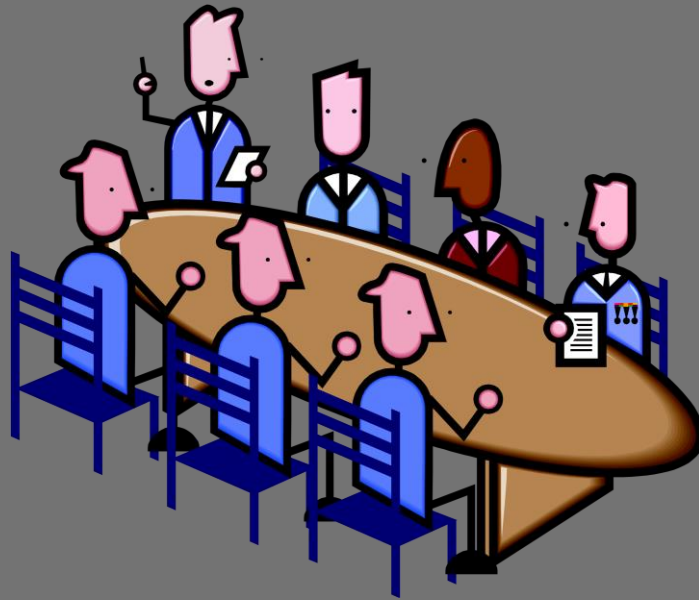


2019

The Commission on Behavioral Health

New Commissioner Orientation Guide



THE COMMISSION ON BEHAVIORAL HEALTH

NEW MEMBER ORIENTATION

Internal Operations

CONGRATULATIONS on your new appointment, and WELCOME to The Commission on Behavioral Health As a new member, we ask that you take some time to review this packet. This kit is designed to bring new members “up to speed” quickly, and as an ongoing information resource and reference for all current Commissioners.

This packet is designed to:

- Help the entire Commission operate as smoothly and efficiently as possible
- Assist each new Commissioner to be as effective as possible
- Build cohesion among Commissioners, agencies, staff, and primary stakeholder groups

Your packet includes a review of the specific Nevada laws and mandates that empower your work as Commissioner, along with housekeeping and operational information, and forms you may need to use.

First impressions tend to last a long time. In order to ensure we can all benefit from this orientation, please consider the following:

- We can make the date, time, and location convenient for you
- Keep it real and practical
- New members are encouraged to bring any unaddressed questions or concerns for discussion or action by the full Commission

General Expectations

- **Know the Commission’s mission, purpose, goals, policies, strengths, and needs.** Ask questions about things that do not make sense to you. Find another Commissioner that you feel comfortable asking questions of or contact any of the staff to find out about the work and functioning of the Commission.
- **Bring good will to all Commission deliberations.** Things will not always go as hoped. It is important to be persistent and to demand what is right, but do not let little things keep you from addressing the important issues.
- **Prepare for, and actively participate in all Commission and sub-committee meetings.** Staff will make every attempt to send out reminders for formally schedule Commission meetings. Nonetheless, we do depend on your active participation in all scheduled publicly posted meetings that you commit to. Making sure you are at each

call or meeting is especially critical since the Commission has such large mandates, and there are only 10 Commissioners. Please...help us by marking your calendars carefully.

Read materials that are sent out ahead of time. Ask questions of the chair or other committee members if things do not make sense to you.

- **Complete assignments on time and present results as requested.** You want people to take you seriously and to know that you are a valuable member of the Commission; this is best accomplished through actions and example.
- **Feel comfortable asking questions; other people are probably wondering the same thing.** By asking questions you are indicating your interest in the work of the Commission and that you do not just accept what people are telling you.
- **Know your organization or constituency.** Make a point to share information about your constituents' work and vice versa. If you represent a particular interest group make that perspective known but try not to become myopic.
- **If you have a topic that you wish to bring to the agenda,** talk with the Chair to have it placed on the agenda and follow through to make sure that it is addressed.



