

## BYLAWS

### **SAN LUIS OBISPO COUNTY BEHAVIORAL HEALTH BOARD**

#### ARTICLE 1

**NAME:** The name of this board shall be the “San Luis Obispo County Behavioral Health Board, “herein referred to as “Board.”

**AUTHORITY:** The authority of this Board is set forth in provisions of the State of California’s Welfare and Institutions Code Sections 5604 et seq., and the Health and Safety Code Sections 11805 and 11752.1(d).

**SCOPE OF WORK: The Board is responsible to review the services from the Behavioral Health Program and the County Alcohol and Drug Programs.**

**OBJECTIVES:** The objectives of this Board shall be as follows:

1. Review and evaluate the community’s public behavioral health needs, services, facilities, and special problems in any facility within the county or jurisdiction where mental health evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities, to ensure services are provided that improve and maintain the health and safety of individuals and families affected by mental health and/or substance abuse issues.
2. Review performance contracts of all providers of services with the San Luis Obispo County Behavioral Health Department, pursuant to Code Section 5650. The local mental health board may make recommendations to the governing body regarding concerns identified within these agreements.
3. Advise the Board of Supervisors, the Behavioral Health Department Director (hereinafter referred to as Director), and the County Alcohol and Drug Program Administrator as to any aspect of the County’s mental health, alcohol and drug treatment and prevention services. The Board may request assistance from local patients’ rights advocates when reviewing and advising on mental health 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 planning process. Involvement shall include individuals with lived experience of mental illness and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illnesses 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 County's Behavioral Health Department services and the public mental health system in the community, as requested by the Board of Supervisors.
6. Review and make recommendations on applicants for the appointment of the Behavioral Health Administrator of the Behavioral Health Department, which also serves as the Mental Health Director. The Behavioral Health Board shall be included in the selection process prior to the selection by the Health Agency Director.
7. Review and comment on the County's performance outcome data and communicate its findings to the California Mental Health Planning Council.
8. This part does not limit the ability of the governing body to transfer additional duties or authorities to a MENTAL health board.
  - b. It is the intent of the Legislature that, as part of its duties, pursuant to subdivision (a), the board shall assess the impact of realignment of services from the State to the County, on services delivered to clients and on the local community.

**MEMBERSHIP:** A current membership list with terms of office shall be a matter of public record. There shall be no less than ten (10) and no more than twenty (20) members of the Board. At least one-half of the seated membership shall be consumers of the public mental health system or family members of consumers. The Board membership should represent and reflect the diversity and demographics of the county as a whole, to the extent possible. . A quorum will consist of at least 50% or more of the seated Board membership. The Board shall consist of the following:

1. Fifty percent (50%) or more of members shall be consumers (Consumer) or the parent, spouse, sibling, or adult children of consumers (Family) who are receiving or have received mental health and/or substance abuse services. At least 20% of the total seated membership shall be direct consumers and at least 20% shall be families of consumers.
2. The remaining members may be representatives of the general public (Public) and the professions (Agency) who engage with individuals living with mental illness in the course of daily operations. Public members shall have experience and knowledge of the behavioral health system. The term of each member shall be for three years, ending June 30 of the appropriate year, with appointments staggered so that approximately one-third expire in each year.
3. One member of the Board shall be a member of the County's Board of Supervisors.



**VACANCIES:** The Board shall recommend to the Board of Supervisors, persons to fill vacancies using a Board-approved recruitment and screening process. County staff will facilitate the request to approve appointment through the regular County procedures. Per the Maddy Act, all Board appointments must be posted at least 10 working days before the replacement can be made. The posting must include the name of the incumbent appointee, the date of the appointment, the date the term expires, and the necessary qualifications for the position.

## ARTICLE II

**OFFICERS:** The officers of the Board shall be a Chairperson, a First Vice Chairperson, and a Second Vice Chairperson. They shall be elected by the members annually at the regular meeting in May, to take office at the regular meeting on July 1.

**DUTIES:** Duties of the Chairperson shall include:

1. Administer operation of the Board and preside at all meetings.
2. Call special meetings as necessary.
3. Appoint committees and Ad Hoc Committee chairs.
4. Produce and forward reports, including an annual report, to the County's Board of Supervisors and comment on County's performance outcome data to the State's Departments of Health Care Services and/or Alcohol and Drug Programs.
5. Notify the County's Board of Supervisors when vacancies or prolonged absences occur.
6. Prepare agendas.
7. Consult with the Behavioral Health Administrator.

Duties of the First Vice Chairperson shall include:

1. Act as Chairperson in the event of his/her absence.
2. Establish quorum at all regular meetings.

Duties of the Second Vice Chairperson shall include:

1. Act as Chair or First Vice Chairperson in the event of his/her absence.

**VACANCIES OF OFFICES:** Should the office of the Chairperson be vacated; the First Vice Chairperson shall assume the Chair for the remainder of the term. Vacancies in other offices shall be filled by appointment of the Chairperson, subject to ratification of the Board by simple majority.

**ELECTION OF OFFICERS:** Nomination of officers shall be made by a membership nominating committee appointed by the Chairperson and there may be nominations made from the floor. The Committee shall present a slate to the regular Board meeting in April, with elections in May. Nominations for officers may be made from the floor in April and May. New officers take office on July 1. Voting shall be by secret ballot. A candidate shall be elected by simple majority. If there is only one candidate, he/she may be declared elected by voice vote. If all candidates are unopposed, the slate may be declared elected by voice vote.

