

IDAHO IMMUNIZATION ASSESSMENT BOARD PLAN OF OPERATION

WHEREAS, the Legislature of the state of Idaho enacted Chapter 60, Title 41, Idaho Code (the "Act"), establishing a mechanism to assess carriers for the costs of vaccines provided to certain children in Idaho;

WHEREAS, the Act authorizes the creation of an Idaho Immunization Assessment Board (the "Board") as a governmental entity within the meaning of Chapter 9, Title 6, Idaho Code;

WHEREAS, the Act created the Idaho immunization dedicated vaccine fund (the "Fund");

WHEREAS, the Act requires the Board to develop a Plan of Operation (the "Plan");

THEREFORE, the Board has developed the following Plan as required by the Act:

Article 1 - Effective Date; Amendment

This Plan and any amendments to same may be recommended from time to time by the Board and shall become effective upon written approval of the Director of the Idaho Department of Insurance (the "Insurance Director"). The Board may propose amendments at any time. Amendments may include a retroactive effective date if such date is proposed in the amendments and approved in writing by the Insurance Director.

Article 2 - Board of Directors

The Board shall elect a chairperson and vice chairperson from its members and such other officers as it deems appropriate. The terms of these offices will be for one year. Upon election, the chairperson shall notify the Insurance Director of the Board's officers within thirty (30) days of said elections.

The Board shall hold meetings upon the request of the chairperson or two or more members of the Board at such times and with such frequency as it deems appropriate. These meetings may be held in person, or by telephone, provided at least one member of the Board shall be physically present at the location designated in the meeting notice per Idaho Code § 74-203(5). Notice of such meeting and its purpose will be provided to the Board at least seven days prior to the meeting unless such notice is waived by unanimous consent of the members.

All Board meetings will be held and posting of meeting notices (at least 5 days prior to regular meetings) and agenda (at least 48 hours prior to regular meetings) will be made in accordance with Idaho's open public meeting laws, Chapter 2, Title 74, Idaho Code.

The majority of the Board shall constitute a quorum for the transaction of business. The acts of the majority of the voting members of the Board present at a meeting at which a quorum is present (including any members present by proxy) shall be the acts of the

Board. The votes of the Board will be on a one-person, one-vote basis, although the Director (or his designee) does not vote. Proxy voting is not allowed. Members of the Board are required to disclose any potential conflict of interest prior to voting on a particular issue. The chairperson will decide whether the member with the potential conflict may vote and state the reasons therefor.

Annually, the Board will meet to determine assessments necessary for the proper administration of the Fund. In addition, the Board shall:

1. Develop an annual expense budget;
2. Provide an annual report to the Insurance Director and the Director of the Department of Health and Welfare ("DHW Director");
3. Review and evaluate the performance of the Fund in support of the goals of the Act;
4. Determine whether any technical corrections or amendments to the Act shall be recommended to the Insurance Director;
5. Review this Plan and submit proposed amendments, if any, to the Insurance Director for approval;
6. Review reports, including audited financial reports, reports on outstanding contracts and obligations, and all other material matters;
7. Review reports of the committees established by the Board;
8. Consult with the Idaho department of health and welfare and other experts as the board may deem appropriate as necessary or proper to carry out the provisions and purposes of Idaho Code § 41-6005(1).
9. Review, consider and act on any matters deemed by the Board to be necessary and proper for the administration of the Fund. The Board shall establish operation procedures for the Fund consistent with the Act and this Plan.

As required by Idaho Code § 74-205, the Board shall provide for the taking of written minutes of all meetings including at least: (a) all Board members present; (b) all motions, resolutions, orders, etc. proposed and their disposition; and (c) the results of all votes, and upon the request of a member, the vote of each member, by name. The minutes of each Board meeting shall be made and submitted to the Insurance Director within thirty (30) days after said meeting. The original of the record shall be retained by the Department. Board members will review and act upon any other matters deemed necessary.

Article 3 - Conformity to Act; Immunity from Liability

The Board and committee members shall perform their functions under this Plan and have the powers and authority granted by the Act. Nothing in this Plan or the actual operation of the Board shall create any private rights of action against any member of the Board or any committee. All such persons shall at all times enjoy immunity from liability to the fullest