

Southern Regional Behavioral Health Policy Board (SRBHPB) Bylaws

Approved by the Southern Regional Behavioral Health Policy Board on

Article I:

Name The name of this organization shall be the Southern Regional Behavioral Health Policy Board, which in the By-laws will hereinafter be referred to as the “Policy Board”.

Article II:

Purpose Section 2.1 Mission

The mission of the Policy Board is set forth in NRS 433.425 to 433.4295.

Section 2.2 Place of Business

The Policy Board may have such place or places of business as the purpose of the Policy Board might require, and as Policy Board members may, from time to time, appoint.

Section 3.1 Membership

The Policy Board shall consist of not less than 7 members and not more than 13 members.

Section 3.2 Composition

The Policy Board shall be composed of the officers and members of the Policy Board.

Section 3.3 Appointment

Processes for appointments to the Regional Behavioral Health Policy Boards vary by appointing authority:

- a. Candidates interested in being appointed by the Policy Board will be invited to submit their resume as well as articulate their argument for appointment by testifying to the board or in writing prior to the board meeting at which appointments will be made. In making appointments, preference must be given to persons who reside in the behavioral health region served by the policy board.
- b. Candidates interested in being appointed by the Governor must follow the application process on the Nevada Governor’s website.
- c. Candidates interested in positions appointed by other authorities must reach out to that identified authority or to the board and provide a letter of interest with an accompanying resume.

To apply to the board for reappointment, applicants must follow the initial application process described above.

The Policy Board members are appointed in the following manners:

The Speaker of the Assembly appoints:

One (1) member who represents the criminal justice system

The Senate Majority Leader appoints:

One (1) member who represents law enforcement agencies and who has experience with and knowledge of matters relating to persons in need of behavioral health services

The Governor appoints:

One member who has extensive experience in the delivery of social services in the field of behavioral health, including, without limitation, directors, or officers of social service agencies in the behavioral health region. "Social services agency" means any public agency or organization that provides social services in this State, including, without limitation, welfare, and health care services.

The Legislative Commission appoints:

One (1) Legislator.

Administrator, Division of Public and Behavioral Health appoints:

- (a) One member who represents the interests of hospitals, residential long-term care facilities or facilities that provide acute inpatient behavioral health services.
- (b) One member who represents the interests of administrators or counselors who are employed at facilities for the treatment of alcohol or other substance use disorders: and
- (c) One member who represents providers of emergency medical services or fire services and who has experience providing emergency services to behavioral health patients, which may include, without limitation, a paramedic or physician.

Regional Policy Board members appoint:

- (a) One member who represents the interests of community-based organizations which provide behavioral health services.
- (b) One member who represents the interests of owners or administrators of residential treatment facilities, transitional housing or other housing for persons with a mental illness or persons who have an alcohol or other substance use disorder.
- (c) One member who is a health officer of a county or who holds a position with similar duties or, if no such person is available, an employee of a city, county or Indian tribe who has experience in the field of public health.
- (d) One member who is a psychiatrist or a psychologist who holds the degree of Doctor of Psychology, has clinical experience and is licensed to practice in this State or, if no such person is available, a provider of health care, as defined in NRS 629.031, who has experience working with persons with a mental illness or persons who have an alcohol or other substance use disorder.
- (e) One member who represents private or public insurers who offer coverage for behavioral health services or, if no such person is available, another person who has experience in the field of insurance or working with insurers.
- (f) One member who has received behavioral health services in this State, including, without limitation, services for substance use disorders, or a family member of such a person or, if such

a person is not available, a person who represents the interests of behavioral health patients or the families of behavioral health patients.

If the members of a policy board appoint both of the following:

- (a) One member who represents the interests of community-based organizations which provide behavioral health services.
- (b) One member who represents the interests of owners or administrators of residential treatment facilities, transitional housing or other housing for persons with a mental illness or persons who have an alcohol or other substance use disorder.

At least one of those members must be a behavioral health professional who has experience in evaluating and treating children.

