

COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD BYLAWS

ARTICLE I  
Purpose and Authority

Section A: Establishing Authority

On December 2, 2014, the San Diego County Board of Supervisors established the County of San Diego Behavioral Health Advisory Board (BHAB). The establishing authority may be found in Welfare and Institutions Code Section 5604 and Health and Safety Code Section 11805.

Section B: Mission

The mission of the Behavioral Health Advisory Board is to review and evaluate the community's behavioral health needs, services, programs, facilities, special problems, impacts of realignment, and procedures used to ensure citizen and professional involvement in the planning process, of any aspects and to advise the Board of Supervisors, the Chief Administrative Officer, the Director of the Health and Human Services Agency (HHS) and HHS Behavioral Health Services (BHS) Director on any aspects of the above.

Section C: Lack of Affiliation

The Advisory Board is a non-partisan, non-sectarian, non-profit making organization. It shall not officially take part in, nor lend its influence to, any political issues.

Section D: Advisory Capacity

The Advisory Board shall act in an advisory capacity only to the Board of Supervisors, the Chief Administrative Officer, the Director HHS and the Director of BHS. It is not empowered by ordinance, establishing authority or policy to render a decision of any kind on behalf of the County or its appointed or elected officials.

ARTICLE II  
Membership, Appointment, Term of Office, Absences, Vacancies, Exclusions

Section A: Membership

The Behavioral Health Advisory Board shall satisfy the qualifications and the terms as provided in Section 5604 (a) through (g) of the California Welfare and Institutions Code; the California Health and Safety Code Section 11805; and the County of San Diego Administrative Code Article LVI.

Section B: Appointment of Members

Advisory Board members shall be appointed by the Board of Supervisors as follows:

1. The Advisory Board shall be limited to 21 members.

2. The Board of Supervisors shall appoint 20 members from the general public, consisting of 4 members per supervisorial district and the Board of Supervisors will designate a Supervisor for the 21<sup>st</sup> seat. The supervisorial appointees from each district shall consist of one member each from the following categories: a Person in Recovery; a Family Member; a Prevention Specialist; and a Treatment and Recovery Specialist, as described below:

<b>Person in Recovery</b>	An individual with a mental illness and/or an addiction experiences and manages his or her recovery.
<b>Family Member</b>	Parents, spouses, siblings, or adult children of individual(s) who are receiving, had received or are in need of services for their illness.
<b>Prevention Specialist</b>	An individual who may have a major interest on all matters related to the prevention and early intervention of mental health and substance use disorder. It does not require certification or licensing. The individual may be a member of the community concerned with Behavioral Health issues in the County (e.g. educator, law enforcement, primary care practitioner).
<b>Treatment and Recovery Specialist</b>	Mental Health and/or Substance abuse practitioner may include but is not limited to State licensed or certified specialists with disciplines in behavioral health as well as other experienced practitioners.

Section C: Term of Office

The terms of office for Advisory Board members are as follows:

1. Members nominated by each Supervisor shall serve a term of three years, with no member serving more than three consecutive terms.
2. The terms shall expire on the date of expiration of the term of the nominating member of the Board of Supervisors or at such time as said member of the Board of Supervisors ceases to hold office, whichever first occurs. The reelection of a member of the Board of Supervisors for a succeeding term shall not automatically extend the term of any Advisory Board member.
3. Members shall serve their terms at the pleasure of the Board of Supervisors and any member may be removed at any time by a majority vote of the Board of Supervisors, without cause. If a member has three unexcused absences in a calendar year, such member shall be ineligible to remain as an Advisory Board

member. An unexcused absence is the failure of a member to notify the Clerk of the Advisory Board (Clerk) in writing of her/his absence and the reason for the absence. As there may be mitigating circumstances each absence will be review individually by the Chair and staff, with a recommendation of continuance made to the Board of Supervisors by the BHS Director.

