

BYLAWS OF THE REGION 3 BEHAVIORAL HEALTH BOARD

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**BYLAWS OF
THE REGION 3 BEHAVIORAL HEALTH BOARD**

ARTICLE I: NAME AND ESTABLISHMENT

The name of this organization shall be Region 3 Behavioral Health Board.

In accordance with Idaho Code 39-3132 this board is established with the legislative intent to be recognized as a governmental entity authorized by the state, in the same manner as other single purpose districts. This board shall have no authority to levy taxes. The board is authorized to provide the community family support and recovery support services listed in Idaho Code 39-3135 (7) but is not limited or required to manage those services.

ARTICLE II: JURISDICTION

The principal business of this board shall cover the following counties in the State of Idaho: Adams, Canyon, Gem, Owyhee, Payette, and Washington.

ARTICLE III: MEMBERS, OFFICERS, AND ELECTIONS

Section 1. Members shall be selected in accordance with Idaho Code 39-3134 totaling twenty-three (23) members with the following allocation:

- a) Three (3) county commissioners.
- b) Two (2) Department of Health and Welfare employees who represent the behavioral health system within the region.
- c) One (1) parent of a child with a serious emotional disturbance.
- d) One (1) parent of a child with a substance use disorder.
- e) A law enforcement officer.
- f) One (1) adult mental health services consumer representative.
- g) One (1) mental health advocate.
- h) One (1) substance use disorder advocate.
- i) One (1) adult substance use disorder services consumer representative.
- j) One (1) family member of an adult mental health services consumer.
- k) One (1) family member of an adult substance use disorder services consumer.
- l) One (1) prevention specialist.
- m) A private provider of mental health services within the region.
- n) A private provider of substance use disorder services within the region.
- o) A representative of the elementary or secondary public education system within the region.
- p) A representative of the juvenile justice system within the region.
- q) A representative of the adult correction system within the region.
- r) A representative of the judiciary appointed by the administrative district judge.
- s) A physician or other licensed health practitioner from within the region.
- t) A representative of a hospital within the region.

Section 2. In accordance with Idaho Code 39-3134, the appointing authority committee shall meet annually or as needed to fill vacancies on the board. The committee shall request nominations from the

board, families, consumers, providers, advocacy groups, and the public. The list of appointments shall be submitted to the Executive Committee. The Executive Committee, as the appointing authority in each region, shall be composed of the followed:

- a) Current Chair of the Regional Behavioral Health Board.
- b) One (1) representative of the Region III Department of Health and Welfare.
- c) One (1) county commissioner of a county situated within the region.

Section 3. In accordance with Idaho Code 39-3133 this board shall annually elect an Executive Committee of the five (5) members comprised of one (1) mental health consumer or advocate, one (1) substance use disorder consumer or advocate, one (1) representative of the county commissioners, a representative of Region III DHW Behavioral Health, and the board chair. The vice chair shall be an ex officio, non-voting member unless the chair is absent. The Executive Committee shall be empowered to make fiscal, legal, and business decisions on behalf of the full board and other duties assigned in board policies. The Regional Behavioral Health Board may join with another government entity that can fulfill the same management infrastructure function. The Executive Committee and/or partner public entity shall have the power to:

- 1. Establish a fiscal control policy as required by the state controller.
- 2. Enter into contracts and grants with other governmental and private agencies.
- 3. Develop and maintain bylaws as necessary to establish the process and structure of the board.
- 4. Employ and fix the compensation, subject to the provisions of chapter 53; title 67, Idaho Code, of such personnel as may be necessary to carry out the duties of the board.

The board shall elect a two-year term for both a chair and a vice chair. Unless otherwise determined by the board at some future time, the board's operations partner and board staff will perform necessary secretarial and treasurer duties. Duties of the elected positions are defined in Attachment A: Officers and Duties. All meetings of the Executive Committee shall be held in accordance with the Idaho Open Meeting Law.

ARTICLE IV: TERM – VACANCIES – COMPENSATION

Section 1. In accordance with the Idaho Code 39-3134, the term of each member of the board shall be for four (4) years and members shall be eligible for reappointment. Current membership and term expiration dates shall be recorded in the minutes of the September meeting each year. Termination from the Board may occur if a member has three unexcused absences from regularly scheduled board meetings in a calendar year (January- December). The board Executive Committee will function as a conduct review committee should the need arise to review a board member's continuation of term for misconduct reasons. The board Executive Committee will review any misconduct referral(s) and provide recommendation(s) to the full board in accordance with the board policy on Board Member Conduct, which includes a Board Member Code of Conduct (policy and code attached to these bylaws). The vote to terminate a board member must receive a two-thirds (2/3's) majority of the active Board. The board member who is the subject of the termination vote may not be present at the time of the vote. A letter of termination signed by the board chair will be delivered in writing and received by the secretary.