Statutory Responsibilities- NRS 232 AND 433

Nevada Revised Statutes (NRS) are Nevada's written law. They document Nevada's legal, civic and public health operations. NRS has many chapters that pertain to various state functions and agency operations. They are often interpreted by our Deputy Attorney General (DAG) who attends all publicly posted meetings and provides ongoing legal consultation. You can access all the Senate Bills (SB) and Assembly Bills (AB) by clicking on:

<https://www.leg.state.nv.us/>

As a Commissioner, you should be particularly familiar with two statutes that indicate how the Commission must operate, and its legal authority and responsibilities. Chapter 232 creates the Commission and gives it basic operational guidelines and Chapter 433 describes duties and powers.

Both statutes are included in this packet. Please read both carefully. Your knowledge of these statutes, and your awareness of your responsibilities as a Commissioner, sets an important foundation. Many people are depending on an effective and organized Commission.



Commission History, Mission

In 1985, the Commission was created with the intent to provide a public forum for mental health, **provide accountability to the taxpayers and the Nevada Legislature**, provide needed new perspectives, increase knowledge in treatment of mental health issues, be representative of mental health and improve the system in coordination of all mental health programs, evaluation of future state needs, **development of a mental health plan for the state**, upgrade the quality of care for patients, establish programs to prevent mental health issues, and overall better the system.

The Commission is appointed by the Governor and is required to report to the Governor and Legislature annually by letter or report. The most recent letter is included in your packet.

The **current (2013) Mission Statement** is “The Nevada Commission on Behavioral Health 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.”



Legislative Changes

AB 366 (2017) Created the four Regional Behavioral Health Policy Boards who are required to advise DPBH and the Commission on regional issues relating to behavioral health and to submit an annual report to the Commission which includes the priorities and needs of the policy board's behavioral health region.

AB 366 also revises the requirements of the report submitted by the Commission annually to the Governor and biennially to the Legislature to include: (1) recommendations from each policy board; (2) the epidemiologic profiles of substance use and abuse, problem gambling and suicide; (3) relevant behavioral health prevalence data for each behavioral health region; and (4) the health priorities set for each behavioral health region.

SB 79 (2009)

Requires the Commission include co-occurring disorders in their scope of powers and duties and requires creation of a standing subcommittee on the mental health of children. (NRS 433.314-433.327).

NOTE: Legislation enacted in 2002 established three mental health consortia; Clark County, Washoe County, and one rural mental health consortium that comprises all other counties; and prescribes the membership of each mental health consortium. (NRS 433B.333)

SB 131 (2001)

Requires each of these three consortia to submit any revisions to the long-term strategic plan and a prioritized list of services and costs necessary to implement the plan to the Director of the Department and the Commission on Behavioral Health in even-numbered years. The list of priorities and costs submitted by each consortium must be considered by the Director in preparing the biennial budget request for the Department.

In odd-numbered years, each consortium must submit a report regarding the status of the long-term strategic plan and any revisions made to the plan.

The Commission’s formal strategic planning process is designed to ensure compliance with these statutes.



Staff/Program Overview

For 2019, the Commission is pleased to have the assistance of the below personnel. These individuals work for the Chair and conduct regular communications with the Chair. They include:

TABLE 1. COMMISSION STAFF AND ASSIGNMENTS - 2019					
Name	Title Areas of responsibility	Mailing Address	Day Phone	FAX	Email
Joseph Filippi	DPBH Admin Support	4150 Technology Way, Ste. 300 Carson City NV 89706	(775) 684-5850	(775) 687-7570	jpfilippi@health.nv.gov
Kristen S. Rivas, MS Ed, LADC	DCFS Professional Staff Support	4600 Kietzke Lane Suite A-107 Reno, NV 89502	(775) 688-1717	(775) 688-1647	KRivas@dcfs.nv.gov

