

Guidelines for Subcommittee Meetings

According to the Bagley-Keene Open Meeting Act 2004, all meetings of the Healthcare-Associated Infections Advisory Committee (HAI-AC), when attended by a majority of members, shall be open and public when subject matter is within the jurisdiction of committee. The word "majority" is used in Section 11122.5. (a) "meeting" includes any congregation of a majority of the members of a state body at the same time and place, ..."

Meetings also include situations where information is received or an issue studied prior to its placement on the body's agenda. In the interpretation of the Act by the California Attorney General's Office, study sessions are allowed. Under such circumstances, "However, if a quorum is involved, the study session should be treated as a meeting under the Act." A quorum was defined by the HAI-AC at the August 27, 2007 meeting to be two-thirds of the committee membership.

So long as HAI-AC subcommittees maintain membership of fewer than 16 committee members, they are considered as an opportunity for exchange of information and study of issues prior to presentation to the full committee. As such, subcommittees are not subject to the Bagley-Keene Open Meeting Act requirement to be open and public.

Subcommittee Guidelines

1. Subcommittee meetings will not be open to the public.
2. Guests invited to consult with the subcommittee will be cleared through the Subcommittee Chair and in consultation with CDPH staff. Subcommittee members should arrange the participation of guests through the chair in advance of the meeting or teleconference. Criteria for inclusion of a guest or consultant will be based on the charge of the subcommittee, to fill gaps in member expertise, and Chair/staff discretion.
3. If an unauthorized person is found to be on the call, they will be asked, at the discretion of the Subcommittee Chair, to remove themselves from the call.
 - a. If the unauthorized person(s) do not follow a request to recuse themselves, the meeting may be immediately adjourned by the Chair.
4. A quorum (two-thirds) of subcommittee members must be in attendance of the subcommittee to forward a recommendation to the full Committee.
 - a. If a quorum of the Subcommittee is not present, the Chair may, at their discretion, adjourn the meeting and reschedule.
 - b. Consensus will be sought when forwarding recommendations to the full Committee.
 - c. If a consensus cannot be achieved, the discussion, the recommendation and the vote count will be brought forward.

This is to further clarify that subcommittee meeting content is recommended to be handled as confidential until reported by the Subcommittee Chair to the full Committee.