

**BYLAWS**

**ARTICLE I**

**Name**

The name of this Commission shall be the El Dorado County ~~Mental~~Behavioral Health Commission-  
(MHC).

**ARTICLE II**

**Definition**

For the purpose of this document, "behavioral health" means the treatment and prevention of all diagnosed mental health disorders, specifically including all categories of substance dependence and abuse.

**ARTICLE III**

**Authority**

The authority of this Commission is established in the provisions of California Welfare and Institutions Code Section 5604, *et seq.*, Health and Welfare sections 11752.1(d) and 118.05, and by the El Dorado County Board of Supervisors in El Dorado County Resolution ~~177-2014 #~~ (and superseded Resolutions 131-93 ~~and~~, 054-2000 ~~and~~ 177-2014).

**ARTICLE ~~III~~IV**

**Objectives**

The El Dorado County ~~Mental~~Behavioral Health Commission shall:

- a. ~~a.~~ Review and evaluate the community's ~~mental~~behavioral health needs, services, facilities, and special problems.
- b. ~~b.~~ Review and advise any county agreements entered into pursuant to California Welfare and Institutions Code Section 5650 (Performance Contract).
- c. ~~c.~~ Advise the Board of Supervisors and the El Dorado County ~~Behavioral~~ Health Director as to any aspect of the local ~~mental~~behavioral health program.
- d. ~~d.~~ Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process as specified in California Welfare and Institutions Code Section 5651.

- e. Submit an Annual Report to the Board of Supervisors on the needs and performance of the county's ~~mental~~behavioral health system.
- f. ~~f.~~ Review each qualified applicant for the position of Behavioral Health Director, and make recommendations to the Board of Supervisors. The Commission shall be included in the selection process prior to the vote of the Board of Supervisors.-
- g. ~~g.~~ Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.

## ARTICLE ~~IV~~V

### Membership

#### A. ~~A.~~ Composition of Commission

The ~~Mental~~Behavioral Health Commission for El Dorado County shall consist of sixteen regular members appointed by the Board of Supervisors in accordance with California Welfare and Institutions Code Section 5604. Four regular members shall be appointed from among residents of the Tahoe Basin. The sixteenth member shall be a member of the County Board of Supervisors and selected by that body. Additionally, Associate Members may be appointed by either of the Council Chairs to serve on MentalBehavioral Health Commission committees.

#### B. ~~B.~~ Term

The term of each regular member of the Commission shall be for three years, with appointments equitably staggered so that approximately one-third of the appointments expire in each year. The sixteenth member shall be a member of the County Board of Supervisors and selected by that body. The term of each Associate Member will expire at the end of the calendar year upon dissolution of the MHCBehavioral Health Commission committees.

#### C. ~~C.~~ Conflict of Interest

The El Dorado County MHCBehavioral Health Commission shall abide by the provisions of the California Welfare and Institutions Code in defining who shall not be eligible for regular membership by virtue of a conflict of interest. No regular member of the MHCBehavioral Health Commission or his or her spouse shall be a full-time or part-time employee of the El Dorado County Health and Human Services Agency, an employee of the California Department of Health Care Services, or an employee of or a member of the Governing Body of a mental health contract agency. Regular members of the Commission shall abstain from voting on any issue in which the member has a financial interest, as defined in Section 87103 of the Government Code.

D.—A consumer of behavioral health services who has obtained employment with an employer described above and who holds a position in which he or she does not have any interest, influence or authority over any financial or contractual matter concerning the employer, may be appointed to the Behavioral Health Commission. The member shall abstain from voting on any financial or contractual issue concerning his or her employer that may come before the Commission.

#### **D. Commission Composition**

The composition of the El Dorado County ~~MHC~~Behavioral Health Commission shall, to the extent possible, reflect the ethnic diversity of the client population in the County. Fifty percent of the Board membership shall be consumers or the parents, spouse, sibling, or adult children of consumers, who are receiving or have received ~~mental~~behavioral health services. At least 20 percent of the total membership shall be families of consumers and at least 20 percent of the total shall be consumers.

#### **E. E.—Membership Responsibilities**

Membership responsibilities shall include the following:

1. Attendance at all regularly scheduled meetings.
2. Active participation on a minimum of one committee, task force, program activity or officer of the Commission.
3. Become knowledgeable regarding at least one component or service provided by the El Dorado County Behavioral Health Department.