Section 3.4 First meeting:

The policy board shall meet not later than 60 days after all appointments to such board have been made and elect one member of the policy board to act as the Chair for the biennium. The Director of the Department of Health and Human Services or his or her designee shall preside over the election of the Chair for each policy board at each board's first meeting. Except as otherwise provided in NRS 433.429, subsection 14, each policy board shall thereafter meet at least quarterly at the call of the Chair.

A policy board is not required to meet during any legislative session. If a policy board meets during a legislative session, the member of the policy board who is a Legislator is excused from attendance.

Meetings shall be conducted in accordance with NRS 241, known as Nevada Open Meeting Law. So far as practical, and where not in conflict with applicable law, Robert's Rule of Order, newly revised, shall be complied with at the meetings of the Policy Board.

Section 3.5 Terms of Office:

The member of the Policy Board shall hold office without compensation for two (2) year terms and may be reappointed. The appointing authority may remove a member from the policy board if the appointing authority determines the member has neglected his or her duties.

Section 3.6 Filling of Vacancies:

In the case of a vacancy on the Policy Board through, death, resignation, disqualification, removal, or other cause, the Policy Board shall fill the vacancy.

In the case of vacancies of both the Chair and Vice-Chair positions, the procedure in Section 3.4 will be used to elect new officers.

A member who was appointed by the Governor, Speaker, Senate Majority Leader or Legislative Commission, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

A member who was appointed by the policy board or Administrator, the policy board shall, by majority vote, appoint a member to fill the vacancy for the remainder of the unexpired term

Section 3.7 Attendance:

Members who are absent without prior permission of the Chair for two consecutive Policy Board meetings or who miss three or more Policy Board meetings in a single year regardless of cause shall be in violation of this Attendance Policy. Following the first unauthorized absence, the Chair shall direct staff to advise the member in writing of the Attendance Policy and shall attempt to resolve any difficulties that member may be experiencing with attendance prior to the next scheduled meeting. In the event that a member misses a second consecutive meeting without authorization or is absent for three meetings within one year for any cause, the Chair may by motion request the full Policy Board may remove a member for non-attendance. The request for removal shall include a request that the appointing authority or Policy Board members recommend a replacement member of the Policy Board.

Section 3.8 Entitlement of Vote:

Each Policy Board member shall be entitled to one vote in any matter of general business before the Policy Board. Voting by proxy is not permitted.

Section 3.9 Conflicts of Interest:

In discharging the duties of the Policy Board, members shall act at all times in accordance with ethical standards and avoid creating the appearance of impropriety as defined under the laws of Nevada. Each member shall sign a conflict of interested statement upon being appointed to the Policy Board.

Section 3.10 Compensation:

No Policy Board member shall receive compensation for his or her services.

Section 3.11 Staff:

The Regional Behavioral Health Coordinator will act as staff to the Regional Behavioral Health Policy Board. Additional administrative and data support will be facilitated by the Division of Public and Behavioral Health.

Article IV: Board Duties, Legislative Request, and General Powers (As governed by NRS 433.4295)

Section 4.1 Policy Board Duties:

The Policy Board shall perform all duties imposed on it by State law as directed in NRS 433.4295 which include the following:

1. Advise the Department of Health and Human Services, Division of Public and Behavioral Health, and Commission on Behavioral Health regarding:
 - a. The behavioral health needs of adults and children in the behavioral health region
 - b. Any progress, problems or proposed plans relating to the provision of behavioral health services and methods to improve the provision of behavioral health services in the behavioral health region