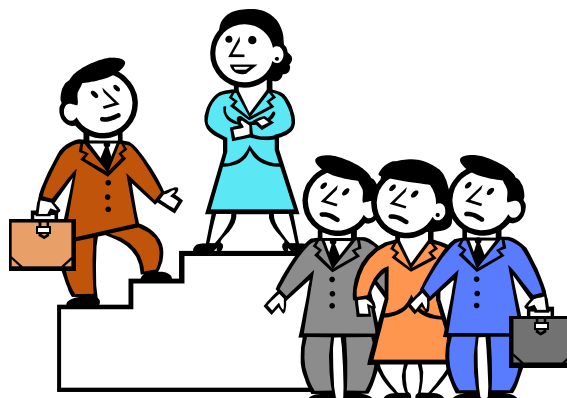
Your Commission staff certainly could not operate without the leadership from the following key agency staff at DPBH and DCFS. They are:

TABLE 2. AGENCY DIRECTORS & COMMISSION STAFF SUPERVISORS					
Lisa Sherych	DPBH Interim Administrator	4150 Technology Way Suite 300 Carson City, NV 89706	(775) 684-5850	(775) 687-7570	LSherych@adsd.nv.gov
Ross Armstrong	DCFS Administrator	4126 Technology Way Suite 300 Carson City, NV 89706	(775) 684-4440	(775) 684-4455	ross.armstrong@dcfs.nv.gov

Parliamentary Procedures/Robert's Rules of Order

Using a formal parliamentary procedure is important because it is a time-tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order Newly Revised is the basic handbook of operation for most clubs, organizations, and other groups.

Following parliamentary procedures and using Robert's Rules of Order ensures fair and orderly meetings by outlining common rules and procedures. Adhering to these rules for deliberation and debate allows the membership to have equal footing and to speak the same language.



The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

Parliamentary procedures only work if used properly;

1. Allow motions that are in order
2. Have members obtain the floor properly
3. Speak clearly and concisely
4. Obey the rules of debate.... most importantly, *BE COURTEOUS*

The fundamental right of deliberative assemblies requires all questions to be thoroughly discussed before taking action. All subcommittee reports are recommendations. When presented to the full commission and the question is stated, debate begins, and changes occur. The full commission has the final say on everything. And... silence means consent!

- Obtain the floor (the right to speak). You must be recognized by the Chair before speaking!
- Debate cannot begin until the Chair has stated the motion or resolution and asked, "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he/she pleases, or even withdraw the motion without consent of the seconder; if the mover modifies, the seconder can withdraw the second.

- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and department - avoid all personalities, never allude to others by name or to motives!

Parliamentary procedures are a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion... This process requires the chair to direct communications and allow for deliberations before formal action is taken. Generally, we ask that all members ascribe to using these guidelines.

✓ *Organizations using parliamentary procedure usually follow a fixed order of business.* Below is a typical example of the parliamentary procedures used by the Nevada Commission.

1. Call to order.
2. Roll call of members present.
3. Review and approval of minutes of last meeting.
4. Agency and officers' reports.
5. Subcommittee reports.
6. Unfinished business.
7. New business.
8. Public comment/announcements.
9. Adjournment.

✓ *Motions:* The method used by members to express themselves is accomplished by moving motions. A motion is a proposal that the membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.

How are Motions Presented?

1. Obtaining the floor
 - a. Wait until the last speaker has finished. The Chair will call for a motion.
 - b. Address the Chair by saying, "Mr. /Ms. Chairman, or Mr./Ms. President."
 - c. Wait until the Chair recognizes you.
2. Make Your Motion
 - a. Speak in a clear and concise manner.
 - b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ..."
 - c. Avoid personalities and stay on subject.
3. Another member will second your motion or the Chair will call for a second.
4. If there is no second to your motion, it is lost.

