

BEHAVIORAL HEALTH COMMISSION BYLAWS

PREAMBLE

The Behavioral Health Commission is committed to the goals of promoting wellness and recovery, enhancing public awareness and knowledge of mental health and substance use conditions, and eliminating stigma.

These bylaws have been amended to reflect the inclusion of one (1) required Client Youth seat within the existing Consumer/Client membership, and one (1) Public Education seat within the existing 19-member commission, in accordance with the recent amendments to the Welfare and Institutions Code.

ARTICLE I MEMBERSHIP

- a. Members are expected to attend all meetings of the Commission. A member who is unable to attend a given meeting shall give advance notice of their inability to attend either to the Commission Chairperson or the administration office of the County Behavioral Health & Recovery Services Division.
- b. In the event a member misses more than three (3) Commission meetings in a 12-month period the Executive Committee will review with the member their ability to serve on the *Behavioral Health Commission*. If efforts to achieve compliance are unsuccessful and a member does not maintain consistent participation in Commission activities, the member will be deemed to have automatically resigned and the Board of Supervisors will be advised of the vacancy. A member may be granted a one-time leave of absence, not to exceed three (3) months, for a serious illness; to care for a spouse, child or significant other who has a serious illness; to attend school; or for another reason, deemed sufficient by the members of the Executive Committee.
- c. All members should serve on at least one (1) committee of the Commission and shall participate in the activities of the Commission, including ad hoc committees and community outreach and engagement opportunities, as their other obligations permit.

Section 1.2 Resignation or termination and recruitment

In the event that a member resigns or becomes ineligible to remain on the Behavioral Health Commission, it will be noted in the minutes of the next scheduled Commission meeting. The Board of Supervisors staff liaison to the BHC shall advise the Board of Supervisors (“BOS”) and the Executive Committee for recruitment of the replacement.

- a. **Client/Family Member Seats:** Client and family members of those with lived experience will be interviewed by the BHC Executive Committee. Upon completion of the interviews the Executive Committee will recommend the appointment of the candidate. All other candidates will be referred to the BOS for public seat consideration.

- b. **Public Seats:** Members of the public who wish to join the BHC will apply with and be selected by the BOS. One member of the BHC will participate on the interview panel with the BOS.

Section 1.3 Membership and composition

- a. The Behavioral Health Commission shall include twenty-two (22) persons, including:
 - 1. Nineteen members (19) appointed by the Board of Supervisors
 - 2. One (1) member of the Board of Supervisors, and
 - 3. Two (2) members may be appointed from the Youth Commission

Except as specified in Section 1.3.a.3 above, all members are voting members. The membership should reflect the ethnic diversity of the consumer/consumer/client population in the county, and the composition of the Commission should represent the demographics of the county as a whole to the extent feasible.

- b. Of the nineteen (19) appointed members:
 - 1. No fewer than ten (10) of the appointed members shall be consumers/ clients or the parents, spouse, sibling, or adult children of consumers/ clients, who are receiving or have received behavioral health services.
 - i. Of these 10 members, no fewer than five (5) of the appointed members shall be consumer/ clients. Of those five (5) positions, one seat shall be for a youth age 18-25.
 - ii. Of these 10 members, no fewer than five (5) of the appointed members shall be families of consumer-clients of behavioral health services.
 - 2. No fewer than four (4) members shall be family members or consumer/ clients living with a substance use condition or in recovery.
 - 3. Three (3) members shall be public members who have knowledge and experience of the mental health and substance use condition service systems and may include additional consumer/ client/family members.
 - 4. One (1) member shall be an employee of a local education agency.
 - 5. One (1) member shall be a representative of law enforcement who shall be selected by the local chiefs of police. Their appointment shall be deemed confirmed upon notification to the Board of Supervisors.
 - 6. One (1) member shall be a Veteran and/or Veteran advocate.
- c. Consistent with Welfare & Institutions Code 5604 (d), no member of the Commission or their spouse shall be a full-time or part-time county employee of a county behavioral health service, and employee of the State Department of Behavioral Health, State Department of Alcohol and Drug Programs, or an employee of, or a paid member of the governing body of a mental health or substance use contract agency. "Behavioral health services" includes any service directed toward early intervention or alleviation or prevention of a mental health condition, including, but not limited to diagnosis, evaluation, treatment, personal care, day care, respite care, special living arrangements, community skill training, sheltered

employment, socialization, case management, transportation, information, referral, consultation, and community services.

- d. A consumer/ client of mental health or substance use condition services who has obtained employment with an employer described in paragraph (c) and who holds a position in which they do not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the commission. The member shall abstain from voting on any financial or contractual issue concerning their employer that may come before the commission. (W & I 5604.3.C.2 as amended 7/16/15).

