

# **ADVISORY COUNCIL ON THE STATE PROGRAM FOR WELLNESS AND THE PREVENTION OF CHRONIC DISEASE BYLAWS**

## **ARTICLE 1: NAME**

- 1.1 The name of this group shall be the Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease, hereinafter referred to as the Council.

## **ARTICLE 2: AUTHORITY**

- 2.1 The Council is authorized under NRS 439.514 – NRS 439.525.
- 2.2 The Council is considered advisory in nature and makes recommendations to the Nevada State Health Division and the Nevada Department of Education.

## **ARTICLE 3: PURPOSE AND FUNCTION**

- 3.1 In accordance with NRS 439.521, the Council shall carry out the provisions, inclusive, of this act; the Division shall, within the limits of available money, and with the advice and recommendations of the Advisory Council:
  - 3.1.1. Periodically prepare burden reports concerning health problems and diseases, including, without limitation, a lack of physical fitness, poor nutrition, tobacco use and exposure to tobacco smoke, obesity, chronic diseases and other diseases, as determined by the Health Division, using the most recent information obtained through surveillance, epidemiology and research. As used in this subsection, “burden report” means a calculation of the impact of a particular health problem or chronic disease on this State, as measured by financial cost, mortality, morbidity or other indicators specified by the Health Division.
  - 3.1.2. Identify, review and encourage, in coordination with the Department of Education, the Nevada System of Higher Education and other appropriate state agencies, existing evidence-based programs related to nutrition, physical fitness and tobacco prevention and cessation, including, without limitation, programs of state and local governments, educational institutions, businesses and the general public.
  - 3.1.3. Develop, promote and coordinate recommendations for model and evidence-based programs that contribute to reductions in the incidence of chronic disease in this State. The programs should encourage:

- (a) Proper nutrition, physical fitness and health among the residents of this State, including, without limitation, parents and children, senior citizens, high-risk populations and persons with special needs; and
  - (b) Work-site wellness policies that include, without limitation, tobacco-free and breast feeding-friendly environments, healthy food and beverage choices and physical activity opportunities in schools, businesses and public buildings.
- 3.1.4. Assist on projects within this State as requested by, and in coordination with, the President's Council on Fitness, Sports and Nutrition.
  - 3.1.5. Identify and review methods for reducing health care costs associated with tobacco use and exposure to tobacco smoke, obesity, chronic diseases and other diseases, as determined by the Health Division.
  - 3.1.6. Maintain a website to provide information and resources on nutrition, physical fitness, health, wellness and the prevention of obesity and chronic diseases.
  - 3.1.7. Solicit information from and, to the extent feasible, coordinate its efforts with:
    - (a) Other governmental agencies;
    - (b) National health organizations and their local and state chapters;
    - (c) Community and business leaders;
    - (d) Community organizations;
    - (e) Providers of health care;
    - (f) Private schools; and
    - (g) Other persons who provide services relating to tobacco use and exposure, physical fitness and wellness and the prevention of obesity, chronic diseases and other diseases.
  - 3.1.8. Establish, maintain and enhance statewide chronic disease surveillance systems.
  - 3.1.9. Translate surveillance, evaluation and research information into press releases, briefs, community education and advocacy materials and other publications that highlight chronic diseases and the key risk factors of those diseases.
  - 3.1.10. Identify, assist and encourage the growth of, through funding, training, resources and other support, the community's capacity to assist persons who have a chronic disease.
  - 3.1.11. Encourage relevant community organizations to effectively recruit key population groups to receive clinical preventative services, including, without limitation:
    - (a) Screening and early detection of breast, cervical and colorectal cancer, diabetes, high blood pressure and obesity;

- (b) Oral screenings; and
  - (c) Tobacco cessation counseling
- 3.1.12. Promote positive policy, system and environmental changes within communities and the health care system based on, without limitation, the Chronic Care Model developed by the MacColl Center for Health Care Innovation and the Patient-Centered Medical Home Recognition Program of the National Committee for Quality Assurance.
- 3.1.13. Review and revise the program as needed