5. The Chair States Your Motion
 - a. The Chair will say, "It has been moved and seconded that we ..." Thus, placing your motion before the membership for consideration and action.
 - b. The membership then either debates your motion or may move directly to a vote.
 - c. Once your motion is presented to the membership by the Chair it becomes "assembly property," and cannot be changed by you without the consent of the members.
6. Expanding on Your Motion
 - a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
 - b. The mover is always allowed to speak first.
 - c. All comments and debate must be directed to the chair.
 - d. Keep to the established time limit for speaking.
 - e. The mover may speak again only after other speakers are finished, unless called upon by the Chair.
7. Putting the Question to the Membership
 - a. The Chair asks, "Are you ready to vote on the question?"
 - b. If there is no more discussion, a vote is taken.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of your organization. The Nevada Commission uses one of three methods to vote, they are:

1. By Voice -- The Chair asks those in favor to say, "aye," those opposed to say "no." Any member may move for an exact count.
2. By Roll Call -- Each member answers "yes" or "no" as his/her name is called. This method is used when a record of each vote is required.
3. By General Consent -- When a motion is not likely to be opposed, the Chair says, "If there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By Ballot -- Members write their vote on a slip of paper, this method is used when secrecy is desired. When using this method staff will tabulate and report the results to the whole Commission.

There are two other motions that Commissioners commonly use before voting:

1. Motion to Table -- This motion is often used in the attempt to "set aside" a motion.
2. Motion to Postpone Indefinitely -- This is often used as a means to "kill" a motion.



Commission communication structures/management

- The Commission staff report to the Chair. While we are all here to assist you, please help us maintain continuity by discussing any staff assignments you may need with the Chair prior to making assignments to staff. Email communications are generally preferred since staff are all part time but call anytime if that is best for you.
- All correspondence staff provide are to be copied to the Commission officers and project liaisons, unless instructed otherwise.



Teleconference protocols, software/hardware, web surveys

- Commissioners are expected to maintain email and printer capabilities. Generally, Commissioners print out hardcopy reports and documents that are emailed to them. Access to a fax and cell phone is also helpful.
- Please try to check you Commission-related emails frequently; daily if possible.
- Right to Be Photographed: Whenever photography occurs at a public event, your consent to be photographed is not legally required. Be aware you might be photographed occasionally but during public events ONLY. If you would prefer not to be photographed at all, please let the staff know and we will avoid that.
- If attending the meeting by conference call, always make sure you can speak confidentially. Watch for distractions such as outside noises, rustling desk papers, barking dogs, car horns, etc. Use the mute button when not speaking.
- Call in 1-2 minutes BEFORE the call is scheduled. We make every effort to stay on time.
- Read all materials prior to the call.
- If you are cut off, please remain at that number and redial immediately.
- Web surveys: Commissions may be asked to complete web surveys through an emailed link. We will keep these to a minimum, and design them to take as little of your time as possible. Web surveys are used to collect accurate information quickly, so please respond quickly to any web surveys.



Stipend Processing

If you are eligible for a stipend, you may need to complete some forms. Those forms will be provided to you by personnel at DPBH and DCFS. As a new Commissioner, there may be additional forms to be completed as well.

In addition, a copy of the letter of appointment that is sent from the Governor's Office must be sent to the DPBH and DCFS offices.

New Commissioners who are state or county employees have specific regulations regarding stipend allocation. We have been advised to review the Nevada Administrative Code that covers this carefully with you.

NAC 284.589 Administrative Leave with Pay (NRS 284.065, 284.155, 284.345)

