Bylaws of the Tuolumne County Behavioral Health Advisory Board

Article 1 Name

The name of this advisory board shall be the Tuolumne County Behavioral Health Advisory Board (hereinafter referred to as the "Advisory Board").

Article 2 Purpose

The Advisory Board shall review and evaluate the local public mental health and substance use disorder system and advise the Board of Supervisors on community behavioral health services delivered by the Department of Behavioral Health.

Article 3 Mission

To promote wellness, education, early intervention, prevention, treatment, and recovery for behavioral health services; to advocate for consumers; to protect/ensure high quality services are available to all; to advise the behavioral health program and county administrators of community needs and concerns.

Article 4 <u>Duties</u>

- I.(a) Pursuant to California Welfare and Institutions Code §5604.2, the Advisory Board shall:
 - (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 or substance use disorder

- evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.
- (2)(A) Review any county agreements entered into pursuant to Section 5650.
- (2)(B) The Advisory Board may make recommendations to the Board of Supervisors regarding concerns identified within these agreements.
- (3)(A) Advise the Board of Supervisors and the local behavioral health director as to any aspect of the local behavioral health program.
- (3)(B) The Advisory Board may request assistance from the local patients' rights advocates when reviewing and advising on mental health or substance use disorder evaluations or services provided in public facilities with limited access.
- (4)(A) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.
- (4)(B) Involvement shall include individuals with lived experience of mental illness, substance use disorder, or both, and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illnesses or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, public safety, local business owners, social services, older adults, transportation, and veterans.
- (5) Submit an annual report to the Board of Supervisors on the needs and performance of the county's behavioral health system.
- (6)(A) Review and make recommendations on applicants for the appointment of a local director of behavioral health services.
- (6)(B) The Advisory Board 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) This part does not limit the ability of the Board of Supervisors to transfer additional duties or authority to the Advisory Board.
- I.(b)It is the intent of the Legislature that, as a part of its duties pursuant to subdivision I.(a), the Advisory Board 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 pursuant to Welfare and Institutions Code (WIC) 5963.03 Behavioral Health Services Act (BHSA) Duties.
- (1) The Advisory Board established pursuant to Section 5604 shall conduct a public hearing on the draft integrated plan and annual updates at the close of the 30-day comment period required by subdivision (a).
- (2) Each plan and update shall include any substantive written recommendations for revisions.
- (3) The adopted integrated plan or update shall summarize and analyze the recommended revisions.
- (4) The Advisory Board shall review the adopted integrated plan or update and make recommendations to behavioral health department, as applicable, for revisions.
- (5) The Behavioral Health Department, as applicable, shall provide an annual report of written explanations to the Board of Supervisors and the State Department of Healthcare Services for any substantive recommendations* made by the Advisory Board that are not included in the final integrated plan or update. (*For purposes of this section, "Substantive recommendations made by the Advisory Board" means any recommendation that is brought before the Advisory Board and approved by a majority vote of the membership present at a Public Hearing of the Advisory Board that has established its quorum.)
 - *I.(c) In preparing annual and intermittent updates:

- (1) The Behavioral Health Department is NOT required to comply with the stakeholder process described in subdivisions (a) and (b).
- (2) The Behavioral Health Department shall post on its internet website all updates to its integrated plan and a summary and justification of the changes made by the updates for a 30-day comment period prior to the effective date of the updates.

(*Section I.(c) is NOT a duty of the Advisory Board.)

Article 5 Membership

- 1. <u>Advisory Board Composition</u>. The Advisory Board shall be comprised of between five (5)* and fifteen (15) members of the public who are appointed by the Board of Supervisors.**
- 2. Member Categories. Members shall be Tuolumne County residents and the overall composition should reflect the ethnic diversity and demographics of the client population in the County to the extent possible. Members shall be placed in categories as required by Welfare & Institutions Code § 5604(a). Vacancies shall be notified to the Board of Supervisors by submission of an agenda item requesting direction from the Board to the Clerk to post a notice of vacancy. The required categories are as follows:
 - a. At least fifty (50) percent of the Advisory Board membership shall be consumers or the parent, spouse, sibling, or adult children of consumers, who are receiving or have received behavioral health services. At least one of these members shall be an individual who is 25 years of age or younger.
 - b. At least twenty (20) percent of the total membership shall be consumers.
 - c. At least twenty (20) percent shall be families of consumers.
 - d. At least one member of the Advisory Board shall be an employee of a local education agency. To comply with this requirement, county staff shall notify its county office of education about vacancies on the Advisory Board.