Section 2. Vacancies shall be filled for the unexpired term in the same manner as outlined in Idaho Code 39-3134.

Section 3. As resources allow, board members shall be reimbursed from board funds at the approved state of Idaho prescribed rate for travel and expense to attend meetings of the Board and other activities as authorized by DHW policy until such time as the board is partnered with another entity at which time the partner entity's policy are in force. A person travelling on official department business is considered to be in "travel status" when the traveler is physically away from their official primary workstation by a distance of fifty miles or more, or the travel includes an overnight stay.

Section 4. Board members shall be compensated as provided for section 59-509(b) Idaho Code such compensation be paid from the operating budget of the regional behavioral health board as resources allow and if approved by the board.

ARTICLE V: MEETINGS

Section 1. The board generally meets once a month, however, committed to meet at the minimum four (4) times per year.

Section 2. All meetings are open to the public and subject to the requirements of Idaho's Open Meeting Law.

Section 3. A quorum of the board is constituted by simple majority (51%) of active members of the board. Votes are passed with 51% of present active members of the board for all votes. There is a two-thirds (2/3) vote requirement to terminate someone off a committee and a two-thirds (2/3) vote to change the board bylaws. Voting by proxy or email shall not be allowed. Votes cast over a conference call line or through a video conference connection during the board meeting are considered an in-person vote.

Section 4. Members unable to attend a meeting shall notify the board secretary, chair, or designee. Three absences in a calendar year (January – December) without good cause may be deemed a reason for termination of board membership; the board will consider and vote on any issues of termination of a member at the next regularly scheduled board meeting. The board Secretary or designee shall notify any member after two such absences.

Section 5. Conference call lines and video conference connections will be made available to facilitate participation of members of outlying communities.

ARTICLE VI: POWERS AND DUTIES

Section 1. In accordance with Idaho Code 39-3135 the Regional Behavioral Health Board shall/may participate in the following relationships with the state behavioral health authority (Department of Health and Welfare), State Behavioral Health Planning Council, and regional behavioral health centers (Regional Health & Welfare behavioral health program):

- a) Shall advise the state behavioral health authority and the state behavioral health planning council on local behavioral needs within the region;
- b) Shall advise the state behavioral health authority and the state behavioral health planning council of the progress, problems, and proposed projects of the regional service;
- c) Shall promote improvements in the delivery of behavioral health services and coordinate and

- exchange information regarding behavioral health programs in the region;
- d) Shall identify gaps in available services including but not limited to services listed in section 16-2402 (3) and 39-3131 Idaho Code and recommend service enhancements that address identified needs for consideration to the state behavioral health authority;
 - e) Shall assist the state behavioral health planning council with planning for service system improvement. The state behavioral council shall incorporate the recommendations from the regional behavioral health board into the annual report provided to the Governor annually, as the date changes year to year. The report shall also be provided to the legislature.
 - f) May develop or obtain proposals to petition for regional services for consideration by the state behavioral health authority.
 - g) May accept the responsibility to develop and provide community family support and recovery support services in their region. The state behavioral health planning council shall also determine when a regional behavioral health board has complied with the readiness criteria. Community family support and recovery support services include, but are not limited to:
 - i) Community consultation and education;
 - ii) Housing to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;
 - iii) Employment opportunities to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;
 - iv) Evidence-based prevention activities that reduce the burden associated with mental illness and substance use disorders; and
 - v) Supportive services to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization including, but not limited to, peer run drop-in centers, support groups, transportation, and family support services.
 - h) Shall annually provide a report to the state behavioral health planning council, the regional behavioral health centers, and the state behavioral health authority of its progress toward building comprehensive community family support and recovery support system that shall include the performance and outcome data as defined and, in a format, established by the state behavioral health planning council; and
 - i) May establish committees and working groups as it determines necessary and shall, at a minimum, establish and maintain a children's mental health committee. All committees shall require a chair and one board member.

ARTICLE VII: BASIC POLICIES

Section 1. This board shall be noncommercial, nonsectarian, and nonpartisan. Members shall abide by the Code of Conduct provided to all board members. All policies of the board shall be approved by board vote and maintained as attachments to the bylaws. Policies do not have to be specifically referenced in the bylaws. Once a policy is approved by board vote, it shall be added to the attachments and considered in force until such time as the board votes to revise or remove the policy.

Section 2. No person shall be excluded from membership on the basis of race, color, creed, national origin, disability, gender, sexual orientation, or gender identity.

Section 3. Competitive processes shall be in place for any opportunities for employment and/or service contracts provided on behalf of and/or overseen by the board.

Section 4. Committees or working groups must be officially approved by the board and must not speak for the board or take actions unless prior board approval is given. The purpose of committees and working groups is to carry out the functions of the board and members may be appointed from outside the board membership. All committees and working groups shall have one member of the board as a member. Committees and working groups shall elect their own leadership to include a chair and provide standing reports to the board on at least a quarterly basis or more often, if warranted. Committees and working groups, while not required to follow Idaho Open Meeting Law, are encouraged to follow Idaho Open Meeting Law in regard to publicizing location and time of scheduled meetings, agenda, and meeting notes.

ARTICLE VIII: PROCEDURES

Section 1. PARLIAMENTARY AUTHORITY: Robert's Rules of Order (Simplified) shall be the governing authority for the order of business and conduct of all meetings of the board, the executive committee, and other committees of this organization when not in conflict with these Bylaws.

Section 2. All actions shall be based on 51% simple majority vote of the board quorum present, with the exception of two-thirds (2/3) vote for termination and two-thirds (2/3) vote for board bylaws.

Section 3. Individual members of the board shall not speak for the board, except for specific delegation.

Section 4. Except as otherwise stated, procedures for implementation of board policies shall be included in said policies and approved in the board vote to establish policies. Procedures to implement policies may be modified at any time by board vote and are not amendments to the bylaws.

ARTICLE IX: AMENDMENTS

The sections of these bylaws not mandated by law may be amended at any meeting of the board by a two-thirds (2/3) majority vote of active present board members, provided the amendment is presented in writing to all members at least 48 hours prior to the business meeting at which they are presented for adoption. These bylaws were approved at a regular meeting on March 22, 2023.

Signature:

Chair

Vice-Chair

Bylaws revised March 2023, approved March 22, 2023

Attachment A: Officers and Duties

In accordance with Idaho Code 39-3133 this board shall annually elect an executive committee of five (5) members comprised of a mental health consumer or advocate, a substance use disorder consumer or advocate, a representative of the county commissioners, a representative of Region III DHW Behavioral Health, and the board chair. The vice chair shall be an ex officio, non-voting member unless chair is absent.

The board shall elect to a two-year term a chair and a vice chair. Unless otherwise determined by the board at some future time, the board's operations partner and board staff will perform necessary secretarial and treasurer duties.

All meetings of the executive committee shall be held in accordance with the Idaho Open Meeting Law. The executive committee will fulfill duties assigned in the bylaws and shall be empowered to make fiscal, legal, and business decisions on behalf of the full board. The Regional Behavioral Health Board may join with another government entity that can fulfill the same management infrastructure function. The executive committee and/or partner public entity shall have the power to:

- 1) Establish a fiscal control policy as required by the state controller;
- 2) Enter into contract and grants with other governmental and private agencies;
- 3) Develop and maintain bylaws as necessary;
- 4) Employ and fix the compensation, subject to the provisions of chapter 53; title 67, Idaho Code, of such personnel as may be necessary to carry out the duties of the board.

Duties of Chair (if elected): The board chair conducts Behavioral Health Board and executive committee meetings, prepares the meeting agenda after receiving agenda suggestions from board and staff members, assists all board committees as needed, identifies, and monitors Behavioral Health Board agreed upon goals, and maintains appropriate communication with Region 3 Board Members, staff, and other stakeholders.

Duties of Vice Chair (if elected): The vice chair shall act as an aid to the chair and shall perform the duties of the chair in the absence or inability of the chair to act.

Duties of Secretary (if elected): The board secretary receives notice from board members when they are unable to attend board meetings, keeps track of attendance without cause, and notifies any member after two such absences. The board secretary records attendance and verifies quorum at meetings. The board secretary maintains a list of current board members and contact information, monitors corrections to the board minutes, maintains a file of the approved documents and official board documents in an electronic and/or hard copy file, and, as needed, presents the list of board vacancies and nomination applications to the Behavioral Health Board Appointing Committee. The board staff will provide administrative assistance to carry out these functions. Minutes are taken at each meeting and shall include all action items and recommendations. Copies of minutes shall be distributed to board members and approved minutes will be made available to the public in accordance with Idaho Open Meeting Law.

Duties of the Treasurer (if elected): The treasurer shall monitor the financial amount of the board. The treasurer will give a financial report to the board as requested, but at least quarterly. The treasurer shall deliver an annual fiscal report.

