



INYO COUNTY

BEHAVIORAL HEALTH ADVISORY BOARD BYLAWS

ARTICLE I PURPOSE

- A. As mandated by Section 5604.2 of the California Welfare and Institutions Code, the Behavioral Health Advisory Board (BHAB) provides oversight and monitoring of the Inyo County mental health system on behalf of the Inyo County Board of Supervisors (BOS), the governing body of the BHAB.
- B. The BHAB advocates for Inyo County residents who have a need for mental health services; provide a liaison between the community and staff and help distribute information to the public; as well advise the BOS and the Inyo County Director of Behavioral Health regarding any aspect of local mental health programs.

ARTICLE II AUTHORITY AND RESPONSIBILITY

- A. BHAB's authority is advisory only and is generally found at California Welfare and Institutions Code Section 5604, *et seq.*, specifically those duties delineated at Sections 5604.2 and 5608(c), and as the Substance Abuse Advisory Board under California Health and Safety Code Section 11805.
- B. BHAB's responsibility shall be met in accord with these Bylaws, as amended from time-to-time.
- C. BHAB will:
 - 1. Review, advise, and evaluate the various functions and policies of the ~~Behavioral~~ ~~Mental~~ Health Services Act Plan that are under the direction of and jurisdiction of the Inyo County Board of Supervisors.
 - 2. Review and evaluate the community's mental health and substance abuse needs, services, facilities, and special problems in order to provide more effective programs for the benefit of all residents of Inyo County.
 - 3. Review any County agreements entered into pursuant to Welfare and Institutions Code Section 5650.
 - 4. Advise the Inyo County Board of Supervisors and the local ~~Behavioral~~ ~~Mental~~ Health Director as to any aspect of the local mental health and substance abuse program(s).
 - 5. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process including the planning process for the ~~Mental~~ ~~Behavioral~~ Health Services Act Plans.
 - 6. Submit an annual report by ~~June~~ ~~September~~ 30 of each year to the Inyo County Board of Supervisors outlining and evaluating the needs and performance of the county's mental health and substance abuse programs, other available services, and unmet needs within Inyo County.



7. Review and make recommendations on applicants for the appointment of a local ~~Mental Behavioral~~ Health Director. The BHAB shall be included in the selection process prior to the vote of the Inyo County Board of Supervisors.
 8. Review and ~~comment submit surveys~~ on the County's performance outcome data and ~~communicate its findings to the State Mental Health Planning Council~~ California Behavioral Health Boards and Commissions through a survey posted by the Behavioral Health Planning Council.
 9. Act as a public official and participate in mandated training such as the Local Officials Ethics Training Course.
 10. Nothing in this part shall be construed to limit the ability of the BOS to transfer additional duties or authority to the BHAB.
- D. The BOS may assign additional duties or authority to the BHAB, such as a sub-committee or workgroup.
- E. BHAB has no power to take action on behalf of the County or any other entity.
- F. It is the intent of the Legislature that, as part of its duties pursuant to subdivision (C) the BHAB shall assess the impact of the realignment of services from the State to the County, on services delivered to clients and on the local community. (Welfare and Institutions Code Section 5604.2)
- ~~G.~~ The local Director of ~~Mental Behavioral~~ Health Services shall recommend to the BOS, after consultation with the BHAB, the provision of services, establishment of facilities, contracting for services or facilities, and other matters necessary or desirable in accomplishing the purposes of California Welfare and Institutions Code Section 5000 et seq., also known as Community Mental Health Services. (Welfare and Institutions Code Section 5608(c)).

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ARTICLE III DEFINITIONS

- A. "Consumers" are persons who are receiving or have received services for a mental disorder from a county mental health service or any of its contract agencies, a state hospital, or any public or private nonprofit mental health agency.
- B. "Mental disorders" are schizophrenia and major affective disorders which include bipolar and depression. Mental disorders are severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. (Welfare and Institutions Code Section 5600.3(b)(2)).
- C. "Mental disorders in children or adolescents" are those diagnosed disorders that are persistent and affect several areas of the life and the young person. Such disorders may be classified as: mood disorders, tic disorders, anxiety disorders, schizophrenia, disruptive behavior disorders, etc. In many children and adolescents, the disorders vary in age for onset, types of symptoms, and level of impairment. The disorders are not mutually exclusive, and many children and adolescents may have indicators of several types of disorders including, but not limited to, substance abuse and developmental disability.
- D. "Mental health services" is any service directed toward early intervention in, or alleviation or prevention of a mental disorder including diagnosis, evaluation, treatment, day care, special



living arrangements, community skill training, sheltered employment, case management, and community services. (Welfare and Institutions Code Section 5601(g)).

- E. "Mental health agency" is an establishment engaged in providing mental health services.

ARTICLE IV MEMBERSHIP

- A. General. Members of the BHAB shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

- B. Number. Pursuant to Welfare and Institutions Code Section 5604(a), there shall be five (5) Members on the BHAB appointed by the BOS, which number may be increased by the BOS. The BOS may appoint alternate Members pursuant to Inyo County Code Title 2, Chapter 2.54 and Welfare and Institutions Code Section 5604. Members shall consist of four(4) appointees and one (1) member of the BOS.

