

MENDOCINO COUNTY BEHAVIORAL HEALTH ADVISORY BOARD

BYLAWS

Article I **NAME**

The name of this Board shall be the Mendocino County Mental Health Advisory Board, herein referred to as BHAB.

Article II

AUTHORITY

The authority of the BHAB (acting as a Mental Health Board) is set forth in sections 5604 through 5607 of the California Welfare and Institutions Code (W&I Code) and resolutions of the Mendocino County Board of Supervisors.

Article III

DUTIES

The duties of the Mendocino Behavioral Health Advisory Board shall be 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 agreements entered into pursuant to W&I Code section 5650.
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 program.
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 County's BHRS and BHRS-contracted services.
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 services delivered to consumers of MH services 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 section 5608.

Article IV

MEMBERSHIP

SECTION 1.

There shall be 16 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.

SECTION 2.

Each member of the BOS shall nominate three (3) members to the BHAB. The BHAB will interview and vote to recommend or not to recommend applicants. The Board of Supervisors appoints BHAB members. The Board of Supervisors may appoint anyone to the BHAB who meets the qualifications set forth in the W&I Code and these Bylaws, sections IV.3 and IV.6 whether the BHAB has recommended the person or not.

SECTION 3.

Fifty (50%) of the BHAB membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least twenty (20%) of the total BHAB membership shall be consumers, and at least twenty (20%) shall be families of consumers. Pursuant to W&I Code Section 5604(a)(1) the BHAB should reflect the ethnic diversity of the client population of the County.

SECTION 4.

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.

SECTION 5.

BHAB members are in good standing unless they have three (3) consecutive absences in a 12-month period. The Chairperson may send written notice to the member of his/her default status. A copy of the notice will be provided to the BOS. Upon receipt of written notice, the defaulting member may re-engage with the BHAB, resign or be terminated by the BOS. A terminated defaulted BHAB member may reapply at any time. The Chairperson may pre-approve a leave of absence for up to three (3) meetings at his/her sole discretion, announced at a Regular or Special meeting.

SECTION 6.

Except as provided in section 3, 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 V

OFFICERS

SECTION 1. OFFICERS

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

SECTION 2. EXECUTIVE COMMITTEE

The officers and the Chairpersons of the standing committees shall constitute an Executive Committee. The Chairman may appoint a member-at-large from the membership to serve for a term approved by a majority of the Executive Committee.

SECTION 3. REMOVAL OF OFFICERS

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.

SECTION 4. DUTIES

1. CHAIRPERSON

- 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 directors.

- e. Notify the BOS when vacancies or prolonged absences occur.
- f. Be in regular contact, consultation, and collaboration with the BHRS Director(s).
- g. Prepare and approve the monthly agenda.

VICE-CHAIRPERSON

- 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.

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.

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(s) in accordance with W&I Code section 5604.3 and County policy.

SECTION 5. VACANCIES OF OFFICES

Should the office of Chairperson be vacated, the Vice-Chairperson shall assume the Chair for the remainder of the term, or until a special election is approved at a Regular or Special meeting with a Quorum in attendance. Vacancies in other offices shall be filled by appointment of the Chairperson subject to ratification by a Majority Vote of the BHAB membership at a Regular or Special meeting with a Quorum present.

Article VI

MEETINGS

SECTION 1.

- 1. The annual regular meeting for the BHAB shall be approved by the BHAB.
- 2. Meetings shall be scheduled in various geographic locations approved by the BHAB.
- 3. Regular and Special meetings shall be noticed and conducted in accordance with the provisions of the Government Code section 54950 et. seq., "The Brown Act."
- 4. BHAB Regular and Special meetings shall be conducted in accordance with the most recent version of the BHAB Policies and Procedures approved by a Majority Vote of the BHAB.

SECTION 2. 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 Brown Act.

SECTION 3. QUORUM

A Quorum is one-half plus one of the duly appointed members currently serving on the BHAB.

SECTION 4. MAJORITY VOTE

A Majority Vote shall be a majority of those members present and voting at a Regular or Special meeting at which a Quorum is present.

SECTION 5. VOTING PROCEDURE

The Chairperson may request a vote by show of hands or a roll call vote.

Article VII

COMMITTEES

SECTION 1. 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.

SECTION 2. 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 IX

AMENDMENT OF THE BYLAWS

Any proposed revision to these bylaws shall be received and approved for discussion by the BHAB Executive Committee prior to being placed on the BHAB agenda. These bylaws may then be amended by a Majority Vote at any Regular or Special meeting with a Quorum present. BHAB-approved bylaws and amendments shall be forwarded to County Counsel for review prior to a vote by the BOS at a regular meeting.