ARTICLE II DUTIES

- a. Pursuant to Welfare and Institutions Code Section 5604.2 (a) and (b), as it may be amended from time to time, the BHC shall do the following:
 1. Review and evaluate the community's public behavioral health needs, services, facilities, and special problems in any facility within San Mateo County ("County") where the behavioral health evaluations or services are being provided, including, but not limited to: schools, emergency departments, and psychiatric facilities.
 2. Review any County agreements entered into pursuant to Section 5650. The BHC may make recommendations to the BOS regarding concerns identified within these agreements.
 3. Advise the BOS and the Behavioral Health Director as to any aspect of behavioral health programs. The BHC may request assistance from patients' rights advocates when reviewing and advising on mental health or substance use evaluations or services provided in public facilities with limited access.
 4. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the County planning process regarding the Behavioral Health Services Act (BHSA). Involvement shall include individuals with lived experience of mental illness and/or substance use and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illness/substance use on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.
 5. Submit an annual report to the Board of Supervisors on the needs and performance of the behavioral health system of San Mateo County.
 6. Review and make recommendations on applications for the appointment of the Behavioral Health Director. The BHC shall be included in the selection process prior to the vote of the governing body.
 7. Review and comment on the County's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.
 8. Assess the impact of the realignment services from the state to the County on services delivered to clients and on the community.

9. Perform such additional duties as may be assigned to the BHC by the BOS.
- b. Pursuant to Welfare and Institutions Code Section 5963.03, as it may be amended from time to time, the BHC shall conduct a public hearing on the draft three-year program and expenditure plan, and annual updates at the close of the required 30-day comment period and review the adopted plan or update and made recommendations to the County Behavioral Health Director for revisions.

ARTICLE III FINANCES

The Board of Supervisors may pay from any available funds the actual and necessary expenses of the members of the Behavioral Health Commission incurred due to the performance of their official duties and functions. The expenses may include mileage and parking, travel, lodging, conference registration fees, childcare and meals for the members of the Commission while on official business as approved by the local behavioral health director. (W & I 5604.3) The members of the Behavioral Health Commission shall serve without additional compensation.

ARTICLE IV MEETINGS

Section 4.1 Commission Meetings

The regular meetings of the Commission shall be held on the first Wednesday of each month or as such other times as the Commission shall designate. Special meetings may be called by the Chairperson or a majority of the Commission. The Commission shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, relating to meetings of local agencies (the Brown Act). [W&I 5604.1]

Section 4.2 Agenda

- a. The Chairperson shall prepare an agenda prior to each Commission meeting containing items agreed upon by the Executive Committee. Any member of the Commission may add an item to the agenda through the Chairperson.
- b. An item may be added to a meeting agenda by a simple majority vote of the members present at the time the agenda is presented for acceptance at the beginning of the Commission meeting.
- c. The agenda of all regular meetings shall contain an open agenda item during which time members of the audience may address the Commission.

Section 4.3 Quorum

- a. A quorum of any meeting of the Commission shall consist of one (1) person more than 50% of the total number of appointment members, excluding Youth Commission members. (W&I 5604.5.c)

- b. In the absence of the Board of Supervisor, their designated representative shall be counted in the quorum.

Section 4.4 Voting

- a. A simple majority of the quorum shall decide all questions unless otherwise stated.
- b. Voting shall be by voice unless otherwise stated or unless a request to vote by ballot is made by one-half of those members present.
- c. In the absence of the Board of Supervisors member, their designated representative shall be authorized to vote on their behalf.

ARTICLE V OFFICERS

Section 5.1 Personnel

The selected officers of the Commission shall be a Chairperson, Vice-Chairperson, representative to the statewide organization and a Member at Large.

Section 5.2 Election

At the regular October meeting, the Commission shall elect members to their offices. Nominations shall be submitted by the Nominating Committee at the regular September meeting or made from the floor at the regular October meeting.

No member of the Nominating Committee may be nominated to serve as an elected officer of the Behavioral Health Commission. If a member of the Nominating Committee wishes to be considered for nomination as an officer of the Behavioral Health Commission, that person will relinquish their participation on the Nominating Committee prior to the Nominating Committee's consideration of the member's candidacy.

Section 5.3 Term

- a. The officers shall be elected to serve for one (1) year commencing November 1.
- b. No officer shall be eligible to serve more than three (3) full terms in the same office. If an officer has served a partial term, that officer shall still be entitled to serve three full terms.
- c. Notwithstanding Section 4.3.b above, except for the Chairperson, an incumbent may serve additional terms in the same office if there are no other members who are willing to stand for election to that office.