1. An appointing authority may grant administrative leave with pay to an employee
 - a. To relieve the employee of his/her duties during the active investigation of a suspected criminal violation or the investigation of alleged wrongdoing;
 - b. For up to 30 days when the appointing authority initiates the leave to obtain the results of an examination concerning the ability of the employee to perform the essential functions of his/her position;
 - c. For up to 30 days to remove the employee from the workplace when he/she has committed or threatened to commit an act of violence;
 - d. For up to 2 hours to donate blood; or
 - e. To relieve the employee of his/her duties until the appointing authority receives the results of a screening test pursuant to NRS 284.4065.
2. The appointing authority, upon approval of the Risk Management Division of the Department of Administration, may extend administrative leave with pay granted to an employee for a purpose set forth in paragraph (b) or (c) of subsection 1.
3. Except as otherwise provided in subsection 4, an appointing authority or the Department of Personnel may grant administrative leave with pay to an employee for any of the following purposes:
 - a. His/her participation in, or attendance at, activities which are directly or indirectly related to the employee's job or his/her employment with the State, but which do not require him/her to participate or attend in his/her official capacity as a state employee.
 - b. Closure of the employee's office or work site caused by a natural disaster or other similar adverse condition when the employee is scheduled and expected to be at work. An appointing authority may designate certain employees as essential and notify them that they are required to report to work.
 - c. His/her appearance as an aggrieved employee or a witness at a hearing of the Committee.
 - d. His/her appearance as an appellant or a witness at a hearing conducted pursuant to NRS 284.390 by a hearing officer of the Department of Personnel
 - e. His/her appearance to provide testimony at a meeting of the Commission
4. An appointing authority or the Department of Personnel shall grant administrative leave with pay to an employee for a purpose set forth in paragraph ©, (d) or € of subsection 3 if;
 - a. The employee requests the administrative leave for a period of time that is reasonably needed from him/her to testify at the hearing or meeting;
 - b. The employee requests the administrative leave at least 2 weeks before the leave is needed, unless such notice is impractical; and
 - c. The absence of the employee will not cause an undue hardship to the operations of his/her appointing authority or adversely impact the provision of services to clients or to the public
5. An appointing authority shall grant administrative leave with pay to an employee for any of the following purposes;
 - a. The initial appointment and one follow-up appointment if the employee receives counseling through an employee assistance program;
 - b. His/her attendance at a health fair which has been authorized by the Board of the Public Employees' Benefits Program;
 - c. His/her participation in an official capacity as a member of a committee or board created by statute on which he/she services as a representative of state employees. Such leave must be in lieu of other fees provided for attendance at meetings and participation in official functions of the committee board;
 - d. Up to 8 hours of preparation for hearings regarding his/her suspension, demotion or dismissal as provided in subsection 1 of NAC 284.656;
 - e. Up to 8 hours for preparation for hearings regarding his/her involuntary transfer.



Website Tour

As a new Commissioner, you should be familiar with the Commissions webpage, which is included on the DPBH website. For this part of the orientation, you will need to be seated in front of your computer.

√ First, please log onto the DPBH website at <http://dpbh.nv.gov>

The DPBH webpage includes a wealth of pertinent information.

√ Next, we will tour the Commission webpage. Please confirm your public contact information.



NEVADA'S PUBLIC (OPEN) MEETING LAWS

As a new Commissioner, you should be aware of your required compliance with the Open Meeting Law (OML). Nevada's OML was first enacted in 1960 and is codified in Chapter 241 of Nevada Revised Statutes (NRS). Nevada has one of the strongest open meeting laws in the United States because there are so few exceptions to the general rule that all meetings of public bodies must be open to the public. A copy of the Nevada Open Meeting Law is included with your packet.

OML WEBSITES AND CONTACTS - Open Meeting Law - Office of the Attorney General

Website: http://ag.nv.gov/About/Governmental_Affairs/OML/

☛ **The Nevada Commission is a public body and is subject to Nevada's Open Meeting Law.**

The statement of legislative intent in NRS 241.010 declares that: “. . . all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.” To that end, the provisions of the OML are liberally construed in favor of the public and the courts will not imply exceptions to the general rule. To assist public bodies in complying with the Open Meeting Law provisions, the Nevada Attorney General's office publishes the Open Meeting Law Manual (OML Manual) with checklists and guidance on applying the OML. The OML Manual is available online at: http://ag.nv.gov/uploadedFiles/agnv.gov/Content/About/Governmental_Affairs/2019-03-26_OML_12TH_AGOMANUAL.pdf