#### **F. Vacancies and Reappointments**

A vacancy of an appointed regular member shall be filled for the remainder of the unexpired term. A vacancy in regular membership shall be deemed to exist for any applicable cause specified in Section 1770 of the Government Code or for any other provision of law, including but not limited to, any of the following:

1. 1.—A regular member ceases to reside in El Dorado County.
2. 2.—A regular member ceases to retain the status that qualified him/her for appointment on the Commission.
3. 3.—A regular member has failed to attend a meeting of the Commission for three consecutive months (except when prevented by sickness or temporary absence from the state) unless nonattendance is excused by the Chairperson.

#### **G. F.—Compensation**

All members shall serve without compensation, but may be reimbursed for actual and necessary expenses, as specified in the California Welfare and Institutions Code Section 5604.3, incurred in connection with their duties in accordance with the Board of Supervisors Resolutions and Ordinances.

#### **G. —Organizational Structure**

~~Given El Dorado County's geography, the MHC shall comprise a Western Slope Council of ten regular members, a South Lake Tahoe Council of five regular members, and a member of the Board of Supervisors. The Board of Supervisors member or designee may attend either or both Council's meetings.~~

### **ARTICLE ~~V~~VI**

#### **Officers-**

Officers of the Commission shall be the Chair, Chairperson, two Vice-Chair Chairpersons, one each for the West Slope and South Lake Tahoe areas, and Secretary of each Council, and all. All shall serve as members of the Countywide Mental Behavioral Health Commission Executive Committee. The Countywide MHC Executive Committee shall be chaired by one of the Council Chairs. The MHC Executive Committee shall meet as called by the Countywide Chair Commission Chairperson, and additionally as described under Article VHIX.

Commission ~~officers~~Officers shall serve for a one-year term. Elections shall be held annually at the first meeting of the calendar year at which time the slate presented by the Nominating Committee and any nominations from the floor will be considered.

The duties of the ~~officers~~Officers shall be as follows:

**Mental~~Mental~~Behavioral Health Commission ~~Countywide~~ Chairperson:**

- ~~a. a.~~ Chair all ~~countywide~~Behavioral Health Commission meetings.
- ~~b. —~~ ~~Call special Countywide meetings as necessary.~~
- ~~b. e.~~ Serve as a representative of the El Dorado County Mental~~Mental~~Behavioral Health Commission to regional or state mental health organizations that may be established. Alternatively, the Chairperson may appoint a representative from among the regular membership.
- ~~c. d.~~ Be responsible for the agenda of all ~~countywide~~commission meetings ~~in consultation with the Executive Committees of each Council.~~
- ~~d. e.~~ Consult with the of Behavioral Health Director.
- ~~e. f.~~ Submit ~~Mental~~the Behavioral Health Commission Annual Report to the Board of Supervisors ~~during the first quarter of the calendar year following his/her term of office.~~

**Council Chairperson:**

**Commission Vice-Chairpersons:**

- ~~a. —~~ Chair all Council meetings.
- ~~b. —~~ Appoint all Council committees.
- ~~c. —~~ Call special Council meetings when necessary.
- ~~d. —~~ Be responsible for the agenda of all Council meetings ~~in consultation with the Council Executive Committee.~~
- ~~e. —~~ Consult with the ~~Mental Health Director.~~
- ~~f. —~~ Submit that Council's Annual Report at the February meeting.

**Council Vice Chairperson:**

- ~~a. —~~ In the absence of the Chairperson ~~the~~a Vice-Chairperson selected by the Chairperson shall fulfill all of the Chairperson's responsibilities. Additionally, he/she shall assume such tasks and responsibilities as the Chairperson may designate.

**Council~~Council~~Commission Secretary:**

- ~~a. —~~ The Council~~Council~~Commission Secretary shall have the responsibility for all correspondence authorized by the Council~~Council~~Behavioral Health Commission. Additionally, he/she shall assume such tasks and responsibilities as the Chairperson may designate.

**ARTICLE ~~V~~VII**

**Meetings**

~~Countywide Mental Health Commission meetings and Council~~All Behavioral Health Commission meetings shall be subject to the provisions of Chapter 9, (commencing with Section 54950 of Part I of Division 2 of Title 5 of the Government Code), relating to meetings of local agencies, known as the Brown Act, in addition to applicable El Dorado County Ordinances and

Board of Supervisors Resolutions.