Nothing in this section shall be construed to limit the ability of the governing body to increase the number above fifteen (15). The BHAB will consist of five (5) Members, and may include alternates for any appointed seat. The membership must consist of one County BOS, one consumer, and one immediate adult relative of a consumer. The remaining two seats may be filled by general members of the public, consumers, or immediate adult relatives of consumers.

- C. Appointments. In appointing Members to the BHAB the BOS will use the following criteria:

1. Members shall be residents of Inyo County who, when possible, represent the demographics and the ethnic diversity of the County.
2. No Member of the BHAB, or his or her spouse, shall be a full-time or part-time County employee of:
 - a. A County mental health service;
 - b. The State Department of Mental Health; or
 - c. An employee of, or a paid member of the governing body of, a Bronzan-McCorquodale mental health contract agency. (Welfare and Institutions Code Section 5604(d)(1)).
3. The BHAB shall review applications for BHAB membership and may recommend appointees to the BOS. The BOS is encouraged to appoint individuals who have experience and knowledge of the mental health system and substance abuse issues. BHAB membership should reflect the ethnic diversity of the client population in the County.
4. If it is not possible to appoint Members as specified above under paragraphs V.C.1 and V.C.2, the BOS may appoint representatives of the public with an interest in mental health and substance abuse, who are not full-time or part-time employees of the County mental health service, the Department of Health Care Services, or on the staff of, or a paid member of the governing body of, a Bronzan-McCorquodale contract agency.
5. Membership on the BHAB shall not be limited on the basis of any protected characteristic.



6. The BHAB may recommend to the BOS that a member's appointment should be terminated for cause, including exceeding the number of permitted excused absences.
7. Accepting an appointment to the BHAB makes such a person a public officer for purposes of laws, rules, and regulations requiring conflicts of interest and incompatible activities. Each member of the BHAB is therefore required to comply with the appropriate laws, rules, and regulations regarding conflict of interest and incompatible activities.

D. Term.

1. The term of each Member of the BHAB shall be for three years. Every effort will be made to ensure that multiple appointments do not expire in the same year. The BOS shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year. Appointment terms are to begin as of July 1 and end on June 30.
2. All resignations from the BHAB shall be submitted in writing to the Board Chairperson, or to an officer, who will forward it to the BOS. The resigning member should provide as much advance notice as possible.
3. A member whose term is expiring should notify the BHAB at least ninety (90) days before the end of his/her term whether or not he/she wishes to continue on the BHAB. At the next meeting the BHAB will review the resignation or reapplication and the BOS will be requested to advertise the vacancy.

E. Attendance at any regular meeting is a necessary part of being an effective Member. It is required that each Member attend a minimum of one (1) meeting per quarter. If a Member is unable to attend a scheduled meeting, the Member should notify the Administrative Secretary at least twenty-four (24) hours in advance of a meeting in order to have an excused absence.

1. Any Member who is absent without notice for three consecutive meetings shall have his/her continued membership on the BHAB reviewed by the BHAB, following which the BHAB may recommend to the BOS that the Member be removed and the position be declared vacant.

F. Vacancies.

1. Vacancies, no matter how arising, shall be published in a newspaper of general circulation in Inyo County in the manner required for a legal notice posted by the BOS. (Government Code Section 54972 et seq.)
2. Members are encouraged to recruit and refer prospective members to the BOS at the time of vacancies.

**ARTICLE V
MEETINGS**

- A. All meetings shall be open to the public and held in accordance with the Ralph M Brown Act, Government Code Section 54950 et seq. All members of the public are encouraged to attend meetings of the BHAB for the public member's information and input.
- B. Notification of meeting place, date, and time shall be rendered to the public through posting at designated County offices and libraries at least five (5) days prior to the meeting, if possible. If such notification is not possible, at least a minimum of seventy-two (72) hours prior to a regular



meeting, the Notice of the Meeting shall be publicly posted in central designated locations within the community, on the County website, and directed to the BOS Clerk to post and provide notice to the BOS.