#### ARTICLE 4: MEMBERSHIP

- 4.1 According to NRS 439.518, the Council shall consist of the following 15 voting members, as appointed by the Nevada State Health Division Administrator: (a) ~~The State Health Officer or his designee~~ Chief Medical Officer or the designee of the Chief Medical Officer; (b) The Superintendent of Public Instruction or ~~his~~ the designee of the Superintendent; (c) One representative of the health insurance industry; (d) One provider of health care; (e) One representative of the Nevada Association for Health, Physical Education, Recreation and Dance or its successor organization; (f) Three representatives of organizations committed to the prevention and treatment of chronic diseases; (g) One registered dietitian; (h) One representative who is a member of a racial or ethnic minority group appointed from a list of persons submitted to the ~~Health Division~~ Administrator by the Advisory Committee of the Office of Minority Health within the Office for Consumer Health Assistance of the Department; (i) One representative of private employers in this State who has experience in matters relating to employment and human resources; (j) One representative of a local health authority; and (k) One representative of the Nevada System of Higher Education from a list of persons submitted to the Administrator by the Board of Regents of the University of Nevada. The Legislative Commission shall appoint the following two voting members: (ka) One member of the Senate; and (bl) One member of the Assembly. A majority of the voting members of the Advisory Council may appoint nonvoting members to the Advisory Council.
- 4.2 The term of office of each member of the Council is two years. A member may be reappointed to serve not more than two additional, consecutive terms by the Health Division Administrator. [It is noted that the term of appointment for the initial members of the Council shall be for 4 years]
- 4.3 A majority of the voting members may (a) appoint committees or subcommittees to study issues relating to wellness and the prevention of chronic disease, (b) remove a non-legislative member for failing to carry out the business of, or serve the best interests of, the Council, and (c) appoint nonvoting members to the Advisory Council.
- 4.4 The Health Division shall, within the limits of available money, provide the necessary professional staff and a secretary for the Council. The Health Division

may, within the limits of available money, enter into contracts with, or award grants to, public or private entities they deem skilled in carrying out the provisions of the council's work.

- 4.5 The members of the Advisory Council serve without compensation, except that each member is entitled, while engaged in the business of the Council and within the limits of available money, to the per diem allowance and travel expenses provided for state officers and employees generally.

## **ARTICLE 5: VOTING**

- 5.1 A majority of the voting members of the Advisory Council, eight, constitutes a quorum to transact all business, and a majority of those voting members present, physically or via telecommunications, must concur in any decision.
- 5.2 Each appointed Council member shall have one vote.
- 5.3 A concurrence of at least a majority of the members of the Council shall be required on all questions.
- 5.4 Proxy for a Member: Should the State Health Officer or the Superintendent of Public Instruction be unable to attend a meeting, he/she may designate a representative who has knowledge of the Council's activities to attend in his/her place, who shall have all the rights and privileges of the member while acting in his/her behalf.

## **ARTICLE 6: OFFICERS/NOMINATIONS/ELECTIONS**

- 6.1 Council officers shall be elected and include a Chairman and a Vice-Chairman as defined by the NRS.
  - 6.1.1 The Chairman and Vice-Chairman shall be elected at the first meeting of even-numbered State fiscal years by a majority vote of all Council members.
  - 6.1.2 The Council's Chairman shall open and close the floor for nominations.
  - 6.1.3 The Secretary shall call roll for the purposes of each member casting their vote and recording the votes.
  - 6.1.4 In accordance with the Nevada Open Meeting Law all nominations and votes shall be provided orally.

- 6.1.5 Only members present during the meeting (includes teleconference attendance) may nominate and vote for officers.
- 6.2 Terms of office. The term of office of the Chairman and Vice-Chairman is two years.
  - 6.2.1 The Chairman and Vice-Chairman may serve any number of consecutive terms.
- 6.3 Vacancies. When a vacancy occurs in the office of Chairman or Vice-Chairman, either by reason of his/her having left the Council or office, a new Chairman or Vice-Chairman is elected to fill out the unexpired term.
  - 6.3.1 This shall not constitute a full term for the purposes of 6.2.
  - 6.3.2 An acting Vice-Chairman may be appointed by the Chairman if the need arises.
- 6.4 Duties
  - 6.4.1 The Chairman shall preside at all meetings of the Council.
  - 6.4.2 The Vice-Chairman shall act for and in behalf of the Chairman in all cases of his/her absence.

#### **ARTICLE 7: COMPENSATION (NRS 439.080)**

- 7.1 While engaged in the business of the Council, each member is entitled to receive the per diem allowance and travel expenses provided for state officers or employees generally.

#### **ARTICLE 8: STAFFING**

- 8.1 Staff to the Council shall be provided by the State Health Division for purposes of secretarial, research, and other needs.

#### **ARTICLE 9: MEETINGS**

- 9.1 The Council shall, within the limits of available money, meet at the call of the Administrator, the Chairman or a majority of the voting members of the Council quarterly or as is necessary.
- 9.2 Agenda items may be submitted in writing no later than 15 working days before the meeting by Health Division employees and/or Council members.
- 9.3 Meetings will generally follow parliamentary procedure as contained in Robert's Rules of Order insofar as they do not conflict with the Nevada Revised Statute and these bylaws.

9.4 Meetings shall be conducted in accordance with NRS 241, known as Nevada's "Open Meeting Law."

#### **ARTICLE 10: AMENDMENTS**

10.1 The bylaws may be amended as approved by a majority vote of the Council.

Adopted: 4.19.06

Draft Changes related to SB 7: 7.22.09

Draft Changes related to 8.11.2009 Meeting

Adopted: 10.7.09