The term “public bodies” is broadly defined in NRS 241.015(3) to include: “. . . any administrative, advisory, executive or legislative body of the State or a local government which expends or disburses or is supported in

whole or in part by tax revenue or which advises or makes recommendations to any entity which expends or disburses or is supported in whole or in part by tax revenue, including, but not limited to, any board, commission, committee, subcommittee or other subsidiary thereof and includes an educational foundation as defined in subsection 3 of NRS 388.750 and a University foundation as defined in subsection 3 of NRS 396.405.”

Therefore, in Nevada, *subcommittees and advisory committees are subject to the open meeting provisions to the same extent as the public body that created them.* Executive Directors and the staff of executive or other governmental agencies are not subject to the OML and most private nonprofit organizations are not considered public bodies.

☞ **What is a “meeting” under the Open Meeting Law?**

As defined in subsection 2 of NRS 241.015, a “meeting” is: “The gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.” A meeting also includes: “Any series of gatherings of members of a public body at which: (I) Less than a quorum is present at any individual gathering; (II) The members of the public body attending one or more of the gatherings collectively constitute a quorum; and (III) The series of gatherings was held with the specific intent to avoid the provisions of this chapter.”

Excluded from the definition of a “meeting” is a: “gathering or series of gatherings of members of a public body, [...] at which a quorum is actually or collectively present:

- (1) Which occurs at a **social function** if the members do not deliberate toward a decision or take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.
- (2) To receive information from the attorney employed or retained by the public body regarding potential or existing litigation involving a matter over which the public body has supervision, control, jurisdiction or advisory power and to deliberate toward a decision on the matter, or both.” ***The attendance of a quorum of a particular public body at a social gathering or seminar does not necessarily violate the OML as long as the members of the public body DO NOT DISCUSS BUSINESS MATTERS, or the gathering DOES NOT otherwise exhibit the characteristics of a meeting.*** Since open government is the goal of the OML, formal or informal polling of members to reach a decision, whether by telephone, mail, electronically, or through a group of meetings attended by less than a full quorum, is considered a violation of the OML.

☞ **Key Things New Commissioners Need to Know About the Open Meeting Law...**

- Generally, as a Nevada Mental Health Commissioner, you should be especially vigilant to ***make sure it never appears that you are conducting Commission business with other Commission members outside of formal posted meetings.*** Formal or informal polling of members to reach a decision, whether by telephone, mail, electronically, or through a group of meetings attended by less than a full quorum, is considered a violation of the OML.
- **OPEN MEETING LAW EXCEPTIONS.** There are specific statutory exceptions for certain entities from the OML, including the Legislature, certain meetings of the State’s Commission on Ethics, the Nevada Commission on

Homeland Security, hearings by school boards to expel students, certain labor negotiations, and investigative hearings of the State Gaming Control Board. Closed sessions may also be held, for limited purposes, by the Certified Court Reporters' Board of Nevada, the Public Employees' Retirement Board, the State Board of Pharmacy, the Nevada Tax Commission, and public housing authorities. Portions of disciplinary hearings conducted by occupational and licensing boards are also exempt unless the licensee requests an open meeting. An agency or board may close a portion of a meeting to receive information deemed confidential by law.

The OML authorizes, but does not require, the conduct of closed sessions by a public body to consider the character, alleged misconduct, professional competence, or the physical or mental health of a person. In 2001, Nevada's OML was amended to provide a limited exemption for communications between a public body and its legal counsel on potential or existing litigation. Attorney-client discussions are not considered a meeting and therefore no notice or agenda is required. However, according to the most recent edition of the *OML Manual* (December 2005), a public body may only take action on potential or existing litigation matters in an open meeting.