- c. Identified gaps in the behavioral health services which are available in the behavioral health region and any recommendations or service enhancements to address those gaps
 - d. Any federal, state or local law or regulation that relates to behavioral health which it determines is redundant, conflicts with other laws or is obsolete and any recommendation to address any such redundant, conflicting or obsolete law or regulation; and
 - e. Priorities for allocating money to support and develop behavioral health services in the behavioral health region.
2. Promote improvements in the delivery of behavioral health services in the behavioral health region.
3. Coordinate and exchange information with the other policy boards to provide unified and coordinated recommendations to the Department, Division and Commission regarding behavioral health services in the behavioral health region.
4. Review the collection and reporting standards of behavioral health data to determine standards for such data collection and reporting processes.
5. To the extent feasible, establish an organized, sustainable and accurate electronic repository of data and information concerning behavioral health and behavioral health services in the behavioral health region that is accessible to members of the public on an Internet website maintained by the policy board. A policy board may collaborate with an existing community-based organization to establish the repository.
6. To the extent feasible, track and compile data concerning persons admitted to mental health facilities and hospitals pursuant to NRS 433A.145 to 433A.197, inclusive, and to mental health facilities and programs of community-based or outpatient services pursuant to NRS 433A.200 to 433A.330, inclusive, in the behavioral health region, including, without limitation:
 - a. The outcomes of treatment provided to such persons; and
 - b. Measures taken upon and after the release of such persons to address behavioral health issues and prevent future admissions.
7. Identify and coordinate with other entities in the behavioral health region and this State that address issues relating to behavioral health to increase awareness of such issues and avoid duplication of efforts.
8. In coordination with existing entities in this State that address issues relating to behavioral health services, submit an annual report to the Commission which includes, without limitation:
 - a. The specific behavioral health needs of the behavioral health region.
 - b. A description of the methods used by the policy board to collect and analyze data concerning the behavioral health needs and problems of the behavioral health region and gaps in behavioral health services which are available in the behavioral health region, including, without limitation, a list of all sources of such data used by the policy board.
 - c. A description of the manner in which the policy board has carried out the requirements of paragraphs (c) and (g) of subsection 1 and the results of those activities; and
 - d. The data compiled concerning persons admitted to mental health facilities and hospitals pursuant to NRS 433A.145 to 433A.197 (as described in 6 of this section.)
9. A report described in paragraph (h) of subsection 1 may be submitted more often than annually if the policy board determines that a specific behavioral health issue requires an additional report to the Commission.

- 1) Each policy board may request the drafting of not more than one legislative measure which relates to matters within the scope of the policy board. The request must be submitted to the Legislative Counsel on or before September 1st preceding the regular session.

Section 4.2 Legislative Request:

1. For a regular session, each regional behavioral health policy board created by NRS 433.429 may request the drafting of not more than 1 legislative measure which relates to matters within the scope of the policy board. The request must be submitted to the Legislative Counsel Bureau on or before the date determined by the Legislative Counsel Bureau preceding the regular session.
2. A request made pursuant to this section must be on a form prescribed by the Legislative Counsel Bureau. A legislative measure requested pursuant to this section must be pre-filed on or before the date as determined by the Legislative Counsel Bureau. A legislative measure that is not pre-filed on or before the date as determined by the Legislative Counsel Bureau or it shall be deemed withdrawn.
3. Legislation sponsored by the Northern Regional Behavioral Health Policy Board shall be the Chair or the Chair's designee before the Nevada Legislature and its respective committees.

Section 4.3 General Powers:

The property and business of the Policy Board shall be managed by the Policy Board who shall exercise all powers under the law of the State of Nevada and such other provisions of federal and state law and regulations as may apply to the Policy Board.

Article V: Subcommittee (As governed under NRS 241.015 subsection 4)

Section 5.1 Subcommittees:

The Chair may designate one or more subcommittees with the advice of the Policy Board. Such subcommittees shall have the names and duties as may be determined from time to time and adopted at a regular or special meeting.

Section 5.2 Composition:

The Chair shall appoint members or staff to a subcommittee. Subcommittees shall consist of no fewer at least two (2) members and no more than nine (9) members.

Section 5.3 Compliance with Open Meeting Law:

In conducting business, subcommittees shall comply with Section 10.3 of these By-Laws.

Article VI: Meetings

Section 6.1 Regular Meetings:

The Policy Board shall meet at least quarterly at such places as may be determined by the Policy Board. All Policy Board members shall be given written notice no less than ten (10) days prior to such meeting and such notice shall state the time and place of the meeting and the agenda.

