

**MENDOCINO COUNTY
BEHAVIORAL HEALTH ADVISORY BOARD (BHAB)
Mental Health & Substance Use Treatment Disorder
BYLAWS**

ARTICLE I – NAME

The name of this Board shall be the Mendocino County Behavioral Health Advisory Board (Mental Health and Substance Misuse Treatment), herein referred to as BHAB.

ARTICLE II - AUTHORITY

The authority for establishment of the BHAB is set forth in Sections 5604 through 5607 of the California Welfare and Institutions Code (W&I) and by Mendocino County Board of Supervisors (BOS) Resolutions.

ARTICLE III - PURPOSE

The purpose of the Behavioral Health Advisory Board are as follows:

1. Review and evaluate Mendocino County's (County) Behavioral Health and Recovery Services (BHRS) treatment and prevention needs, services, facilities and related problems.
2. Review any County contracts entered into pursuant to W&I Code section 5650 and make recommendations to the regarding concerns identified within the contracts.
3. Advise the Governing Body, herein after the Mendocino County Board of Supervisors (BOS) and the local BHRS Director, as to any aspect of the local BHRS (mental health and substance misuse treatment) programs.
4. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.
5. Submit an annual report to the BOS on the needs, challenges, and performance of the behavioral health system of Mendocino County.
6. Review, interview and make recommendations regarding applicants seeking appointment as a BHRS Director prior to appointment by the BOS.
7. Review and comment on the County's performance outcome data and communicate its findings to the California Mental Health Planning Council (CMHPC) and/or other appropriate entities.
8. Assess the impact of realignment of services from the State of California to the County on mental health and substance misuse services delivered to beneficiaries and the local community.

9. Develop and amend bylaws.
10. Recognize that the BOS can transfer additional duties or authority to the BHAB.

Special Duties in connection with the Mental Services Act shall include but not be limited to:

1. BHAB shall conduct a public hearing on the Mental Health Services Act (MHSA) draft three-year program and expenditure plan and each annual update at the close of each mandated 30-day comment period.
2. The BHAB shall review the MHSA adopted plan or update and make recommendations pursuant to W&I Code 5848(b) and W&I Code 5608.

ARTICLE IV – MEMBERSHIP

Number of Members of the Board

There shall be 11 members on the BHAB including one representative from the BOS, who serves as a non-voting, ex-officio member who shall not be counted for the purposes of establishing a quorum. The members shall consist of those individuals appointed by the Mendocino County Board of Supervisors to the BHAB.

Direction of the Behavioral Health Board Required

The activities and affairs of individual members of the BHAB, acting as Board members, shall be conducted, and powers exercised, by and under direction of the BHAB and these Bylaws.

Term of Office

In accordance with W&I Code, the term of each member of the BHAB shall be three (3) years. The BOS shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year. Appointed members are eligible to vote at the next regular or special meeting after being sworn in by a County Official. In case of an unscheduled vacancy, a new member shall be appointed to fill the unexpired term of their predecessor and may subsequently apply to be re-appointed to a new three-year term.

Compensation

No member shall be compensated for duties performed as a member of the BHAB. Notwithstanding the previous sentence, a member may be reimbursed for the actual cost for attending meetings (mileage), conferences, or similar gathering if attendance at the meeting, conference, or similar gathering is approved in advance by the BHAB.

Requirements Applicable to All Members:

A member of the BHAB must:

1. Be appointed by the Mendocino County Board of Supervisors.
2. Take the Oath of Office.

3. Serve on at least one committee, ad hoc, or work group of the BHAB.
4. Maintain a satisfactory meeting attendance record to Behavioral Health Board meetings and other assignments as defined in these Bylaws.
5. Comply with all applicable regulations of the Fair Political Practices Commission, including, but not limited to, preparing and filing FPPC Form 700, if required, within 30 days of appointment and annually prior to April 15 of each year.
6. Keep any confidential information obtained while performing duties as a BHAB member confidential.

ARTICLE V – QUALIFICATIONS OF MEMBERS

Requirements Applicable to All Members:

The BHAB shall be composed of the following:

1. At least fifty percent of the BHAB shall be consumers, who are receiving or have received mental health or substance use disorder services, or their family members.
2. At least twenty percent (20%) of the Board membership shall be consumers.
3. At least twenty percent (20%) of the Board shall be family members of consumers.
4. Any members who are not consumers or family members of consumers shall be individuals who are interested and concerned citizens from the general public.
5. At least one veteran or veteran advocate.
6. At least one member who is 25 years of age or younger.
7. At least one member shall be an employee of a local educational agency.
8. One member of the Mendocino County Board of Supervisors.

The composition of the BHAB should reflect the ethnic diversity of the consumer population and the demographic of the County as a whole to the extent feasible.

Residents of the County Requirement

Members appointed should be residents of Mendocino County.

