

Region V Systems

BYLAWS of Behavioral Health Advisory Committee

ARTICLE 1 - NAME

Section 1. Name

The name of the body shall be the Behavioral Health Advisory Committee (the BHAC).

ARTICLE II - AUTHORITY & PURPOSE

Section 1. Authority

The BHAC shall function in accordance with directives of the Regional Behavioral Health Authority (Region V Governing Board) and assume appropriate responsibilities as assigned by that Board, in conformity with current Nebraska state statutes (Nebraska Behavioral Health Services Act, Neb. Rev. Stat. §71-801 to 71-820).

Section 2. Purpose

The purpose of the BHAC is to act as an advisory body to the Region V Governing Board to help assure the provision of coordinated and comprehensive behavioral health services within the Region to best meet the needs of eligible persons within the Region V geographical area including the counties of Butler, Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Polk, Richardson, Saline, Saunders, Seward, Thayer, and York counties. Pursuant to Neb. Rev. Stat. §71-804[2], behavioral health services means services, including, but not limited to, consumer-provided services, support services, inpatient and outpatient services, and residential and nonresidential services, provided for the prevention, diagnosis, and treatment of behavioral health disorders and the rehabilitation and recovery of persons with such disorders. The BHAC seeks to provide effective representation to all citizens in the Region for the planning and delivery of behavioral health services.

Section 3. Roles & Responsibilities

The BHAC shall accept such duties, authority, and responsibilities as designated to this body by the Region V Governing Board. The BHAC shall:

- Provide input on the Regional planning process, budget development, contracting, evaluation, and other related areas.
- Submit annual budget plan for the delivery of behavioral health services.
- Prioritize the types of programs to fill identified service gaps and funding methodology.
- Monitor all behavioral health services and programs.

ARTICLE III - MEMBERSHIP

Section 1. Committee Configuration

The membership of the BHAC shall consist of not less than 15 and not more than 20 members as determined by the Region V Governing Board. In conformity with current Nebraska state statutes (Neb. Rev. Stat. §71-808[2]), membership shall be representative of the following:

- Consumers
- Providers
- Other Interested Parties

Consideration for BHAC membership shall also be given to the following categories:

- One or more members of the Regional Governing Board.
- One or more behavioral health (mental health and substance use disorder professionals).
- ***Rural / Urban:*** At least 50 percent of the members shall be from counties other than Lancaster County.
- ***Cultural Diversity:*** Representation of diverse cultures and/or those persons with disabilities.
- ***Community at Large:*** Representation from community professionals in the behavioral health field, either working in a community agency or interested in the behavioral health field.

Section 2. Appointments

Formal appointment shall be made by the Region V Governing Board from names recommended by the BHAC, according to the following:

- “Criteria for BHAC Membership” protocol.
- A background checks screening will be conducted on all individuals applying to serve on the BHAC once it has been determined that such applicant has moved to the final selection phase of the review process.

Section 3. Terms of Service

A term of service is defined as three years, with the anniversary date for a term of service being July 1 of each year. New members shall be appointed to serve a three-year term, the first year’s term coinciding with the ending of the fiscal year (June 30). No BHAC member shall be appointed for more than three consecutive, three-year terms. Background checks are conducted on current BHAC members every three years during their active membership, and continued service is contingent upon a satisfactory background check report.

Section 4. Re-Appointment of Term (Previously Served on BHAC)

Past members of the BHAC may be eligible to serve on the committee again based on re-application protocol. A past member must:

- Sit out membership for 12 months prior to re-appointment consideration.
- Complete a *Membership Application*.
- Go through the BHAC’s regular application process at a point in time deemed necessary by the BHAC and in accordance with directives as stated in these Bylaws.

Section 5. Replacement

The Region V Governing Board shall have the sole power to remove or suspend any member at its discretion.

Upon the resignation, death, disability, non-qualification, removal, or refusal to act by any BHAC member, the Regional Administrator shall notify the Region V Governing Board that a vacancy exists.

All replacements shall be determined in accordance with membership requirements as described in Article III. The BHAC’s recommendation for replacement appointments shall be forwarded to the Region V Governing Board by the Regional Administrator at the next available meeting of the Board.