Although the Legislature is specifically exempted from the OML in subsection 3 of NRS 241.015, the Legislature has a long-standing tradition of voluntary compliance. When the Legislature is not in session, the interim standing committees and interim studies or task forces voluntarily comply with the OML. During legislative sessions, the standing rules of the Senate and Assembly require all legislative committees to "be open to the public." As a matter of practice, legislative committees generally provide three days' advance notice and post agendas for committee meetings. However, due to the 120-day limit on legislative sessions, advance notice and availability of agendas may be shortened significantly near the end of the session to ensure that committees are able to move bills to the Senate or Assembly floor for action.

- NOTICE OF MEETINGS. In order to give the public an opportunity to observe or participate in meetings of public entities, the law requires that notice must be given no less than three full working days prior to the meeting. Notice is given by posting notice in at least four places, one of which should be the principal office of the public body, and by mailing copies of the notice to any person who requests notification of meetings. If the public body maintains a website, then supplemental notice must be posted on the website.

Notice must include the time, location, and date of the meeting, and the meeting agenda. The agenda shall consist of a clear and complete statement of the topics scheduled to be considered at the meeting, including the designation of those items on which action may be taken. In addition, all meetings must provide an opportunity for public comment. If a meeting will be closed to consider the character, conduct, competence or health of a person, or if administrative action may be taken against a person during a meeting, the agenda must include the name of any such person.

The public body must also provide, upon request and at no charge to the requestor, a copy of the agenda and any ordinances or regulations or other supporting materials to be discussed at the meeting. Special notice requirements apply in certain situations, such as a meeting to acquire property by eminent domain or a closed meeting to consider the character, alleged misconduct, professional competence, or the physical or mental health of a person.

- **MEETING RECORDS.** For the members of the public who cannot attend a meeting, the OML requirements to maintain records of meetings provide an important substitute. Minutes must be prepared for all meetings of a public body and must include the: (1) date, time, and place of the meeting; (2) names of the members present and absent; and (3) substance of all matters proposed, discussed, or decided. Upon the request of a member, the minutes shall also include a record of the vote taken on a matter and any other information the member wishes to include. At the request of a member of the public, the minutes shall include the substance of remarks made by the member of the public or a copy of prepared written remarks if submitted for inclusion. Since 2005, public bodies are required to make an audio recording of a meeting or provide a transcript prepared by a certified court reporter. However, if a public body makes a good faith effort to comply with these requirements but is prevented from doing so due to factors beyond its control, such as power outages or mechanical breakdowns, the failure will not be considered a violation of the OML. Recordings and transcripts must be preserved for at least one year and made available to the public.

- **ATTORNEY GENERAL OPINIONS.** A member of the public who believes that the OML has been violated may file a complaint, subject to certain deadlines, with the Nevada Attorney General. The Attorney General will investigate the complaint and provide the person with an opinion as to whether a violation occurred. If the Attorney General is of the opinion that a violation has occurred, they may file litigation to enforce the OML. In addition, a public body may ask the Attorney General for an advisory opinion relating to compliance with, or interpretation of, the OML. Please note that the Attorney General opinions are advisory, not binding, and only a court can determine whether a violation of the OML has occurred and what constitutes compliance. The OML decisions are available online from the Nevada Attorney General’s website at:

http://ag.nv.gov/About/Governmental_Affairs/OML_Opinions/

- **PENALTIES FOR VIOLATION.** The OML recommends corrective action for violations of the law to mitigate the effect of a violation. For example, improper notice can be corrected by rescheduling the meeting, and discussion of an item not properly listed on the agenda can be stopped and noticed for a later meeting. Lawsuits alleging violations may be brought by private citizens or the Attorney General. Any member of a public body who knowingly violates the open meeting statutes, or wrongfully excludes a person from a meeting, is subject to misdemeanor criminal sanctions (up to six months in jail and/or a fine of not more than \$1,000). A member of a public body who is convicted of a violation of the OML must vacate their office.