Individuals Disqualified from Serving

No appointed member of the BHAB or his/her spouse/domestic partner shall be an employee of the County BHRS, an employee of the Department of California Health Care Services (DCHS)/Mental Health Services Division (MHSD), an employee of a Mendocino County mental health services contractor or their subcontractor, or employee of the State

Department of Mental Health, or a paid member of the governing body of a mental health contract agency. However, a consumer of mental health services who has obtained employment with an employer described above and who holds a position in which he/she does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to BHAB. That member shall abstain from voting on any financial or contractual issue concerning his/her employer that may come before BHAB.

ARTICLE VI – RECRUITMENT OF MEMBERS

Responsibility of Recruitment

Recruitment of prospective members of the Mendocino County BHAB shall be the responsibility of individual member of the Mendocino County Board of Supervisors and members of the BHAB. An effort will be made to recruit mental health and substance misuse professionals as well as individuals who have experience and knowledge of the behavioral health system.

Board of Supervisors Recruitment

Board Supervisors are encouraged to nominate individuals from their respective district to facilitate wider representation across Mendocino County, for a total of five (5) behavioral Health Board members to be nominated and appointed by the Board of Supervisors. The Board of Supervisors may accept more than one nomination from each district based on interest and willingness of community members to serve.

Behavioral Health Advisory Board Recruitment, Interview, and Recommendation

All applicants, except those nominated directly by the Board of Supervisors, shall initially be interviewed by at least two members of the BHAB. Names of the applicants recommended shall be presented to the full BHAB for its consideration. Those applicants recommended by the BHAB shall then be referred to the Board of Supervisors with a recommendation they be appointed to the Mendocino County BHAB.

ARTICLE VII – MEETINGS

Annual Meetings

There shall be a regular meeting, which shall constitute the annual meeting of the BHAB, to be held on the Fourth Wednesday of July of each year at which time the officers will present their reports, a meeting schedule will be adopted for the next twelve months, and elections held. If the fourth Wednesday of July falls on a Holiday, the meeting shall be held on the third Wednesday of July.

Annual meetings shall be noticed and conducted in conformance with the provisions of the Government Code section 54950 et. seq., "The Brown Act."

Regular Meetings

Other regular meetings of the BHAB may be held at such time and place as is established by the annual meeting schedule. Meetings may be scheduled in various geographic locations approved by the BHAB.

Regular meetings shall be noticed and conducted in conformance with the provisions of the Government Code section 54950 et. seq., "The Brown Act."

Special Meetings

Special meetings of the BHAB may be called at any time by the Chairperson or by a Majority Vote of the members at a Special or Regular meeting at which a Quorum is present.

Special meetings shall be noticed and conducted in conformance with the provisions of the Government Code section 54950 et. seq., "The Brown Act."

Notice of Annual and Regular Meetings

Notice of the Annual and Regular Meeting shall be given to each member of the BHAB by one of the following methods: (a) by personal delivery of written notice; (b) by first class mail, postage prepaid; (c) by fax transmittal or e-mail of written notice; or (d) by telephone, either directly to the member or to a person at the member's office who would reasonably be expected to communicate that notice promptly to the member. Notices sent by first class mail shall be deposited in the U.S. Mail not less than five days before the time set for the meeting. Notice given by personal delivery, fax, e-mail, or telephone shall occur at least 72 hours before the time set for the meeting. All such notices shall be given or sent to the members address or telephone number as shown on the records of the Board.

Notice of Special Meeting

A special meeting may be called at any time by the Chair of the BHAB or by a majority of the BHAB members. Notice of special meetings shall be given by delivering written notice to each member of the BHAB and to local newspapers of general circulation and radio or television station that has requested notice in writing. The notice shall be delivered personally, or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the Board. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the Board a written waiver of notice. The waiver may be given by telephone. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

ARTICLE VIII - OFFICERS

Officers of the Board

The officers of the BHAB shall consist of Chairperson and Vice-Chairperson. They shall be elected annually at the Regular or Special meeting in July, to take office immediately.

Election of Officers

The offices of Chair and Vice-Chair shall be elected at the annual meeting of the Board and those elected shall serve for a term of at least one but not more than two consecutive years.

If the Chair's office is vacated prior to the end of the one-year term, the Vice Chair shall

assume the Chair's office and a replacement Vice Chair nominated at the next regularly scheduled meeting. The election vote for the new Vice Chair shall be held at the next regularly scheduled meeting following the nomination meeting.

ARTICLE IX – DUTIES OF OFFICERS AND OTHER BOARD POSITIONS

The duties of the officers of the Behavioral Health Board shall be as follows:

1. CHAIR

- a. Administer the operation of the BHAB and preside at all meetings
- b. Call special meetings.
- c. Establish committees and appoint committee members to standing and ad hoc committees.
- d. Finalize and forward the Annual Report to the BOS and BHRS director.
- e. Notify the BOS when vacancies or prolonged absences occur.
- f. Be in regular contact, consultation, and collaboration with the BHRS Director.
- g. Prepare and approve the monthly agenda.