A replacement member’s first term shall be fulfilled by serving a three-year term, the first year’s term coinciding with the ending of the fiscal year (June 30). He/she is then eligible to serve two more consecutive three-year terms.

Section 6. Compensation

BHAC members shall receive no compensation but will be reimbursed for actual expenses in carrying out their responsibilities as BHAC members.

Section 7. Absences

Any member who fails to attend at least one-half of the regular meetings held by the BHAC during the fiscal year (July 1 - June 30) shall be removed. Any member in violation of this section of the Bylaws has the right to appeal his or her removal to the Regional Governing Board.

A report on this attendance shall be prepared annually by the Regional Administrator and presented to the BHAC at the first meeting of the new fiscal year. This report shall be subsequently forwarded to the Region V Governing Board.

ARTICLE IV - MEETINGS

Section 1. Frequency

The BHAC shall meet at least quarterly and at such additional times as deemed necessary by the chairperson of the BHAC or as requested by any three members of the BHAC or by the Regional Administrator or the Region V Governing Board.

Section 2. Notice

Fifteen (15) calendar days prior notice shall be given to each member of the date, time, and place of the meeting, except in the case of emergency meetings when notice must be given at least twenty-four (24) hours in advance. All meetings shall be held in accordance with the Nebraska Open Meetings Act (Neb. Rev. Stat. §84-1407 through §84-1414), as applicable.

Section 3. Quorum

Fifty percent of the current membership shall constitute a quorum.

Section 4. Authority

The BHAC shall act by formal motion in all matters under consideration at any regular or special meeting, a quorum being present, with the exception of Executive Committee meetings and/or amendments to BHAC Bylaws (see Article VI, Section 1, and Article IX, Section 1).

Section 5. Public Comment

Public comment will be accepted at BHAC meetings in accordance with procedures developed by the BHAC and Nebraska Open Meetings Act Neb. Rev. Stat. §84-1407 through §84-1414).

Section 6. Voting Eligibility

Each BHAC member shall have one vote during any formal motion at any regular, special, or emergency BHAC meeting.

Section 7. Recording Meetings

BHAC meetings shall be recorded by means of audio recordings and written minutes, in accordance with the following retention practices:

- Audio recordings shall be retained for (seven) 7 years from the date of the BHAC meeting and deleted thereafter.
- Transcribed minutes, in hard copy form, shall be retained for seven (7) years from the date of the BHAC meeting; electronic format shall be perpetually retained from the date of the BHAC meeting.
- In accordance with the Nebraska Open Meetings Act, Neb. Rev. Stat. §84-1410, discussions that take place in Closed Session shall not be recorded, either in audio or transcribed meeting minutes form.

ARTICLE V – OFFICERS

Section 1. Officers

Following the “Nomination of BHAC Officers” protocol, officers of the BHAC shall be elected from its membership and consist of the Chairperson, Vice Chairperson, and a designated Member at Large.

Chairperson duties: It shall be the duty of the Chairperson to preside at all meetings of the BHAC.

Vice Chairperson duties: It shall be the duty of the Vice Chairperson to advise and assist the Chairperson in general matters pertaining to the BHAC and to assume the duties of the Chairperson in case of the Chairperson’s absence or disability.

Designated Member at Large duties: It shall be the duty of the Member at Large to assume the duties of the Vice Chairperson in case of the Vice Chairperson’s absence or disability.

The term of service for each of these offices shall be one fiscal (July 1 – June 30) year. Elections will be held annually during the June meeting (or whichever meeting deemed the last meeting of that fiscal year). Officers may serve in their position for no more than two consecutive terms. In the event the Chairperson is unable to complete the specified term of service, the Vice Chairperson shall complete the term. If a vacancy occurs in the office of the Vice Chairperson, the Member at Large shall fill the vacancy for the rest of the term. An election will be held at the next scheduled BHAC meeting to elect a designated member at large.

ARTICLE VI - SUBCOMMITTEES

Section 1. Authority

Pursuant to Neb. Rev. Stat. §71-808[2], the BHAC has the power to appoint subcommittees periodically as necessary. These subcommittees may be either special or standing in nature. All subcommittees shall provide recommendations to the full BHAC for formal action. No subcommittee shall have the sole authority to act on behalf of the BHAC or Region V Governing Board.