The ~~two Councils shall combine to hold Countywide Mental Behavioral~~ Health Commission ~~meetings shall meet~~ no fewer than ten times per calendar year at a time and place to be designated by the ~~Mental Behavioral~~ Health Commission Chairperson. ~~Separate meetings of the two Councils may be called by the respective Council Chair.~~

——Notice of all ~~Council and Countywide MHC~~Behavioral Health Commission meeting dates shall be communicated to members no fewer than five days prior to the date of the meeting and notice of all meetings shall be posted according to law and may be changed upon a 24-hour public notice.

——~~All Council and Countywide Mental~~Given El Dorado County's geography, members of the Behavioral Health Commission residing greater than 50 miles from the County Seat (Placerville) may attend meetings via video conference from remote locations with compatible video conferencing capabilities. It is intended that this

provision will provide for countywide representation and facilitate membership involvement and meeting attendance.

All Behavioral Health Commission meetings shall be governed by the provisions of Rosenberg's Rules of Order, Revised, to allow open participation and input by the public.

——Special meetings may be called by the Chairperson for a stated specific subject and only the specified matter may be considered at such a special meeting.

## ARTICLE

### VHVIII

#### Quorum

A simple majority of all regular members of the ~~Countywide MHC~~Behavioral Health Commission shall constitute a quorum of the Behavioral Health Commission and a vote of the simple majority of that quorum shall constitute a vote of said Commission. Votes on adoption of amendments to the Bylaws shall require a majority of all regular members. Election of ~~Council~~Commission officers shall be by simple majority ~~of the individual Council regular membership.~~

~~For administrative and other issues that are of concern to an individual Council, a simple majority of the members of that Council shall constitute a quorum and a vote of the simple majority of that quorum shall constitute a vote of said Council. Neither Council is empowered to act on behalf of the Countywide MHC without the participation of the other Council.~~

Associate members, assigned to ~~Council and countywide~~ committees, may vote and participate in all other committee activities. While voting privileges in ~~Council and Countywide Mental Behavioral~~ Health Commission meetings are limited to regular members, ~~Associate Members~~associate members may otherwise fully participate in the activities of these meetings, including all discussions.

~~The Mental Health Commission's Executive Committee (the officers of both Councils) is empowered to act on behalf of the entire Commission in an emergency situation when either Council or countywide membership meetings are not possible. Decisions so made by the Executive Committee are subject to confirmation by the general membership at the next regular Council meetings.~~

## ARTICLE ~~VIII~~

### IX

#### Special Meetings

Special meetings of the ~~MHC~~Behavioral Health Commission may be called any time by ~~Executive Committee Chair, Council Chair~~the Commission Chairperson or by a majority of the regular members of the Commission. Any special meeting notice must be received by regular members at least 24 hours in advance and shall specify time, place and business to be transacted. No other business shall be considered.

## ARTICLE ~~IX~~X

## Committees

Except for the ~~countywide Behavioral Health Commission~~ Executive Committee, all committees are advisory to the ~~Mental Behavioral~~ Health Commission and no committee shall have the power to bind the ~~Mental Behavioral~~ Health ~~Commission~~.

Commission ~~Executive Committee~~:

The members of the Commission Executive Committee are elected by the MHC membership Chair may appoint either ad hoc or standing committees.

### Standing Committees:

#### Commission Executive Committee:

The members of the Commission Executive Committee are the Chair, officers elected by the Behavioral Health Commission membership: the Chairperson, the two Vice-Chair Chairpersons, and Secretary ~~of each Council~~. In an emergency situation when a full Commission meeting is not possible, the Commission Executive Committee shall be empowered to act on behalf of the entire Commission on local issues not-

requiring full ~~MHC~~Behavioral Health Commission consideration. Decisions so made by the Commission Executive Committee are subject to confirmation by the general membership of the Behavioral Health Commission at the next regular Commission meeting.