2. VICE CHAIR

- a. Act as Chairperson in the absence of the Chairperson.
- b. Monitor and work with the County Executive Office on membership issues.
- c. Other duties as requested by the Chairperson.

Upon the expiration of his or her term of office, or in the case of resignation, each Officer shall turn over to his or her successor, without delay, all records books and other materials pertaining to the office.

Any officer may be removed from office and relieved of duties by a majority vote of the BHAB membership at any regular or special meeting with a quorum in attendance. Reasonable notice, in writing or in person by any member of good standing, must be given to an officer of such an impending removal action.

Duties of Other Board Positions. The duties of other positions shall be as follows:

3. SECRETARY

- a. Handle correspondence as directed by the Chairperson.
- b. Establish a Quorum at regular and special meetings.
- c. Prepare and process publicity releases.
- d. Maintain the Policies and Procedures Manual in consultation and with the assistance of the BHRS department and administrative staff.

4. TREASURER

- a. Monitor any and all funds allocated to and expended by the BHAB.
- b. Report the BHAB's financial status at each regular meeting.
- c. Submit a timely annual BHAB budget request to the Chairperson and the BHRS Director in accordance with W&I Code 5604.3 and County policy.

ARTICLE X – COMMITTEES

The following Standing Committee shall be created:

EXECUTIVE COMMITTEE

The Executive Committee will be composed of the current Chair, Vice Chair, Secretary and Treasurer. The term of Executive Committee members shall coincide with their terms as members of the Board.

STANDING COMMITTEES

The Chairperson may create one or more standing committees and appoint members at any time with the Majority Vote of the members. Standing committee meetings shall be noticed and conducted in conformance with the provisions of The Brown Act.

AD HOC COMMITTEES

The Chairperson may create ad hoc committees at any time. Ad hoc committees are of limited scope and duration and address specific issues under consideration by the BHAB. Ad Hoc committees terminate no later than the submission of the Annual Report to the BOS.

ARTICLE XI - ATTENDANCE AND VACANCIES ON THE BOARD

All BHAB members are required to contact the BHAB Chair or Secretary prior to a meeting if they are unable to attend. Failure to do so will result in an unexcused absence.

BHAB members are in good standing unless they have three (3) consecutive absences in a 12- month period. A Board member may be deemed by the Executive Committee to have ceased to discharge their duties of a BHAB member based on attendance and/or performance of other assigned duties. If after review, the Executive Committee determines the member should be removed, a recommendation will be made to the full BHAB. Upon two-thirds vote the BHAB may recommend the removal of the member to the Board of Supervisors.

ARTICLE XII – RESIGNATION AND LEAVE OF ABSENCE

Any member may resign effective upon giving written notice to the County Executive Office or to Behavioral Health & Recovery Services Director.

A Board member who does not wish to resign and who needs leave from board commitments, may request a leave of absence for personal reasons. The request must be submitted in writing to the Chair of the BHAB. The Executive Committee may approve his or her request for a period of time not to exceed 6 months. A member on leave may request an extension in writing to the Chair and such extension is subject to the approval of the Executive Committee. The request for extension will be reviewed by the Executive Committee as to the reasonableness of the extension and the overall impact on the Board in carrying out its responsibilities.

ARTICLE XIII – MEETINGS, QUORUMS, AND RULES OF ORDER

The BHAB shall meet monthly or as scheduled on the BHAB's approved annual calendar of meetings. A quorum shall consist of one person more than one-half of the appointed members. Members who are on an approved leave of absence will not count toward establishing a quorum. The Chairperson may request a vote by show of hands or a roll call vote.

All BHAB members shall attend a Brown Act training once per year by July 1.

Meetings of the BHAB shall be governed by The Standard Code of Parliamentary Procedure (Sturgis 4th Edition) as modified to allow open participation of the Chair and to comply with the Brown Act.

ARTICLE XIV - AMENDMENT OF THE BYLAWS

These bylaws may be amended at any meeting of the BHAB a majority vote of the membership of said Board when reasonable advance notice has been given as described below.

The BHAB shall use the following procedure when amending the Bylaws:

1. Proposals for change shall be noticed on the BHAB agenda and a copy provided to BHAB members prior to the meeting date on which the proponents wish to consideration and a vote on the change.
2. The changed and revised copy of the Bylaws is then forwarded to the Mendocino County Board of Supervisors for their review and approval/disapproval.
3. A copy of approved changed Bylaws is to be provided to each Mendocino County BHAB member at the next regularly scheduled meeting.