Section 2. Executive Subcommittee Configuration

The Executive Subcommittee shall be comprised of the Chairperson, Vice Chairperson, designated Member at Large, and the past Chairperson. In the event the past Chairperson is no longer available to serve on the Executive Subcommittee, the BHAC shall elect a replacement to serve in that capacity.

Section 3. Executive Subcommittee Purpose and Meeting Protocol

The Executive Subcommittee shall meet for the following purposes:

- As a communication liaison to the Region V Governing Board Executive Committee and Region V management.
- Strategic planning.
- Agenda items that may require immediate attention.

All BHAC members shall be given notice that an Executive Subcommittee meeting has been scheduled. No member shall be excluded from attending an Executive Subcommittee meeting.

ARTICLE VII - AUTHORIZED REPRESENTATION

Section 1. Authorized Representation

Individual members may not speak on behalf of the BHAC without specific authorization. Such authorization may be granted by a majority vote of the BHAC or as authorized by its Executive Subcommittee or the Region V Governing Board.

It is the responsibility of BHAC members speaking out as individuals on behavioral health issues to clarify that they are not speaking in their official capacity as representatives of the BHAC.

The BHAC is non-partisan and shall not support, nor oppose, any candidates for elective or appointive public office.

ARTICLE VIII - CONFLICTS OF INTEREST

Section 1. Statements

All BHAC members shall file a *Conflict of Interest Statement* with the Region V Administrative Office by July 1 of each year disclosing any conflict of interest.

Section 2. Conflicts of Interest

Current employees of existing provider agencies approved as members of the Regional Behavioral Health Authority's Provider Network shall not be eligible to serve on the BHAC.

Any BHAC member who is also a current employee of an applicant agency seeking provider enrollment with the Regional Behavioral Health Authority shall not be allowed to participate in meetings by taking formal action that affects said agency. Should the agency be approved as a member of the Regional Behavioral Health Authority's Provider Network, the employee of the approved applicant agency shall no longer be eligible to serve on the BHAC.

BHAC members who serve on the boards of an applicant organization or an agency funded by the Regional Behavioral Health Authority or who have immediate¹ or secondary² family members in the employment of said organizations shall not be allowed to participate in meetings by taking formal action that solely affects said organization(s). Any member with a conflict of interest must preface remarks with his/her position of conflict.

ARTICLE IX - AMENDMENTS TO BYLAWS

Section 1. Amendments

These Bylaws may be amended or revised. An amendment or revision shall take effect when the BHAC, at any regular or special meeting, adopts the amendment or revision, by at least two-thirds (2/3) majority vote of eligible members. Said amendments or revisions shall be recorded in the BHAC's meeting minutes. Proposed amendments or revisions shall be presented in writing to the BHAC at least ten (10) calendar days prior to the date of the meeting. Such notice shall contain the general nature of the amendment or revision to be voted upon. Any amendments to the BHAC Bylaws are subject to approval of the Region V Governing Board.

¹ Immediate family shall mean spouse, children, mother, father, step-mother, step-father, mother-in-law, father-in-law, brothers, or sisters. It also includes other close relatives who reside in the same household.

² Secondary family shall mean sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, grandchild, aunt, uncle, nephew, niece, or first cousin of the employee or spouse.

ARTICLE X - EFFECTIVE DATE OF BYLAWS

These Bylaws shall supersede the amended Bylaws adopted March 10, 2014, and shall become effective as of September 9, 2019.

Voted on and approved by the Behavioral Health Advisory Committee: August 28, 2019.



Chairperson, Behavioral Health Advisory Committee

10/23/19
Date

Voted on and approved by the Region V Governing Board: September 9, 2019.



Chairperson, Region V Governing Board

11/14/19
Date

6-10-96 - Creation of Bylaws
4-10-00 - Revision Adopted by RGB
6-09-03 - Revision Adopted by RGB
9-13-04 - Revision Adopted by RGB
9-11-06 - Revision Adopted by RGB
11-10-08 - Revision Adopted by RGB
5-10-10 - Revision Adopted by RGB
3-10-14 - Revision Adopted by RGB
9-09-19 - Revision Adopted by RGB