#### Section D: Vacancies

Advisory Board vacancies and recruitment shall be administered as follows:

1. Any vacancy shall be filled by appointment by the Board of Supervisors in accordance with Board of Supervisors Policy A-74 and Administrative Code Article LVI section 881.5.
2. Per existing Board of Supervisors Policy A-74, any member whose term has expired hereunder may, at the discretion of the Behavioral Health Director and concurrence of the member, continue to discharge the duties as a member until they have been replaced or reappointed.

#### Section E. Exclusions

Exclusions to Advisory Board membership shall include:

1. No member of the Advisory Board or his or her spouse shall be a full-time or part-time employee of BHS, or an employee of, or a paid member of, the governing body of a BHS contract agency, or in the service of, or an employee of, the California Department of Health Care Services.
2. Members of the Advisory Board shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the California Government Code.
3. No member of the Advisory Board shall be a member of any other advisory body to, or a person who holds any similar position or title on a compensated or non-compensated basis in a program that seeks or possesses a license pursuant to Chapter 9 of the California Health and Safety Code (commencing with Section 11836).

#### Section F: Conflict of Interest

1. Advisory Board members shall disclose to the Clerk of the Board of Supervisors in writing any outside employment or activity engaged in for compensation which relates to their Advisory Board duties or to the functions and responsibilities of the HHSA's Behavioral Health Services Division or which may be subject to approval by any County officer or employee.
2. No Advisory Board member shall make, participate in making or in any way attempt to use her/his position as a member of the Advisory Board to influence a decision in which she/he has a financial interest.

3. No person shall be appointed to, or serve on, the Advisory Board who participates in the making of County Behavioral Health Services contracts in which such person is financially interested within the terms of Government Code Section 1090 et seq. This prohibition is not applicable to persons with “remote interests” as defined in subdivision (b) of Government Code section 1091, provided that the person discloses the interest in accordance with subdivision (a) of Government Code section 1091 and the person does not influence or attempt to influence other advisory board members to act favorably in respect to the contract in which the person has a remote interest.

ARTICLE III  
Duties and Responsibilities of the Advisory Board

Section A: Duties

Advisory Board members shall have the following duties:

1. Review the County's Behavioral Health contracts and grants awarded to support services and initiatives administered through the Behavioral Health Services Division;
2. Review and approve reports to the Board of Supervisors and other entities as necessary and appropriate regarding the needs and performance of County funded behavioral health programs;
3. Review and evaluate the County's behavioral health needs, services, facilities, and special issues as they arise;
4. Review any County agreements entered into pursuant to Section 5650 of the California Welfare and Institutions Code;
5. Advise the Behavioral Health Services Division Director and follow communication protocol as described in HHS A E-7 policy to inform the Board of Supervisors as to any aspect of County behavioral health programs;
6. Submit an annual report to the Board of Supervisors on the needs and performance of the County behavioral health system;
7. Review and make recommendations on applicants for the appointment of the Behavioral Health Services Division Director. The Advisory Board shall be included in the Director's selection process prior to the vote of the Board of Supervisors;
8. Review and comment on County's performance outcome data, as it relates to behavioral health matters, and communicate its findings to the California Mental Health Planning Council;
9. Assess the impact of the realignment of services from the State to the County on behavioral health services delivered to clients and on the local community.

Section B: Responsibilities of Members

Each Member has the responsibility to:

1. Attend all regularly scheduled meetings.
2. Accurately and timely perform any filing obligations with the Clerk of the Board of Supervisors.
3. Complete any ethics training required by law in a timely manner.
4. Know all ordinances, by-laws, and rules governing the Advisory Board that are provided by the Clerk.
5. Understand she/he does not represent the Advisory Board in an individual capacity or in any political activity.
6. Expand knowledge of the continuum of behavioral health services and prepare for the meetings in advance by reviewing related materials provided prior to the meetings by the Clerk.

