

**NEVADA COMMISSION  
ON BEHAVIORAL HEALTH & DEVELOPMENTAL  
SERVICES BYLAWS**

**Updated  
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2013**

**Article I: Name and Mission**

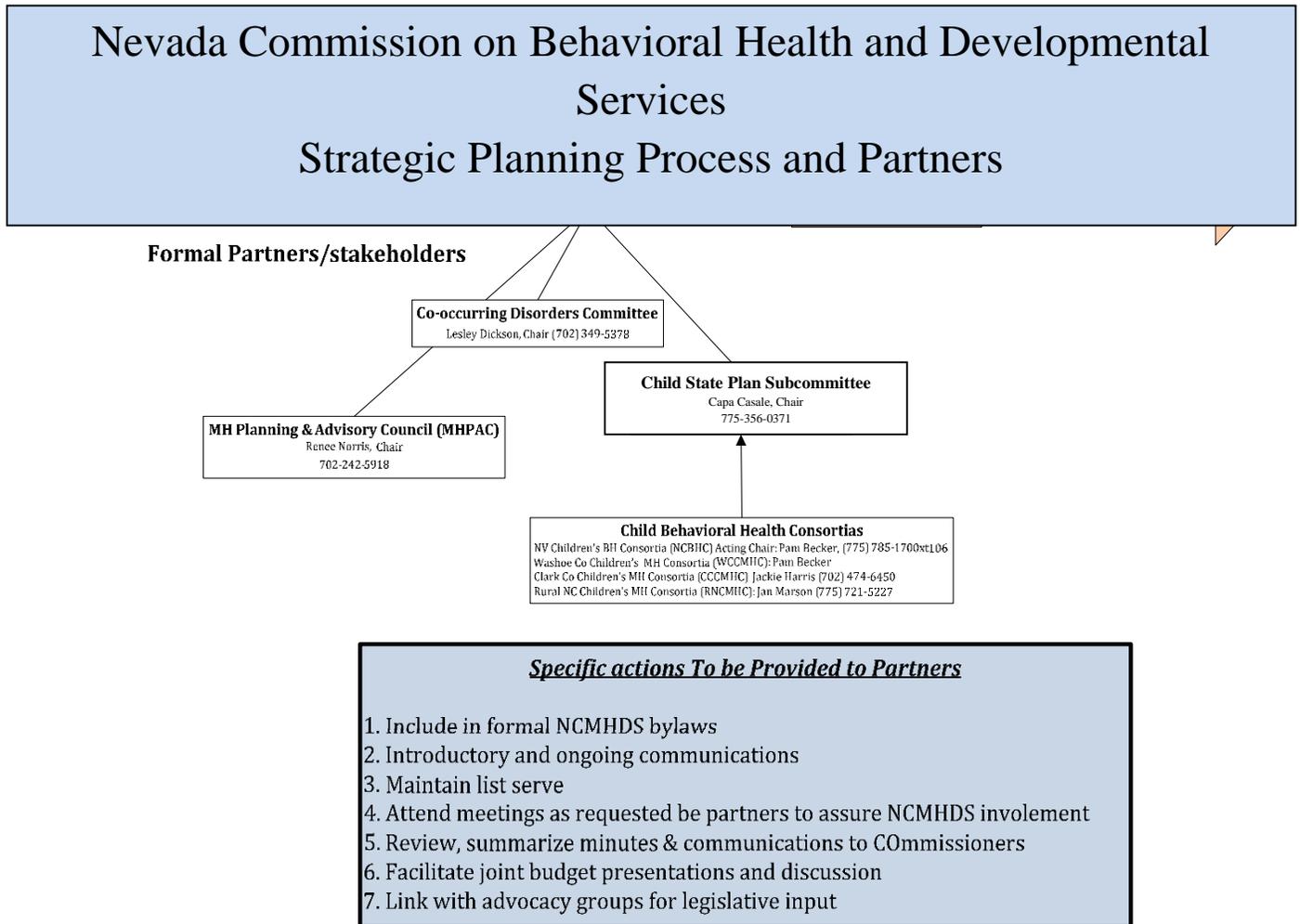
1. Name. This Commission shall be the Nevada Commission on Behavioral Health and Developmental Services.

2. Mission. The Nevada Commission is a 10-member legislatively created body designed to provide policy guidance and oversight of Nevada’s public system of integrated care and treatment of adults and children with mental health, substance abuse, and developmental disabilities/related conditions. The service delivery system is administered by state agencies in Nevada through the Division of Public and Behavioral Health and the Division of Child and Family Services. The Commission also promotes and assures the protection of the rights of all clients in this system.

3. Commission shall undertake and maintain a lead role in providing strategic planning to the Department of Health & Human Services (DHHS). The strategic planning process is outlined using Figure 1 below. The NCDPBH ongoing planning process will collect information from these specific organizations;

- a. Mental Health Planning & Advisory Council (Section 1914(c) of the Public Health Service Act)
- b. Co-Occurring Disorders Committee (SB2)
- c. Nevada Child Behavioral Health Consortia (SB 131)

Figure 1.