- e. In counties with a population of fewer than 100,000, the county shall give strong preference to appointing at least one member of the board who is a veteran or a veteran advocate. To comply with this clause, a county shall notify its county veterans service officer about vacancies on the Advisory Board.
- f. One (1) member shall be from the Board of Supervisors.
 - * If the Advisory Board membership is limited to five (5) members, then the requirements of (a) through (c) herein shall be reduced to require appointment of one (1) consumer and one (1) parent, spouse, sibling, or adult children of consumers, who are receiving or have received behavioral health and/or substance use disorder services.
 - ** For appointment selection purposes, it is encouraged the Board of Supervisors appoint individuals who:
 - (1)have experience with and knowledge of the behavioral health system, and
 - (2)include members of the community that engage with individuals living with mental illness or substance abuse disorder(s) in the course of daily operations, such as representatives of county offices of education, hospitals, emergency departments personnel, city police chiefs, county sheriffs, and community and nonprofit service providers; and,
 - (3)Are a veteran, or "veteran advocate" defined as a parent, spouse, or adult child of a veteran, or an individual who is part of a Veterans organization, including the Veterans of Foreign Wars or the American Legion.
- 3. Membership Responsibilities. Members of the Advisory Board are expected to attend all regular and special meetings of the Advisory Board, to report unavoidable absences to the Chairperson or department staff prior to the date of the meeting, to participate in deliberations and activities of the Advisory Board, and to fulfill those other responsibilities that are specifically delegated to them as Advisory Board members by the Chairperson.

Specific responsibilities may include:

- a. Attendance at all regular meetings typically lasting two (2) hours,
- Spending additional time engaging in informal meetings with staff, program review, subcommittee meetings, training, interaction with other advisory boards, or general community contact as needed;
- c. To accept appointment, attend and actively participate in an existing Advisory Board committee, ad hoc committee, task force or represent the Advisory Board with a collaborating group or agency.

No Advisory Board member may take any action or make any representation on behalf of the Advisory Board without consent of the full committee.

4. Conflicts of Interest.

- a. Advisory Board members shall abstain from voting on or participating in any matter in which the member has a financial interest as defined in Section 87103 of the Government Code.
 - A member may disqualify themselves either in writing to the Advisory Board Chairperson, or when the item on the agenda is announced by (1) disclosing the interest raising the potential conflict, and (2) that they are disqualifying themselves from participating in the decision. Any questions about conflicts of interest or disqualification may be referred to the Office of County Counsel.
- b. Restrictions on Membership. No member of the Advisory Board, or his or her spouse, shall be a full-time or part-time employee of the County Department of Behavioral Health, or State Departments or entities receiving funding from TCBH, the reorganized authorities and services previously held by the "State Department of Mental Health," such as the "State Department of Health

Services," or any employee or paid member of the governing body of a Short-Doyle contract agency or facility. Any such employment or relationship shall immediately be reported to the Advisory Board.

A consumer of mental health services who has obtained employment with an employer described above 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.

- 5. <u>Terms of Appointment</u>. Advisory Board members shall be appointed for a period of three (3) years and may be reappointed. Terms shall be staggered so that approximately one-third of the appointments expire each year.
- 6. <u>Board Vacancies</u>. Follow the Governing Bodies Handbook as it may be amended from time to time.
- 7. Removal of a Member. A majority of the members of the Advisory Board may, upon a roll call, vote to remove a member of the Advisory Board. Reasons for removal may include:
 - a. Missing three (3) or more meetings which are not excused; or
 - b. Exhibiting disruptive and/or disorderly behavior; or
 - c. Taking actions contrary to the Advisory Board's mission Upon removal, the Advisory Board will notify the Board of Supervisors.

Article 5 Member Training

1. <u>Mentors</u>. Each new member will have an Advisory Board member as a mentor appointed or volunteered at the first meeting following the new member's appointment. The mentor

- will sit with the new member at meetings for at least one (1) year. The mentor will be available for questions.
- 2. <u>Orientation Manual</u>. New members will be provided with a current copy of the Advisory Board's Orientation Manual.
- State Trainings. Each year the Advisory Board will consider utilizing trainings from the California Institute for Behavioral Health Solutions (CIBHS) and California Association of Behavioral Health Boards & Commissions (CALBHBC).
- 4. <u>Behavioral Health Department Training</u>. Each year the Advisory Board will receive trainings on the local system.

Article 6 Meetings

- 1. Open Meetings. Meetings shall be open to the public and conducted in accordance with the Ralph M. Brown Act. (Government Code §§ 54950 et seq.) The Advisory Board may conduct closed sessions to consider those matters allowed by law to be heard in this manner.
- 2. Regular Meetings. Regular meetings of the Advisory Board shall be held once a month. The Advisory Board may set the date and time of a regular meeting, or cancel a meeting, by a majority vote of the members of the Advisory Board. Regular meetings shall be noticed at least seventy-two (72) hours prior to the date and time set for the meeting.
 - a. <u>Agenda Preparation</u>. Refer to the Governing Bodies Handbook, as it may be amended from time to time. The Chairperson of the Advisory Board, in consultation with the Behavioral Health Director, will set the agenda for each meeting.
 - b. <u>Agenda Distribution</u>. In addition to posting, including on the County's website, the agenda shall be provided to Advisory Board members by email, or by U.S. Mail if no email address is provided, the same day the agenda is posted, but no later than two (2) days prior to the regular

meeting. Available agenda materials shall be included with the agenda, or if not, shall be available to members and attendees at the scheduled meeting.