#### ARTICLE IV Officers

##### Section A. Nominating Committee:

At the first meeting of the BHAB in 2015, nominations from the floor will be accepted to establish a slate for officers for the Executive Committee. Executive committee duties are to provide organizational direction on behalf of the board and advise the board on decisions and business matters. They will consult with the BHS director for agenda setting. A special meeting will be called (to occur in the same month) for the sole purpose of electing officers. For subsequent elections, the following process will be followed:

- a. In September, the Chairperson shall annually appoint and the entire Advisory Board shall confirm in September, a Nominating Committee of not less than three (3) members.
- b. In October, the Nominating Committee shall select a slate of officers for the coming year, secure the verbal consent of those selected and present the slate of officers to the entire Advisory Board for acceptance of the slate.
- c. In November, the entire Advisory Board shall vote on the slate of officers including any additional nominations from the floor. Elected officers will take office in January.

##### Section B: Election of Officers

1. The elected officers shall be: Chairperson, 1<sup>st</sup> Vice-chairperson, 2<sup>nd</sup> Vice-chairperson and two Members-at-large. One Member-at-large shall represent the

alcohol and substance abuse community and one Member-at-large shall represent the mental health community.

2. One of the elected officers shall be a Person in Recovery.

### Section C: Term and Vacancies

1. Officers take office in January and serve a one-year term.
2. The maximum length of a given office shall be two consecutive terms.
3. Special elections shall be called by the Executive Committee with nominations from the Advisory Board, as necessary, to fill vacancies.

### Section D: Officers and Their Duties

1. The Chairperson shall be the principal executive officer and the official spokesperson of this organization. She/he shall preside at all meetings of the Advisory Board and the Executive Committee and shall carry out the policies of the Advisory Board and the Executive Committee. She/he shall make all committee appointments with the exception of the Nominating Committee; subject to the approval of the Advisory Board, she/he shall be an ex-officio member of all committees (except the Nominating Committee) and shall vote only in the case of a committee tie. She/he shall have the general powers and duties of management usually vested in the office of the Chairperson and the powers and duties as prescribed in these Bylaws. The Chairperson of the Advisory Board shall be in consultation with the Behavioral Health Services Director.
2. The 1<sup>st</sup> Vice-Chairperson shall do everything necessary to assist the Chairperson in the performance of her/his duties. The 1<sup>st</sup> Vice-Chairperson shall exercise the powers of the Chairperson when and if the Chairperson is absent and be bound by any voting restraints. In the absence of both the Chairperson and 1<sup>st</sup> Vice-Chairperson, the 2<sup>nd</sup> Vice-Chairperson shall exercise the powers of the Chairperson and be bound by any voting restraints of the Chairperson.
3. The Members-at-large shall do everything necessary to assist the Chairperson in the performance of her/his duties.

## ARTICLE V Advocates and Representatives

The Chairperson shall, subject to approval by the Advisory Board, make the following advocate and representative appointments to represent areas of special Advisory Board interest and to make recommendations to the Advisory Board:

1. Person in Recovery Advocate

It shall be the duty and responsibility of the Person in Recovery Advocate to make recommendations on behavioral health matters relating to or affecting the recovering population.

2. Child Advocate

It shall be the duty and responsibility of the Child Advocate to make recommendations on behavioral health matters relating to or affecting children, youth and families.

3. Advocate for Multi-Ethnic Concerns

It shall be the duty and responsibility of the Advocate for Multi-Ethnic Concerns to make recommendations on behavioral health matters relating to or affecting the multi-ethnic population.

4. Older Adult Advocate

It shall be the duty and responsibility of the Older Adult Advocate to make recommendations on behavioral health matters relating to or affecting the older adult population.

5. Representative to the California Association of Local Mental Health Boards/Commission (CALMHB/C): The representative to CALMHB/C shall represent the Advisory Board to the CALMHB/C and attend regional and state-wide meetings and provide reports to the Advisory Board.