**Article II: Powers and Duties**

1. The Commission shall provide all advisory and oversight duties as assigned to it via Nevada Revised Statutes 433.

### **Article III: Membership**

1. The Commission shall maintain membership as assigned to it via Nevada Revised Statutes 232.361

2. Absences

- a. Two absences from regularly scheduled meetings within a calendar year without sufficient or overriding reason will be considered unexcused absences and may constitute grounds for removal from membership.
- b. At each regularly scheduled meeting, absences will be noted and indications of excused or unexcused will be noted.
- c. The Chair will determine if the absences are excused or unexcused at the time of the next scheduled meeting. An excused absence includes, but is not limited to, an unexpected occurrence or emergency with health, family, or employment that would prevent the member from attending the meeting. An unexcused absence includes, but is not limited to, lack of communication (no contact) with the NCDPBH Chair, or Administrative Assistant.
- d. Unless an absence is the result of an emergency or unexpected occurrence, members who cannot attend a regularly scheduled meeting must give written prior notice (letter, memo, or e-mail) to the MHPAC Chair, Vice Chair, or Administrative Assistant within 24 hours prior to the meeting. Failure to do so will result in an unexcused absence.

3. Removal from Membership

- a. When a member has a second (2<sup>rd</sup>) unexcused absence within a calendar year, the Chair will send a notification letter to the member that the Commission intends to take action at the next scheduled meeting.
- b. At that meeting, the member will have an opportunity to refute the action or the Commission will proceed with the removal process.
- c. The removal process shall be a simple majority vote to recommend the removal to the Governor for action.

### **Article IV: Officers**

1. Officers of the Commission shall be a Chairperson, Vice-Chairperson, and Past Chairperson.

2. The Chairperson and Vice-Chairperson of the Commission shall be elected at the Commission's first annual meeting of all even numbered years. Chairperson and Vice Chairperson shall hold office to be elected for 2 year terms or until they shall file a

resignation in writing. A member of the Commission may serve not more than two consecutive terms in an office.

3. The Commission officers shall have the following duties:

- a. The Chairperson shall preside at all meetings of the Commission. He shall determine the agenda for all regular meetings. Such duties and authority as are herein conferred upon him and as shall be entrusted to him from time to time by the Commission.
- b. The Vice-Chairperson shall preside at meetings of the Commission in the absence of the Chairperson. He shall perform such other duties as are herein conferred upon him and as may be assigned to him by the Chairperson of the Commission.
- c. The Past-Chairperson shall preside at meetings of the Commission in the absence of the Chairperson and Vice Chairperson. He shall perform such other duties as are herein conferred upon him and as may be assigned to him by the Chairperson of the Commission.

#### **Article V: Meetings**

1. A special meeting of the Commission may be called by the Chairperson, or in the event of his absence, by the Vice-Chairperson.

2. The full Commission must meet at the call of the chair at least 6 times, but not more than 12 times per year. The Commission must meet face to face twice annually; the Commission will utilize video and teleconferencing for the remainder of the meetings. This does not include subcommittee meetings.

3. A majority of the members of the Commission constitutes a quorum and is required to transact any business of the Commission.

4. The Chair in consultation Administrators of the Nevada Division of Public and Behavioral Health and the Division of Child and Family Services shall prepare all written agendas. Any other person desiring to place an item on the agenda or make a presentation to the Commission shall provide this information to the Chairperson or the Administrator not later than 10 days before a Commission meeting. Any Commissioner shall submit an agenda item through the Chair or the Administrator.

5. The vote of the majority of the Commission members present at a meeting at which a quorum is present shall be an act of the Commission. In the event of a tie vote, the Chairperson or Vice Chairperson shall break the tie.

6. Minutes of each open meeting shall be provided using existing staff at the respective agency that is hosting that particular meeting, either DCFS or DPBH. All minutes shall be furnished to all Commission members.

## **Article VI: Committees**

1. Standing Subcommittees. The Commission shall have two standing subcommittees. These standing subcommittees shall meet during publicly posted meetings. Minutes of all subcommittee meetings shall be taken by a member of DPBH and Developmental Services staff designated by the DPBH Administrator. The minutes shall be furnished to all Commission members.

2. Standing subcommittees are authorized to make decisions concerning the affairs of the Commission in the interim between regularly called meetings. Actions taken by these Subcommittees must be reported to all members of the Commission at the next regularly called meeting.

*a. Strategic Planning & Bylaws.* Provides oversight to the Commissions ongoing strategic planning process, and updates bylaws annually.

*b. Children's Statewide Behavioral Health Planning.* This subcommittee meets to specifically provide compliance with Senate Bill 31 (2009), which requires the Commission annually analyze regional reports, to be consolidated by the Commission for transmission to the Legislature.

3. The Chairperson may designate other temporary committees and project assignments as deemed advisable. The committees shall have such powers and authority as the Commission shall entrust to them. Each committee shall consist of at least one Commission member who shall be appointed thereto by the Chairman and such other persons as shall be selected by the committee chairperson. The Commission Chairperson shall be an ex officio member of each committee.

4. A majority of the members of a committee shall constitute a quorum for the transaction of business at any committee meeting.

5. The vote of a majority of committee members present a committee meeting at which a quorum is present shall be an act of the committee.

## **Article VII: Rules of Order**

1. The most recent edition of Roberts' Rule of Order shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

2. In compliance with Nevada's Open Meeting Law, Chapter 241 of NRS, a staff person designated by the Administrator(s) of DPBH and DCFS shall be responsible for posting the agendas for the Commission meetings three (3) days prior to each scheduled meeting.

3. New Commissioners shall participate in new member orientation prior to their first formal meeting.

## **Article VIII: Amendments**

1. These bylaws may be amended at any time a vote of a majority of the whole Commission at any meeting of the Commission if the following conditions are first met:
2. Any proposed amendment shall be presented at least 5 (five) calendar days before the meeting when the amendment is to be voted upon;
3. These bylaws were amended September 20, 2013 and remain in effect until amended or repealed as provided in Article VII.