# STATE OF MAINE

**STATE EMPLOYEE HEALTH COMMISSION**

**Policy for Remote Participation in Public Proceedings**

1. **Remote participation.** This policy governs remote methods of participation in public proceedings of the STATE EMPLOYEE HEALTH COMMISSION (the “Committee”). For the purposes of this policy, "remote methods" means telephonic or video technology allowing simultaneous reception of information and may include other means as necessary to provide reasonable accommodation to a person with a disability. Committee meetings may not be conducted by text-only means such as e-mail, texting or chat functions. This policy is established pursuant to [MRS Title 1, §403-B](https://legislature.maine.gov/legis/statutes/1/title1sec403-B.html).
2. **Requirements.** The Committee allows its members to participate in a public proceeding using remote methods under the following conditions:
   1. After notice and hearing the Committee has adopted this written policy governing the conditions for remote participation in public meetings;
   2. Committee members are expected to be physically present for public proceedings except when being physically present is not practicable. Circumstances in which physical presence for one or more members is not practicable may include but are not limited to:
      1. The existence of an emergency or urgent issue that requires the Committee to meet by a remote method;
      2. Illness, other physical condition or temporary absence from the jurisdiction of the Committee that causes a Committee member to face significant difficulties traveling to and attending in person at the physical location of the meeting;
      3. Significant distance a Committee member must travel to be physically present at the location in the meeting; and
      4. The area of the Committee’s jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges;
   3. If any members of the Committee participate remotely, the Committee must provide members of the public with a meaningful opportunity to attend by a remote method, and reasonable accommodations must be provided when necessary to provide access to individuals with disabilities;
   4. If the Committee allows an opportunity for public input during its meetings, an effective means of communication between the members of the Committee and the public must be provided;
   5. If remote attendance will be available for a public meeting, the public notice that is required by [MRS Title 1, §406](https://legislature.maine.gov/legis/statutes/1/title1sec406.html) must include the means by which members of the public may access the meeting using remote methods. The notice must also identify a location for members of the public to attend in person. The Committee may not determine that public attendance at a proceeding will be limited solely to remote methods unless there is an emergency or urgent issue that requires the meeting to be held remotely as allowed under paragraph 2 subsection B (1) of this policy;
   6. A member of the Committee who participates in a public meeting by a remote method is deemed present for purposes of a quorum and voting;
   7. All votes taken during a public proceeding using remote methods are to be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the Committee and the public; and
   8. The Committee will make all documents and other materials available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the Committee in person, as long as additional costs are not incurred.
3. **Emergency**. Determination of the existence of an emergency or urgent issue, and a decision to allow public meetings of this Committee to be held solely by remote methods (as allowed under paragraph 2 subsection B (1) of this policy) will be made in concert with the Commissioner of the Department of Administrative and Financial Services, the Director of the Bureau of Human Resources, and the Committee Chair or co-Chair.
4. **Conflict**. If any provision of this policy is unclear or conflicts with [MRS Title 1, §403-B](https://legislature.maine.gov/legis/statutes/1/title1sec403-B.html), the statute shall prevail.