Section 6.2 Agenda:

The order of business on the agenda may be determined by the Chair, with the assistance of committee members and staff. During a meeting, agenda items may be taken out of order at the discretion of the Chair. All agenda items shall be submitted to the Regional Behavioral Health Coordinator or Chair at least 16 working days prior to the scheduled meeting.

Section 6.3 Quorum:

A quorum, defined in NRS 241.015(4), for any business where Policy Board members' vote are to be cast shall be a simple majority of the Policy Board membership. An affirmative vote of the majority of those Policy Board members who are present at a regular or special meeting at which there is a quorum shall be sufficient to approve or disapprove any motion before the Policy Board.

Section 6.4 Business:

Unless otherwise indicated in the notice thereof, any and all business may be transacted at any regular meeting of the Policy Board.

Section 6.5 Minutes:

Minutes of each regular or special meetings of the Policy Board shall be maintained.

Article VII: Officers

Section 7.1 Officers:

The officers of the Policy Board shall include a Chair and Vice Chair.

Section 7.2 Selection:

The regular election of officers shall be held biennially at the first quarter meeting of the Policy Board in even numbered years. No officer may serve more than two consecutive terms in the same office, when possible.

Section 7.3 Absence or Inability:

In the event of absence or inability of the Chair and Vice-Chair to fulfill the duties of their office, the Policy Board may delegate the powers or duties of such officer to any other member of the Policy Board for a specified period of time.

Section 7.4 Removal of Officers:

The Policy Board may remove by majority vote, any officer whenever in its judgment the best interests of the Policy Board shall be thereby served. An officer can step down from their position by submitting a letter to the Board.

Section 7.5 Filling of Vacancies:

A special election to fill any vacancy in such offices may be held by the Policy Board at the next regularly scheduled meeting after the vacancy occurs. Any officer elected to fill a vacancy shall serve until the next regularly scheduled election of officers.

Section 7.6 Appointments:

The Policy Board may appoint such additional officers and staff as it deems necessary, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Policy Board.

Section 7.7 Chair Duties: The Chair shall see that all orders and resolutions of the Policy Board are carried into effect. The Chair shall preside at meetings of the Policy Board.

Section 7.8 Vice Chair Duties:

The Vice Chair shall carry on the duties of the Chair in the Chair's absence or in the event of a vacancy in the position of Chair until the position is filled.

Sections 7.9 Compensation of Officers:

Officers shall receive no compensation for their services.

Article VIII: Savings Clause

Should any provision contained in these By-laws, or any amendments hereafter, be found to be unlawful or contrary to public policy by any court of competent jurisdiction or any authority having jurisdiction in such matters, such decision or ruling shall in no way be construed so as to affect any of the remaining provisions of these By-laws or any amendments thereto.

Article IX: Amendment of the By-laws

The Policy Board shall have the power and authority to amend, alter or repeal these By-laws or any provisions thereof, and may, from time to time, make additional By-laws by a vote of a majority of those Policy Board members who are present at a meeting at which there is a quorum.

Article XI: Nondiscriminatory Policy

Section 11.1 Membership and Officers:

The Policy Board does not discriminate on the basis of race, color, religion, sex, age, national origin, disability or sexual orientation with respect to membership on or election to the position of officers for the Policy Board.

Section 11.2 Nondiscrimination Policy:

The Policy Board does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, or sexual orientation with respect to its membership on the Policy Board, the opportunity to be heard at meetings, or its discharge of its official duties, including but not limited to its plan for delivery of mental health services.

By These Present:

The undersigned, the Chair of the Policy Board, organized and existing under the laws of the State of Nevada, does hereby certify that the foregoing By-laws, consisting of eleven (11) articles, were duly adopted as the By-laws of the Policy Board by appropriate resolution of the members of the Southern Regional Behavioral Health Policy Board by appropriate this __ day of _____, in the year ____.

ADOPTED AND APPROVED this ___ day of _____, _____.

(VACANT)
Southern Regional Behavioral Health Policy Board Chair