve members.
3.2 The members shall be physicians licensed according to chapter 458 or chapter 459. A person employed by the Agency may not be appointed as a member of the Council.
3.3 Members of the Council shall be appointed by the Secretary of the Agency to serve a term of two years.
3.4 Resignation/Vacancies: A member wishing to resign prior to the end of his/her term shall submit a letter of resignation to the Chairperson of the Council and the Secretary. The Secretary of Health Care Administration shall fill each vacancy on the Council for the balance of the unexpired term. Priority consideration must be given to the appointment of an individual whose primary interest, experience, or expertise lies with clients of the Agency.
Nominations for members will be submitted to the Secretary of the Agency. If an appointment is not made within 120 days after a vacancy occurs on the Council, the vacancy must be filled by the majority vote of the Council.

3.5 Chairperson: The members of the Council shall elect a chairperson. The term of the chairperson shall be for two years, and an individual may not serve as chairperson for more than two consecutive terms.

3.6 Vice-Chairperson: The members of the Council shall elect a vice-chairperson. The term of the chairperson shall be for two years, and an individual may not serve as vice-chairperson for more than two consecutive terms.

3.7 Quorum: six Council members shall constitute a quorum.

3.8 Ad Hoc Members: Nominations for ad hoc members shall be submitted to and approved by the Chair. Ad Hoc members shall have the same responsibilities as a member when called upon to participate in any Council function.

ARTICLE IV - DUTIES OF THE COUNCIL

4.1 Duties: The Council shall be responsible for the recommendation of indications for organ transplantation.

   A. Recommendation as to universal indications shall be determined by a majority vote of the Council members present at any meeting.

   B. Recommendation for any specific transplantation may be made by solely the Chairman or his/her designee, but recommendation against a specific transplantation requires action of the Chairman or his designee with appropriate consultation.

ARTICLE V - MEETINGS

5.1 The Council shall meet at least annually or upon request of the Chair or the Secretary of AHCA. Public notice shall be given at least one week in advance of meetings.

ARTICLE VI - AMENDMENTS

6.1 These bylaws may be amended at any meeting by a majority vote of the Council members present.

6.2 Proposed bylaw amendments shall be received in writing and distributed to Council members at least four weeks prior to the meeting.
ARTICLE VII – ABSENCES
7.1 Members shall inform the Council staff if they are unable to attend a scheduled meeting. In the event that a quorum will not be met the Chair will appoint an ad hoc member to fill the position.

ARTICLE VIII - REMUNERATION
8.1 Members of the Council shall receive no compensation, but shall be reimbursed for per diem and travel expenses by the Agency for Health Care Administration in accordance with the provisions of Section 112.061 Florida Statutes, (F.S.) while engaged in the performance of their duties.

ARTICLE IX - PARLIAMENTARY AUTHORITY
9.1 Rules of Order: Except where there is conflict with these bylaws, the rules contained in the current edition of “Robert’s Rules of Order” shall govern the Council in all cases to which they are applicable. Any special rules of order that the Council may promulgate shall take precedence over “Robert’s Rules of Order”.

ARTICLE X - COORDINATOR
10.1 The Organ Transplant Advisory Council coordinator is responsible for providing administrative support to the Council. This shall include, but not be limited to, planning, organizing and public notice of meetings; processing nomination and appointment papers; assisting in the implementation of plans, proposed rules and bylaws of the Council; preparing status reports, implementation plans and progress reports; preparing minutes of meetings, and other activities as appropriate. The Coordinator shall not be a member of the Council. The Coordinator shall be an employee of the ACHA, Office of Medicaid.