- 3. Special Meetings. Special meetings may be called by the Chairperson or by majority vote of the members of the Advisory Board during a meeting. Special meetings shall be noticed at least twenty-four (24) hours prior to the date and time set for the meeting. Because special meetings must comply with Brown Act open meeting law requirements, resources of the department shall be confirmed prior to the scheduling of a special meeting.
- 4. Quorum. A quorum shall consist of a simple majority of the currently appointed members of the Advisory Board (excluding vacancies). A quorum shall be necessary at all times to conduct Advisory Board business. At any meeting at which a quorum is not achieved, or lost during a meeting, the meeting shall be adjourned or recessed as appropriate until such time a quorum is achieved or re-established.
- 5. <u>Conduct of Meetings</u>. The Chair may determine the order of meeting items, such as the following suggested format:
 - a. Call to Order
 - b. Introductions
 - c. Public Comment
 - d. Correspondence
 - e. Approval of Minutes
 - f. Action Items
 - g. Program Review
 - h. Supervisor/Director's Report
 - i. Member Reports
 - j. Committee Reports
 - k. Old Business
 - I. New Business
 - m. Adjournment
 - n. Behavioral Health and Recovery Upcoming Events

Article 7 Officers

- Officers and Duties. The officers of the Advisory Board shall be the Chairperson and Alternate Chairperson. Refer to the Governing Bodies Handbook, as the appointed Board of Supervisor member shall serve as the Chairperson. If the Chairperson is unable to attend a meeting, an alternate Board of Supervisors member may preside as Vice-Chairperson at Advisory Board meetings.
 - a. Chairperson Duties. As required by the Governing Bodies Handbook, the Chairperson shall be the appointed member of the Board of Supervisors. The Chairperson shall be in consultation with the local behavioral health director. The Chairperson shall preside at all meetings of the Advisory Board. The Chairperson shall have all the rights and duties of other members, including the right to introduce motions or proposals and to speak and vote on them while presiding. In the event of a tie vote, the matter may be either carried over for the next meeting, or the discussion may continue with an additional vote. If a consensus is not reached with further discussion or at a continued meeting, the matter will fail, or be reported as a "tie vote."
 - b. <u>Alternate Chairperson Duties</u>. In the absence of the Chairperson, the Alternate Chairperson shall preside at meetings of the Advisory Board. In the event of a vacancy in the office of the Chairperson, the Alternate Chairperson shall succeed to the office of the Chairperson.

In lieu of a secretary, department staff will fulfill such duties, including scheduling and noticing meetings, distribution of the agenda and materials, attending meetings, maintaining record of meeting quorums, preparing minutes of meetings, and maintaining record of all activities of the Advisory Board.

Article 8 Committees & Task Forces

- Ad Hoc Committees. Ad Hoc Committees of limited duration and limited subject matter and constituting less than a quorum of the Advisory Board may be formed by the Advisory Board as needed provided department resources are confirmed by the department prior to formation.
- 2. <u>Task Forces</u>. Task forces may be formed by action of the Advisory Board consisting of community members and a task force chairperson. Members of the Advisory Board may not be appointed to a task force. Task force members are appointed by the Advisory Board, and the task force chairperson is appointed by the Advisory Board Chairperson.
- 3. <u>Executive Committees</u>. An executive committee of the Advisory Board may be created when absolutely necessary to conduct Advisory Board business outside of regular meetings. Because special meetings must comply with Brown Act open meeting law requirements, resources of the department shall be confirmed prior to the creation of an Executive Committee.

Article 9 Bylaw Amendments

All proposed bylaw amendments shall be approved by majority vote of the members of the Advisory Board. Amendments shall not take effect until approved by the Board of Supervisors.

Article 10 Parliamentary Procedure

The Advisory Board shall follow the Governing Bodies Handbook and the Governance Manual, as they may be amended from time to time to conduct its meetings.

	e, July 2, 2025. Chairperson, Behavioral Health Advisory Board
• •	by the Tuolumne County Board of Supervisors on this ust 19, 2025. Chairperson, Board of Supervisors
Attest: By: Nicole Miller	Heather Ryan, Board Clerk of the Board of Supervisors
Approved as to legal form: By: Christopher Schmidt, Deputy County Counsel	

Updated 2008/2009, 2012/2013, 2016/2017, 2023/2024, 2025/2026

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

Nicole Miller Board Clerk

By: