

PLUMAS COUNTY BEHAVIORAL HEALTH COMMISSION
BYLAWS – DRAFT UPDATES 11/2020

Article I. Name

The name of this Commission shall be PLUMAS COUNTY BEHAVIORAL HEALTH COMMISSION (PCBHC). These bylaws govern the conduct of all business of the Behavioral Health Commission of Plumas County.

Article II. Authority

The PCBHC is authorized by the California legislature in Welfare and Institutions Code (WIC) Section 5604 and Health and Safety Code (HSC) Sections 11805, 11998.1(f), and 11752.1(e).

Article III. Duties

The duties of the Plumas County Behavioral Health Commission, as defined in the Welfare and Institutions Code and the Health and Safety Code, shall be:

A. Duties Per WIC Section 5604.2(General Provisions) and Any Future Amendments thereto.

These duties include:

- (1) Review and evaluate the community's public mental/behavioral health needs, services, facilities, and special problems in any facility within Plumas County, including, but not limited to, schools, emergency departments, and psychiatric facilities.
- (2) Review any county agreements entered into pursuant to Section 5650. PCBHC may make recommendations to the Plumas County Board of Supervisors regarding concerns identified within these agreements.
- (3) Advise the Plumas County Board of Supervisors, and the Plumas County Behavioral Health director as to any aspect of the local mental/behavioral health program. PCBHC may request assistance from the local patients' rights advocates when reviewing and advising on mental/behavioral health evaluations or services provided in public facilities with limited access.
- (4) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. Involvement shall include individuals with lived experience of mental/behavioral illness and their families, community members, advocacy organizations, and mental/behavioral health professionals. It shall also include other professionals that interact with individuals living with mental/behavioral illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.
- (5) Submit an annual report to the Plumas County Board of Supervisors on the needs and performance of Plumas County's mental/behavioral health system.
- (6) Review and make recommendations on applicants for the appointment of a Plumas County director of mental/behavioral health services. PCBHC shall be included in the selection process prior to the vote of the Plumas County Board of Supervisors.
- (7) Review and comment on Plumas County's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.
- (8) As part of its duties above, PCBHC shall assess the impact of the realignment of services from the state to the county, on services delivered to clients and on the local community.

B. Duties Per WIC Section 5848(b) (Oversight and Accountability, and Any Future Amendments thereto. These duties include:

(1) PCBHC shall conduct a public hearing on the draft three-year program and expenditure plan and annual updates at the close of the 30-day comment period required by subdivision (a). Each adopted three-year program and expenditure plan and update shall include any substantive written recommendations for revisions. The adopted three-year program and expenditure plan or update shall summarize and analyze the recommended revisions. PCBHC shall review the adopted plan or update and make recommendations to Plumas County Behavioral Health for revisions.

C. Duties Per HSC Section 11998.1(f) and Any Future Amendments thereto. These duties include:

Review the Plumas County Behavioral Health Department's Alcohol and Drug Five-Year Plan, including consultation as needed to comply with the legislative goals set forth in Health and Safety Code section 11998.1(f).

Article IV. Membership

A. Number and Composition of Membership

1. The Board of Supervisors shall appoint the members of PCBHC. The membership shall be submitted to the Board of Supervisors for approval. PCBHC may, but is not required to, make recommendations to the Board of Supervisors for appointment of members.
2. The PCBHC shall consist of eight (8) members.
3. One (1) member shall be a member of the Board of Supervisors, the governing body.
4. Fifty (50) percent or more of the members shall be consumers or family members who are or have received mental/behavioral Health services, as follows: at least twenty (20) percent direct consumers; at least twenty (20) percent family members, and if not covered in these four, one (1) Alcohol and Drug Abuse representative.
5. Fifty (50) percent or less of membership shall be community members representing public interest in the behavioral health needs of Plumas County, especially recommended: persons in the professions of human services, education, law, criminal justice, fiscal management, treatment/recovery (e.g. AIDS treatment), students/parents, other private industry, organizations involved in drug/alcohol services, and organized labor (e.g. Employee Assistance Program representative).
6. Membership shall reflect the diversity and demographics of the county as a whole, to the extent feasible (*WIC 5604.5(b)*).
7. It is advisable, but not mandatory, that representatives of each major community of the county be selected.
8. All members shall be residents of Plumas County or be substantially employed in the county.
9. Except as provided in the following paragraph, a member of PCBHC or the member's spouse shall not be a full-time or part-time county employee of a county mental health service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of the governing body of, a mental health contract agency.

A consumer of mental health services who has obtained employment with an employer described in the previous paragraph and who holds a position in which the consumer does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to PCBHC. The member shall abstain from

voting on any financial or contractual issue concerning the member's employer that may come before PCBHC.

Members of PCBHC shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code. (*WIC 5604(e), (f)*).

B. Terms of Membership

1. The term of each member (ending December 31st) shall be for three (3) years with approximately one-third of the members changing each year.
2. No member shall serve more than two (2) consecutive three-year appointments with the exception that if a member has been appointed to a partial term, he/she may then be appointed by the Board of Supervisors to two full three-year terms.
 - a. When a vacancy occurs, the new member appointed to fill the vacancy will only be appointed for the remainder of the un-expired term of the vacated position.
 - b. Extending new membership after partial-term is completed: only the Board of Supervisors has the authority to extend or re-appoint a Commissioner's term.
3. When one year has elapsed following a former member's service on PCBHC, of whatever duration that service was, he/she again becomes eligible for appointment.

C. Quorum

1. A quorum shall be one person more than one-half of the number of appointed voting members including the Board of Supervisors representative. Appointed members excludes unfilled positions, including those unfilled due to resignation. However, if the number of appointed members falls below the five-member minimum, a quorum shall be one person more than one-half of five members (e.g. appointed members = 5, quorum = 3).

D. Vacancies

1. If a member fails to attend three (3) consecutive meetings and there has been no communication with Chair excusing absences, PCBHC may recommend to the Board of Supervisors that the position be deemed vacant.
2. When the member submits his or her resignation in writing, that position shall be deemed vacant.
3. If death, adjudicated incapacity, non-residency, or change in qualification of appointment occurs, that position shall be deemed vacant.

Article V. Officers

- A. The Officers of PCBHC shall be the Chair, Vice Chair, and Secretary/Treasurer. Plumas County Behavioral Health shall provide a non-voting clerk.
- B. Members may not serve as officers unless they have served on PCBHC for one (1) year unless exemption is approved by PCBHC.
- C. The Officers shall be elected at the regular meeting in December and shall assume the duties at the next regular meeting.
- D. The Officers shall serve a term of one (1) year, not to exceed three (3) terms.
- E. The duties of the Chair shall be to preside at all meetings of PCBHC and act as the liaison with the Behavioral Health Director.
- F. The Vice Chair shall preside over the meeting in the absence of the Chair.
- G. The Secretary/Treasurer shall take the official minutes of meetings and monitor the membership of PCBHC.
- H. The Clerk of PCBHC (non-voting) shall maintain required records for PCBHC.

- I. Assigned Behavioral Health staff posts meeting minutes and agendas on website at least 72 hours before meetings. Hard copies of agendas will be posted at meeting facility 72 hours before meetings.

Article VI. Meetings

- A. PCBHC will meet a minimum of nine (9) times per year at noon on the first Wednesday of the month.
- B. Special meetings may be called by the Chair or a majority of PCBHC members.
- C. All PCBHC meetings shall be open to the public and subject to the Brown Act (Government Code, section 54950).

Article VII. Committees

The Chair may form committees to perform tasks and to advise PCBHC pursuant to WIC 5604.

Article VIII. Conduct of Meetings

- A. The meetings of PCBHC shall be conducted in accordance with Rosenberg's Rules of Order, newly revised.
- B. Members shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

Article IX. Amendment of Bylaws

- A. These bylaws may be amended by a majority of the members of PCBHC provided that a thirty (30) day written notice is given to PCBHC members prior to the meeting at which the vote will be taken.
- B. The amendments must be approved by the Board of Supervisors.
- C. If any part of the preceding bylaws are deemed unlawful, the remainder of the bylaws will remain intact.