- C. Meetings shall be held monthly on ~~the second Monday of the month at 10:00 a.m.~~ a day approved by BHAB. If the regular meeting dates fall on a legal holiday, that meeting may be held on a date selected at the regular meeting preceding the holiday.
- D. The BHAB shall have not less than nine (9) regular meetings a year.
- E. Special meetings may be called when necessary and in compliance with the Ralph M. Brown Act. Such special meetings may be called by the Chairperson, or by a quorum of the BHAB. Notice of such special meeting place, date, and time shall be rendered to the public through posting and newspaper publication at least twenty-four (24) hours prior to the meeting.
- F. A quorum for the purpose of conducting a meeting shall consist of one person more than one-half of the appointed Members. (Welfare and Institutions Code Section 5604.5(c)) The definition of appointed Members excludes any vacant position as well as the Staff liaison position.
- G. Except for the adjournment of a meeting, no vote may be taken by the BHAB without a quorum present.
- H. A majority vote of those present and constituting a quorum shall be required to agree to any recommendation or report that will be presented to the BOS, provided that any Member who abstains due to a legal conflict of interest shall not be counted in determining the existence of a quorum or a majority vote.
- I. 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.
- J. Proxy votes shall not be allowed; however, written comments from Members will be accepted and entered into the minutes at each meeting.
- K. Formal BHAB recommendations and reports should include: roll call votes, final vote totals, reasoning or discussion of the decision and minority views, if any.
- L. Minutes shall include the names of BHAB Members who are present and absent, all reports received, approved or otherwise considered, any formal votes taken, including but not limited to recommendations adopted with the vote of each Member who voted thereon, and such additional information as is deemed necessary and appropriate. Copies of all minutes shall be transmitted to the BOS, the Director of Behavioral Health and each Member of the BHAB.
- M. Any Member wishing to recommend an item for a meeting agenda shall contact the Administrative Secretary no later than fourteen (14) calendar days prior to the meeting date. The agenda will be distributed with the requisite information material to each Member no later than the Friday preceding the meeting at which there is to be discussion or action taken on the agenda item.



ARTICLE VI OFFICERS

A. Officers.

1. Officers shall consist of Chairperson, and Vice Chairperson elected by the Members at the meeting held in the month of June, or the next succeeding meeting if none is held. Officers elected at the annual meeting will begin their terms of office July 1 following the election.
2. The Chairperson and Vice Chairperson shall be elected by a majority vote of the BHAB to serve a one year term from July 1 to June 30. No Member shall serve more than two (2) complete consecutive terms in any one office. The Chair, or Vice-chair, may petition the full Board for an additional 1-year term with approval by the Full Board.

B. Chairperson Duties.

1. To preside at all meetings of the BHAB and exercise and perform such other duties as may be from time to time assigned by the BHAB or prescribed by these by-laws.
2. To conduct the BHAB meetings and to provide leadership to the BHAB.
3. To encourage participation in public activities and trainings associated with the ~~Mental-Health Department~~ Behavioral Health division.
4. To administer the operations of the BHAB.
5. To establish committees and appoint committee members when necessary. The chairperson shall be an ex-officio member of all committees.
6. To forward the annual report to the County BOS.
7. To consult with the Mental-Behavioral Health Director with regard to the provision of services, establishment of facilities, contracting for services or facilities and other matters necessary or desirable to meet the objectives of the enabling statute.
8. To assist in the establishment of the BHAB meeting agenda with staff prior to posting.

C. Vice Chairperson Duties.

1. To assist the Chairperson in the performance of duties.
2. To perform all duties in the absence of the Chairperson.
3. ~~To represent the BHAB as to the California Association of Local Mental Health Boards (CALMHB).~~

ARTICLE VII OTHER COMMITTEES/APPOINTMENTS

- A. The Executive Committee will include two (2) officers. The Chairperson and the Vice Chairperson.
- B. The Chairperson may appoint special purpose Ad-Hoc committees as necessary. Members of a special purpose committee may include the general public who are not members of the BHAB.



- C. Staff Liaison. There shall be a staff person designated as liaison to the Board and Board Committees. The liaison will be chosen by the ~~Department of~~ Behavioral Health ~~Deputy~~ Director. This person shall be responsible for all administrative matters regarding the operation of this Board. These duties shall include, but not be limited to: maintaining the minutes ~~book~~, preparing and posting Board and Committee meeting agendas, generating minutes of Board meetings (not committees), keeping track of attendance, and being contact person for matters concerning the Board. These duties may be changed as necessary to provide proper liaison between the Board and the staff. This person may also be referred to as the "Board Secretary". This person shall not vote.

ARTICLE VIII ELECTIONS

- A. At the regular April meeting, the Board shall nominate members to the Board. Nominations shall be reviewed and voted upon by the Board at the regular May meeting. Voting shall be by ballot. Majority Rules. Officers will assume their positions on July 1 following the elections.

ARTICLE IX FINANCES

- A. The BOS may pay from any available funds the actual and necessary expenses of Members of the BHAB ~~of a community mental health service~~ incurred incident to the performance of his or her official duties and functions. The expenses may include travel, lodging, child care, and meals for the Member while on official business as approved by the ~~Deputy Director of the local mental health program~~ Deputy Director of Behavioral Health.
- B. The fiscal year of the BHAB shall be from July 1 to June 30.

ARTICLE XI PARLIAMENTARY AUTHORITY

- A. Except when State or Federal law or regulations, County ordinances and resolutions, court rulings, or these Bylaws apply, procedures of the BHAB shall be governed by the current edition of the Robert's Rules of Order Newly Revised.
- B. The latest revised Robert's Rules of Order, as may be modified by the Chairperson to allow open participation, shall govern the conduct of the meeting.

ARTICLE XII AMENDMENT

- A. These Bylaws may be amended by a majority vote of the BHAB at any meeting called in accord with these Bylaws, provided notice of the proposed amendment has been submitted in writing at the previous meeting and the amendment has been approved by the BOS.