Section 5.4 Duties

The powers and duties of the officers shall be as follows:

- a. The Chairperson shall be the Executive Officer of the Commission and shall preside at meetings of the Commission and Executive Committee. The Chairperson shall be in consultation with the Behavioral Health & Recovery Services Director. [5604.5.d] The Chairperson shall, with the approval of the Commission, create ad hoc committees as deemed necessary and shall assign their duties.
- b. The Vice-Chairperson shall assume the duties of the Chairperson in their absence.
- c. The Representative to the statewide organization shall attend its meetings and report to the Commission.
- d. The member-at-large shall serve on the Executive Committee and shall serve as a liaison to the consumer/consumer/client/consumer/consumer/client community through outreach and engagement activities.

ARTICLE VI COMMITTEES

Section 6.1 Executive Committee

- a. There shall be an Executive Committee of the Behavioral Health Commission. (W&I5604.5.e). The Executive Committee shall be composed of:
 - 1. The elected officers of the Behavioral Health Commission.
 - 2. *The Chairpersons of the Adult Services, Children & Youth Services, Older Adult Services, Alcohol and Other Drug Services, and Mental Health Services Act standing committees.*
- b. The Executive Committee shall meet regularly to develop the agenda for the full Commission meetings and shall have the power to handle matters between regular Commission meetings, such action to be ratified at the next regular Commission meeting.
- c. The Executive Committee will review applications for membership on the Behavioral Health Commission and provide feedback on each of the applicants to the Board of Supervisors.
- d. The chair of an ad hoc committee and other interested parties may be invited to attend an Executive Committee meeting when the subject matter of the ad hoc committee will be discussed.

Section 6.2 Nominating Committee

A Nominating Committee shall be appointed by the Chairperson at the regular July meeting with the majority vote of the Commission to meet one (1) month prior to the election of officers, select a slate of officers for the coming year and secure verbal consent to serve of those selected. The Chairperson of the Nominating Committee shall temporarily assume the role Commission Chair to accept further nominations and conduct election of officers at the regular October meeting of the Commission during the officer election process, consistent with Article Iv, Section 4.2.

Section 6.3 Standing Committees

There shall be an Adult Services Committee, a Children & Youth Services Committee, an Older Adult Services Committee, an Alcohol and Other Drug Services Committee, and a Mental Health Services Act Steering Committee. All committees shall be inclusive of persons or representatives of consumer/consumer/clients who are engaged in recovery services.

- a. The Commission Chairperson shall appoint the chairpersons of these standing committees.
- b. Each year, the goals and objectives of the standing committees shall be determined by the committee members and presented to the full Commission.
- c. *These committees shall hold regular meetings and consult with the heads of the Adult Services, Children and Youth Services, Older Adult Services, Alcohol and Other Drug Services, Mental Health Services Act, respectively.*
- d. These Committees will report to the full Commission at each Commission meeting.
- e. *The Chairpersons of the Adult, Children and Youth, Older Adult, and Alcohol and Other Drug Services, and Mental Health Services Act Steering Committees shall be members of the Executive Committee.*
- f. Interested members of the public may serve on a standing committee at the discretion of the committee Chairperson.

Section 6.4 Sub-Committees

Sub-committees may be established as needed, which may include persons who are not members of the Commission.

Section 6.5 Ad Hoc Committees

Ad hoc committees may be established as needed and may include persons who are not members of the Commission.

ARTICLE VII AMENDMENT AND RULES

Section 7.1 Rules of Order

The meetings of this Commission shall be conducted in accordance with Robert's Rules of Order, Revised. A parliamentarian may be appointed by the Chairperson.

Behavioral Health Commission will comply with the Standing Rules for County Boards, Commissions and Advisory Committees that are established by the Board of Supervisors.

Section 7.2 Amendment of the Bylaws

These bylaws may be amended at any meeting by a two-thirds vote of the current membership, provided that copies of the proposed amendments are sent to all members of the Commission at least (30) days prior to the meeting at which such action is taken.

Section 7.3 Approval by the Board of Supervisors

Amendments to the Bylaws shall require the approval of the Board of Supervisors. [W&I Code 5604.5]

Section 7.4 Standing Rules

Standing Rules, not in conflict with these Bylaws, may be adopted from time to time. These rules are directed toward the conduct of the affairs of this Commission. They may be amended or rescinded by a majority vote of the Commission.

ARTICLE VIII ETHICS

- a. Commission members must comply with California Government Code & 87100 and 1090 referring to financial conflict of interest and will sign an "Acknowledgement of Financial Conflict of Interest Laws" affidavit upon taking office.
- b. Commission members must comply with the County's Conflict of Interest Code and the Standing Rules for County Boards, Commissions, and Advisory Committees which state: "All members of boards, commissions, and advisory committees are conducting public business for the County of San Mateo and are subject to applicable California laws regarding conflicts of interest."
- c. Commission members shall take and pass State mandated ethics training within six (6) months of appointment and every two (2) years thereafter. A certificate of completion shall be filed with Behavioral Health & Recovery Services Director.
- d. The Commission recognizes that all persons have inherent dignity and shall be treated with respect.