Attachment B: Board Policies

Code of Conduct Policy

It is the policy of the Region 3 Behavioral Health Board that all board members will abide by the board code of conduct.

PURPOSE: The purpose of this policy is to assure all board members observe the code of conduct and thus protect the public served.

PROCEDURE: All board members shall be provided a copy of the Code of Conduct to read, sign, and return for board files.

If a fellow board member or member of the public has substantiated reason to believe a board member has, in his or her actions, violated the code of conduct, the following process is in place:

Questions of conduct are to be sent in writing to the chair of the board. The chair will convene the executive committee to review the conduct question. The committee will investigate the situation, hearing from all parties involved. The process will include an opportunity for the member in question to provide information.

The proceedings of the conduct committee are to be held in private. If no cause is found, the issue will be dismissed and no further action taken.

If, after investigation, substantiated cause is found that a violation of the code of conduct occurred, the executive committee shall make a recommendation to the full board regarding termination of a board member's term. The recommendation shall be taken up at the next scheduled meeting of the board.

In the event that the member in question is the chair, the vice chair will receive the questions and the chair will be excluded from participating in the executive review and recommendations. In the event the member in question is an executive committee member other than the chair, that member shall not be allowed to participate in the review and recommendations of the committee. If the vote is tied, it doesn't receive a majority vote, therefore it is lost.

Date of Adoption: March 22, 2023

Attachment C: Code of Conduct Agreement

Board members will:

- Represent the statute-specified board seat which each was appointed to represent on the board;
- Represent the best interests in the Region 3 Behavioral Health Board and uphold the assurances made in the conflict-of-interest agreement;
- Respect confidentiality of information received during meetings that fall outside of the purview of Idaho Open Meeting Law;
- Declare potential conflict of interest and refrain from discussion and voting when applicable;
- Acknowledge those who contribute to the success of the board and its activities;
- Speak on behalf of the board only when designated by the Chair of the Board as a whole;
- Adhere to documented processes and support equal access to information;
- Treat staff, fellow board members, affiliates, and presenters with professionalism and positive regard;
- Actively participate in board meetings and keep informed about developments and issues relevant to board operations;
- Take responsibility for contributing in a constructive and positive way to enhance good governance and the reputation of the board;
- Take responsibility for reporting misconduct, which has been, or may be, occurring with the board.
- Active board members are expected to engage with efforts of the board 3 – 6 hours a month.
- Termination of members is done by two-thirds (2/3) vote of active current members.

Infractions of this Code of Conduct may result in referral to the Conduct Committee as outlined in the bylaws.

I have read this Code of Conduct and agree to abide by it.

Printed Board Member Name

Board Member Signature

Date

Attachment D: Letters of Support Policy

It is the policy of the Region 3 Behavioral Health Board that all groups seeking letters of board support will provide written requests prior to a meeting and appear before the board at a regularly scheduled meeting to allow for thoughtful consideration by the board.

PURPOSE: The purpose of this policy is to assure requests for board letters of support have sufficient time for board consideration of written request and discussion among board members prior to a vote for support.

PROCEDURE:

1. Groups or entities seeking a letter of support shall provide in writing a description of the project, grant, or specific item for which support is requested. This shall be received by the board chair and board staff with sufficient time to place on the next agenda of the regularly scheduled board meeting.
2. The written information shall be provided to all board members in the pre-meeting documents. Each board member is responsible for reading requests and formulating any questions for the meeting.
3. At the scheduled board meeting, the group submitting the request shall appear (in person or via video conference or telephone connection) and respond to board questions. Scheduled time will be five (5) minutes unless board member(s) requests a longer period of time when draft agenda was submitted.
4. Following the brief presentation, a motion to support the request and second must be made prior to board discussion on the request. Requests without support for a motion and second will not be considered by the board.
5. In the event a board member knows ahead of time of an absence from the meeting due to an unavoidable schedule conflict, it is the responsibility of that member to send the chair and staff any questions or concerns about the request. Those questions shall be presented to the requesting group during the scheduled time on the agenda. These concerns shall be shared during the board discussion of the request (after motion and second) for all board members to consider.
6. The executive committee has the option to call a special board conference call for review of a request of time – sensitive nature which precludes presentation at the next scheduled board meeting due to grant or application deadlines.

Once the Board has voted to support a request, it is the responsibility of the executive committee to draft and review the letter for approval prior to submission to the recipient on the board's behalf. The letter shall be signed by the board chair and a copy sent to the board secretary for entry into the official records.

Date of Adoption: March 22, 2023