

# DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

## COMMISSION ON BEHAVIORAL HEALTH

### BYLAWS

October 19<sup>th</sup>, 2023

#### **Article I: Name and Mission**

1. This Commission shall be the Division of Public and Behavioral Health Commission on Behavioral Health (NRS 232.361.1.)
2. The 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 (DPBH), the Division of Child and Family Services (DCFS) and the Aging and Disability Services Division (ADSD). The Commission also promotes and assures the protection of the rights of all clients in this system.
3. The Commission shall undertake and maintain a lead role in making recommendations for the Annual Letter to the Governor (NRS 433.314(4)). The Commission's ongoing planning process will collect information from these organizations:
  - a. Regional Behavioral Health Policy Boards (NRS 433.429)  
[http://dpbh.nv.gov/Boards/RBHPB/Board\\_Meetings/Meetings/](http://dpbh.nv.gov/Boards/RBHPB/Board_Meetings/Meetings/)
  - b. Behavioral Health Planning and Advisory Council
  - c. Nevada Children's Behavioral Health Consortium  
<http://dcfs.nv.gov/Meetings/NCBHC/>

#### **Article II: Powers and Duties**

1. The Commission shall provide all advisory and oversight duties as assigned via Nevada Revised Statutes (NRS) 433. Please view [NRS: CHAPTER 433 - GENERAL PROVISIONS \(state.nv.us\)](#) , NRS 433.331 for Powers and Duties.

#### **Article III: Membership**

1. The Commission shall maintain membership as assigned to pursuant to 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 absences will be noted;
- c. The Chair will determine if the absences are excused or unexcused at the time of the next 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 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 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 unexcused absence within a calendar year, the Chair will send a notification letter to the member that the Commission intends to act at the next scheduled meeting;
- b. At that meeting, the member will have the 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. Per NRS232.361.3, The Governor appoints the Chair. The Commission may make recommendations for a new appointment or reappointment at end of the current Chair's four-year term, regardless of date, year, or fiscal year. Date shall be monitored by staff and place it as an agenda item at the next available meeting.

3. The Vice-Chairperson of the Commission shall be elected at the end of the current Vice-Chair's four-year term, regardless of date, year, or fiscal year. Date

shall be monitored by staff and place it as an agenda item at the next available meeting.

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

5. The Commission officers shall have the following duties:

- a. The Chairperson shall preside over all meetings of the Commission. The Chair or designee shall determine the agenda for all regular meetings. Such duties and authority conferred upon him/her and entrusted to him/her from time-to-time by the Commission.
- b. The Vice-Chairperson shall preside over meetings of the Commission in the absence of the Chairperson. The Chair or designee shall perform such other duties as are conferred upon him/her and assigned to him/her by the Chairperson of the Commission.
- c. The Past Chairperson shall preside over the meetings of the Commission in the absence of the Chairperson and Vice-Chairperson. The chair or designee shall perform such other duties as conferred upon him/her and as assigned to him/her 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 their absence, by the Vice-Chairperson.

2. The full Commission shall meet at the call of the Chair at least six times, but no more than 12 times per year (NRS 232.363.1). The Commission may meet face-to-face once 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 with the Executive Assistant of the 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 Executive Assistant not later than 14-days before a

Commission meeting. Any Commissioner shall submit an agenda item through the Chair or the Executive Assistant.

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 meeting, either DPBH or DCFS. All minutes shall be furnished to all Commission members.

#### **Article VI:**

1. Standing Subcommittees: The Commission shall have three 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 DCFS staff designated by the DPBH and DCFS 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. **Annual Governor's Letter:** Provides update for quality of care and treatment provided for persons with mental illness, persons with intellectual disabilities and persons with related conditions.

b. **Children's Statewide Behavioral Health Planning:** Requires the Commission to annually analyze regional reports to be consolidated by the Commission for transmission to the Legislature and oversee provisions of Behavioral Health services to children, including families under the System of Care committee, which is community based, family driven, and youth guided.

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 by the Chairperson 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 at 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, a staff person designated by the Administrator(s) of DPBH and DCFS shall be responsible for posting the agendas for the Commission meetings three days prior to each scheduled meeting.

3. New Commissioners shall review the new member orientation packet prior to their first formal meeting. The Executive Assistant and the Chair will serve as the point of contact for new member orientation questions.

#### **Article VIII: Amendments**

1. These Bylaws may be amended at any time by vote of a majority of the whole Commission at any meeting of the Commission if the following condition is met:

- a. Any proposed amendment shall be presented to the Chairperson and;
- b. Administrative Assistant at least ten calendar days prior to the meeting.

These Bylaws were amended October 19, 2023, and remain in effect until amended or repealed.