6. Additional advocates shall be selected as determined by the Advisory Board and designated by the Chairperson.

ARTICLE VI  
Subcommittees and Ad Hoc Work Groups

Section A: Formation of Subcommittees

1. The Advisory Board may appoint subcommittees and authorize ad hoc workgroups comprised of Advisory Board members for the purpose of carrying out the functions and duties of the Advisory Board. Actions and recommendations of subcommittees shall not be deemed actions and recommendations of the Advisory Board and shall not bind the Advisory Board or its members until voted on by the entire Advisory Board at a regular meeting. Each subcommittee's purpose and scope must be outlined in writing.
2. Subcommittees must be approved by the Advisory Board and the Board of Supervisors notified of the establishment of the subcommittee.
3. Subcommittees of the Advisory Board shall consist of no fewer than three Advisory Board members, including at least one Advisory Board member who shall act as chair. Membership of a subcommittee shall be set to avoid having a quorum of the Advisory Board.
4. Subcommittees are subject to Brown Act and Roberts Rules of Order.

5. Ad hoc workgroups shall be formed as needed, consist of at least one Advisory Board member and may include behavioral health stakeholders designated by the Advisory Board. Ad hoc workgroups shall cease to exist on completion of their assignments.
6. All subcommittees and ad hoc workgroups shall report at regular Advisory Board meetings, as necessary. This report may be oral or written, unless specified by the Chairperson.

#### Section B: Duties and Responsibilities of Subcommittee Chairs

1. Subcommittee chair duties include:
  - a. Call committee meetings to order and run meetings.
  - b. Keep records of all actions and reports of the committee.
  - c. Submit actions and reports to the Clerk at least one week prior to regular meetings of the Advisory Board.
  - d. Report to the Advisory Board on committee meeting and actions taken, as necessary.
2. A subcommittee chair shall not act as spokesperson for the Advisory Board unless authorized to do so in writing by the Chairperson.

### ARTICLE VII Organization & Procedures

#### Section A: Rules of Governance

1. Robert's Rules of Order govern the operation of the Advisory Board and its subcommittees in all cases not covered by these Bylaws.
2. The Advisory Board shall prepare and adopt the necessary bylaws and other rules, which may be necessary for the conduct of its business.

#### Section B: Quorum and Voting

1. A quorum shall be one person more than one-half of the appointed members.
2. An affirmative vote of a majority of members in attendance shall be required for the passage of any business or matter before the Advisory Board.
3. Voting shall be on the basis of one vote per person and no proxy, telephone or absentee voting shall be permitted.
4. Chairperson shall vote only in the case of a tie.

#### Section C: Meetings

1. Public Meetings and Notice of Agenda:



All meetings of the Advisory Board and its subcommittees shall be open to the public and shall be held in accessible, public places. Notices and agendas of all regular meetings shall be e-mailed to Advisory Board members and posted in a publicly accessible place for a period of 72 hours prior to the meeting. Special meetings shall require 24 hours prior notice to members and posting in a publicly accessible place for 24 hours. Notice to members may be waived if the entire Advisory Board is present when the meeting is called.

2. Regular Meetings:

A minimum of 10 regular meetings per year shall be held.

3. Special Meetings:

Special meetings may be called in a signed writing by the Chairperson or by a majority of the Executive Committee or by not less than one third of the members.

Section E: Minutes of Meetings

1. Minutes of meetings shall be prepared by the Clerk or a delegate of the Clerk. . Minutes shall be in summarized form and approved Minutes shall be posted publicly.

Section F: Amendments

1. Recommendations to amend these Bylaws may be made at any regular meeting of the Advisory Board by a vote of the majority of the existing membership, in the form of a letter to the Board of Supervisors, such change being subject to the approval of County Counsel and the Board of Supervisors. The amendment shall be submitted in writing to the Clerk at the previous regular meeting.

Section G: Compensation and Expenses

1. Members of the Advisory Board shall serve without compensation. Advisory Board members shall be reimbursed for expenses incurred in performing their duties under this article, including mileage reimbursement in accordance with Administrative Code Section 471.

Section G: Effective date

1. These Bylaws shall become effective upon approval of the Board of Supervisors.

Approved by the  
Board of Supervisors  
12/2/14  
Agenda Item #18