Stakeholder Relations/Strategic Planning

The Commission provides leadership to a strategic planning process that is designed to ensure policy, program and budget development at the state level involve, and is responsive to regional consumer and family behavioral health needs. Nevada’s Commission strategic planning process is unique and powerful in that it is designed to combine the advisory and advocacy networked with state policy and program development.

The Nevada Commission formally engages with specific “planning partners” in order to provide policy and advisement. These partners are proven and effective stakeholder organizations which are linked to policy and program development activities under the purvey of the Commission.

Any such process must be structured and flexible, so this process is updated on an ongoing basis.

DPBH Behavioral Health Services Structure

The Nevada Division of Public and Behavioral Health, Clinical Services Branch provides direct services for those suffering from mental illness by operating inpatient hospitals at both ends of the state. The civil hospitals include Rawson-Neal, in Las Vegas, and Dini-Townsend, in Sparks. The forensic hospitals include Lakes Crossing Center and Stein Forensic hospital. Additionally, outpatient services are provided statewide including the rural and frontier communities for public and mental health needs.

Services are provided at the following locations statewide:

1. NORTH: Northern Nevada Adult Mental Health Services (NNAMHS): A civil inpatient psychiatric hospital that also provides a variety of outpatient, community-based services.
2. NORTH/STATEWIDE: Lake’s Crossing Center: A maximum security psychiatric facility providing comprehensive forensic mental health services. From around the State individuals are court ordered to Lake’s Crossing Center for evaluation and/or treatment for restoration to legal competency. Lake’s Crossing Center also provides outpatient evaluations of legal competency, risk assessments and recommendations for treatment.
3. SOUTH: Southern Nevada Adult Mental Health Services (SNAMHS): An inpatient psychiatric hospital that also provides a variety of outpatient, community-based services through three community mental health centers and a facility providing comprehensive forensic mental health services for criminal offenders.
4. RURAL: Rural Clinics: Responsible for operating a network of 16 community mental health centers in the rural and frontier counties of the state. In addition to providing services to adults with Serious Mental Illness (SMI), Rural Clinics provides services to children with Serious Emotional Disturbance (SED).

DCFS Administrative Structure

The Nevada Division of Child and Family Services (DCFS) is responsible for planning, administration, policy setting, monitoring, budget development, and operation of certain child mental health programs in Washoe and Clark Counties which includes outpatient community mental health programs and residential programs. (DCFS is additionally responsible for juvenile justice programs and foster care programs.) A Deputy oversees each program area and is responsible for planning and delivering a broad range of social and human services in a defined geographic area of the state. A budget is allocated for each program which considers population, poverty, distance, service demand, and presence of other community services. Services are provided to children and families who have fee-for-service Medicaid, certain managed care Medicaid coverage, the uninsured, and the underinsured.

DCFS recently re-organized in order to reduce compartmentalization of services and staff, and to improve the way integrated care is offered to youth. Formerly, DCFS was organized around Children’s Mental Health, Child

Welfare Services and Juvenile Justice Services. Under the new structure, DCFS' three areas of focus include Community (nonresidential) Services, Residential Services, and Quality & Oversight.

Services are provided by DCFS in the following locations statewide:

1. NORTH:
 - a. Community Services – Northern Nevada Child and Adolescent Services (NNCAS): Early childhood mental health services, mobile crisis response, outpatient mental health services, Wraparound in Nevada
 - b. Residential Services – Adolescent Treatment Center, Family Learning Homes, Nevada Youth Training Center
2. SOUTH: Services are provided at four different neighborhood care centers throughout Las Vegas.
 - a. Community Services – North, South, East, and West Neighborhood Care Centers: Day treatment, early childhood mental health services, mobile crisis response, outpatient mental health services, RAISE Up Nevada, Wraparound in Nevada
 - b. Residential Services – Caliente Youth Center, Desert Willow Treatment Center, Oasis On-Campus Treatment Homes, Summit View Youth Center