**EXECUTIVE COMMITTEE:** The officers, in addition to chairpersons of the membership nominating committee, shall constitute an Executive Committee. This Committee shall meet at

the call of the Chairperson and at least seven days prior to the regular meetings of the Board. The chair may invite members and non-members to the meeting.

### ARTICLE III

**MEETINGS:** The Board shall meet at least 10 times per year on a regular basis at the time and date determined by the members. Changes may be made by a majority vote of the Board at any regular meeting. Special meetings may be held by giving 48 hours notice of the purpose to all members on the call of the Chairperson, or of a majority of the Board. Meetings shall be conducted in accordance with the provision of Section 54950 et seq. of the Government Code (Brown Act) and under Robert's Rules of Order.

**ATTENDANCE:** Members are expected to participate in all Board activities. Legally appointed members will be considered in good standing if they attend a minimum of three quarters of the Board meetings in any twelve-month period. Members who miss more than one-fourth of the Board meetings in a twelve-month period or three consecutive meetings will have their past attendance records brought before the Executive Committee for review and may be requested to vacate their position on the Board unless absences were excused by the Chair prior to each meeting. If a member must be absent for three or more consecutive meetings, the member may request the Executive Committee grant a leave of absence. A member may be granted one leave of absence during his/her three-year term on the Board.

Members of the Board who are agency representatives (Agency) and unable to attend a meeting due to schedule conflicts may send to regularly noticed meetings a specifically named alternate in their place instead.

**QUORUM:** One-half of the duly appointed members plus one shall constitute a quorum. To meet quorum requirements for voting, the presence of a duly appointed alternate at a Board meeting would count the same as if the original member were in attendance. A majority vote shall be a majority of those present and entitled to vote.

**PROXY VOTING RIGHTS OF ALTERNATES:** The proxy voting rights of an alternate are specifically restricted to action items that have been posted on the Agenda for the current meeting.

**AGENDA:** The agenda for regular meetings shall be prepared and distributed by the Chairperson to each Board member at least seven (7) days prior to the meeting accompanied by all agenda support materials to be considered. Copies of the agenda shall be made available to the news media. Copies of the agenda shall be made available at each meeting for the public. The agenda shall give a brief description of the items to be covered. Every agenda shall provide an opportunity for members of the public to address the Board.

**AGENDA DEADLINE:** All matters to be included on the printed agenda must be submitted to the Chairperson at least seven days preceding the meeting.

**AGENDA NOTICE:** Copies of agendas for regular and special meetings shall be posted in a location that is freely accessible to members of the public and sent to the County Administrative Office, at least 72 hours prior to the meeting to meet the Brown Act.



## ARTICLE IV

**COMMITTEES:** Committees and Ad-Hoc committees shall be established to encourage community participation. The chair of such committees shall be a member of the Behavioral Health Board. The chair may appoint interested non-members to the committees.

The duties of the Membership-Nominating Committee shall be to:

1. Nominate new members and officers.
2. Notify the Board Secretary, Behavioral Health Staff, or Behavioral Health Administrator to initiate publicity when vacancies occur on the Board by posting the vacancies with the County Clerk-Recorder in accordance with the Maddy Act.
3. Screen applicants and forward recommendations to the Board, who will vote, and then forward names of applicants to the County's Board of Supervisors for appointment. Prospective members must attend one meeting of the Board before election.
4. Maintain attendance records of members.
5. Orient and welcome new members and make information on training and behavioral health issues available.

The Membership Nominating Committee may ask community representatives to aid in recruitment of applicants to achieve broad representation of the population of San Luis Obispo County.

**AD-HOC COMMITTEES:** The Chairperson, as needed, shall establish Ad-Hoc committees.

**OTHER BOARDS AND COMMITTEES:** The Board shall maintain linkage with other boards and committees through members authorized by the Board.

## ARTICLE V

### **CONFLICT OF INTEREST:**

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

Except as provided below, a member of the board or the member's spouse shall not be a full-time or part-time county employee of a county mental health service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of the governing body of, a mental health contract agency.

A consumer of mental health services who has obtained employment with an employer described in paragraph (1) and who holds a position in which the consumer does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the board. The member shall abstain from voting on any financial or contractual issue concerning the member's employer that may come before the board.

ARTICLE VI

**ANNUAL REPORT:** An annual report shall be prepared and presented by the Chairperson to the County's Board of Supervisors each year after approval by the Board.

**AMENDMENT OF THE BYLAWS:** These Bylaws may be amended at any regular meeting by a two-thirds vote of those present, provided that such proposed amendment has been presented and ready by the Chairperson at a regular meeting held next prior to the time the proposed amendment is to be voted upon.



Approved at the regular meeting of the Behavioral Health Board on May 20, 2020. This replaces Bylaws adopted by the Mental Health Board on May 15, 2019 and approved by the Board of Supervisors on August 13, 2019.

Clint Weirick, Chairperson  
Behavioral Health Board

Date: 07/16/2020

*Clint Weirick*

COUNTY OF SAN LUIS OBISPO,  
A Public Entity in the State of California

By: LYNN COMPTON  
Chair, Board of Supervisors

Date: September 1, 2020

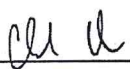
ATTEST:

WADE HORTON  
Ex-Officio Clerk of the Board of Supervisors

By:   
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

Rita L. Neal,  
County Counsel  
County of San Luis Obispo

BY:   
Deputy County Counsel  
Chelsea Kuhns

DATE: August 4, 2020