~~The Commission Chair may appoint the following standing committees:~~

#### **Membership Committee:**

The Membership ~~Committee~~committee is responsible for:

- ~~a. a.~~ Ensuring that ~~Mental~~the Behavioral Health Commission regular membership meets State mandates and local expectations.
- ~~b. b.~~ Coordination with the Board of Supervisors on regular membership matters.
- ~~c. e.~~ Screening and contacting regular member applicants
- ~~d.~~ Orientation and training of new regular members.
- ~~d.~~ Training of new regular members.

#### **Planning and Budget Committee:**

~~The Committee will focus on the current and next year's plan and budget. The Planning and Budget Committee shall:~~

- ~~a.~~ Participate in the development of the planning process.
- ~~b.~~ Review all state and county proposals resulting in plan amendments and make recommendations to the MHC.
- ~~c.~~ Review the budget, contracts, and other documents which need to be reviewed by the Mental Health Commission.
- ~~d.~~ Ensure consistency with the long-range goals and objectives of the MHC in planning and programs.

#### **Nominating Committees for each Council:**

~~— The Nominating Committees shall be appointed during the month of October for the purpose of developing a slate of officer nominees, which shall be presented to the regular members of the Commission at the November meeting.~~

#### **Children's Committee:**

~~— The Children's Committee is responsible for:~~

- ~~a.~~ Representing the special needs of children.
- ~~b.~~ Evaluating (where appropriate, in conjunction with the Evaluation Committees), and making recommendations on Children's Mental Health Services.
- ~~c.~~ Such reports and inquiries as may be assigned by the Chairperson concerning Children's Services.

#### **Committee on Aging:**

~~— This Committee is responsible for:~~

- ~~a.~~ Representing the special needs of the elderly.
- ~~b.~~ Evaluating (where appropriate, in conjunction with the Evaluation Committees) and making recommendations on the Elderly Mental Health Services.
- ~~c.~~ Such reports and inquiries as may be assigned by the Chairperson.

#### **Legislative Committee:**

~~— The duties of this Committee shall consist of:~~

- ~~a.~~ Reviewing all pertinent legislative bills on mental health issues and reporting to the Commission.

- b. ~~Making recommendations to the Commission about actions on pending legislation.~~
- c. ~~Making recommendations to the Commission regarding the future legislative stance of the County.~~

#### **~~Patients' Rights Committee:~~**

- ~~The duties of this Committee shall consist of:~~
- a. ~~Evaluating and making recommendations on the Patients' Rights policies and procedures of the Department.~~
- b. ~~Such reports and inquiries as may be assigned by the Chairperson.~~

#### **Ad Hoc Committees:**

The Chairperson of ~~each Council and the countywide Chairperson~~Behavioral Health Commission may appoint for a specific purpose an ad hoc committee. Such committees shall be given a specific charge in writing, e.g., in the minutes of ~~an MHC~~a Behavioral Health Commission meeting, by the Chairperson. Ad Hoc committees are dissolved upon submission of their report and recommendations to the Commission.

A regular member of the Behavioral Health Commission shall chair all committees, both standing and ad hoc. Persons other than regular members of the Behavioral Health Commission may serve on all committees.

#### **Evaluation ~~Committees~~Committee:**

~~The Chairperson of each Council~~ may appoint an Evaluation Committee, which shall review and evaluate the County's services and facilities in their respective geographical areas, and may also be assigned to evaluate and report on special issues. Mental Health Commission Evaluation committee members shall not be current consumers or family members of current consumers in programs they are evaluating. There will always be a minimum of two people evaluating a program.

#### **Committee Membership:**

~~A regular member of the Mental Health Commission shall chair all committees, both regular and ad hoc. Persons other than regular members of the MHC may serve on all committees.~~

### **ARTICLE X**

#### **Staffing**

~~The Mental Health Commission and two Councils shall be staffed by the El Dorado County Director of Mental Health or designee.~~

### **ARTICLE XI**

#### **Amendments**

~~These Bylaws may be amended at regular or special meetings provided that such proposed amendments have been presented in writing to the Executive Committee~~ chairChairperson and each member of the ~~MHC~~Behavioral Health Commission and read by the Commission Chair at an earlier regular or special meeting. Said proposed amendments are to be approved by a majority of all regular

MHC Behavioral Health Commission members.

## ARTICLE XII

### Staffing

The Behavioral Health Commission shall be staffed by the El Dorado County Director of Behavioral Health or designee