

**BYLAWS
Of the WASHINGTON STATE
BEHAVIORAL HEALTH ADVISORY COUNCIL
DIVISION OF BEHAVIORAL HEALTH AND RECOVERY
WASHINGTON HEALTHCARE AUTHORITY**

ARTICLE I: NAME, AUTHORITY AND PURPOSE

Section 1: Name

The name of this unincorporated association shall be the Washington State Behavioral Health Advisory Council, throughout this document referred to as the "Council".

Section 2: Authority

Title XIX of the Public Health Services Act (42 U.S.C. 300x) mandates that all states establish a State Mental Health Planning and Advisory Council. Through the authority of the Director of the Division of Behavioral Health, a statewide citizen advisory council (Behavioral Health Advisory Council) was established to aid the Division of Behavioral Health and Recovery (DBHR) in their mission to assure that all persons regardless of race, ethnicity, disability, gender, age and sexual orientation experiencing behavioral health challenges can lead valued and satisfying lives in their communities.

Section 3: Purpose

To align programs to promote mental health with programs and services for substance abuse prevention, treatment, and recovery. Specifically, the purpose of the Council shall be to support the behavioral health system consistent with Block Grant requirements and the block grant state plans recognizing that:

- A. Washington State residents acknowledge that behavioral health is essential to overall health.
- B. Behavioral health is person-centered family-driven and promotes optimal functioning across the life domains by removing barriers to services.
- C. Services shall be focused on recovery and resiliency by embracing trauma informed, person centered, and holistic approaches that support an individual's right to live a self-directed life through the provision of comprehensive treatment and basic social determinants of health needs including community based social/emotional support, benefits/employment, and housing security services.
- D. Disparities in behavioral health services should be eliminated.

ARTICLE II: DUTIES

Section 1: Responsibilities

The Council is expected to do the following:

- A. To review the Combined Block Grant Plan and to make recommendations.
- B. To serve as advocates for people with a chronic or serious behavioral health challenges, including children with serious emotional disturbance, and other individuals with mental illness and/or substance abuse concerns, no matter whether they are currently enrolled or have been enrolled in the State publicly funded behavioral health care program.
- C. To continuously advise DBHR on the adequacy of the allocation of funds for behavioral health services within the state.
- D. Advocate and educate for legislation and regulations affecting behavioral health, including mental health, children's emotional disorders, substance use disorder, and problem gambling.
- E. To exchange information, evaluate and communicate ideas about behavioral health care.

- F. Advocate for populations with substance use disorders, mental health, and co-occurring disorders, and problem gambling, including children.

ARTICLE III: MEMBERSHIP

Section 1: Qualifications

Membership criteria are guided by Revised Codes of Washington 43.20A.360 (RCW). Membership should include a balanced geographic representation of race, ethnicity, disability, gender, age, and sexual orientation. Members should:

- A. Have a particular interest or expertise in behavioral health services,
- B. Be interested in social service programs,
- C. Be willing and able to fully participate in all meetings and group activities during their term of appointment, and
- D. Be willing to work toward the success of the group while avoiding personal agendas.

Section 2: Appointment of Members

Nominations for membership will be reviewed by the Membership Committee and recommendations forwarded to the full Council for approval. If approved, the Director of DBHR will review for final approval and send a letter of appointment.

Section 3: Composition

Individuals and family members who receive or have received services from a publicly funded behavioral health program and advocates for behavioral health services shall represent at least 51% of the total members of the Council.

- A. Any individual may apply for membership.
- B. Membership will be configured to meet federal mandates for the following state agencies' representation: Social Services, Education, Vocational Rehabilitation, Criminal Justice, Housing, Exchange, Health, Children's, Mental Health, and Medicaid (known as Washington Apple Health).
- C. The ratio of caregivers of children with SED/SUD to other members of the Council shall be sufficient to provide adequate representation of such children in the deliberations of the Council.

Section 4: Term of Membership

- A. Membership terms will be for three (3) calendar years except in the case of a vacancy, in which event the appointment shall be only for the remainder of the unexpired term for which the vacancy occurs.
- B. If approved by the Council, a member may serve a second term. No member shall serve more than two consecutive full 3-year terms.
- C. Members may reapply for membership a year after term expiration.
- D. Vacancies shall be filled by the Director upon Council's recommendation as they occur.
- E. Members representing required state agencies and tribal members do not have a term of office.

Section 5: Meeting Attendance

- A. Unless the Council determines otherwise, any member who has two (2) unexcused absences, as recorded in the minutes, during a calendar year from regularly scheduled meetings shall be terminated from the Council's membership, and a vacancy shall be declared.
- B. The Co-Chairs will review the circumstances of members with three (3) excused absences in a calendar year and will submit a recommendation for action to the full Council.
- C. Notification to a Co-Chair of inability to attend shall be given no less than five (5) days before the meeting. In cases of unexpected emergency or sudden illness, notification to a Co-Chair or

DBHR staff within 48 hours of the missed meeting will suffice and will not be counted as unexcused. Appointed community members may not send an alternate or proxy.

- D. State agency members who are unable to attend a meeting are responsible for sending an alternate representing the same constituency who shall have the same rights and privileges as the Council member being represented. If an alternate or proxy will not be attending, notification of absence must be sent to the Co-Chairs or DBHR staff no less than five (5) days before the meeting.
- E. A leave of absence may be requested and approved by the Co-Chairs.

Section 6: Communications

- A. Council communication during face-to-face meetings, emails and/or telephone conference calls shall follow these guidelines:
 - 1. Be respectful of diverse opinions.
 - 2. Be aware of and respect confidentiality and personal privacy in all areas of communication.
 - 3. Be aware that ALL Council communication is in the public domain. *Records pertaining to the Council are "Public Records" for purposes of the Public Records Act, ch.42.56 RCW.*
 - 4. Only the Co-Chairs, or other Executive Committee Members with Co-Chair approval, may represent the Council.
 - 5. Member communication via mail and email will be limited to Council members.
- B. Spokesperson for the Council
 - 1. The Co-Chairs, or their designee, will be the spokesperson for the Council.
 - 2. When individual council members speak or write publicly, they must clarify that they represent themselves.

ARTICLE IV: ELECTIONS AND OFFICERS

Section 1: Nomination and Election of Officers

- A. The Executive Committee elections will be held annually at the November Meeting (or December Meeting in the event that there is no November meeting) to take office the following January. The Council *values integrated representation* and shall elect from its membership the Executive Committee consisting of:
 - 1. two (2) Co-Chairs, one representing Substance Use Disorder and one representing Mental Health.
 - 2. two (2) Vice Co-Chairs, one representing Substance Use Disorder and one representing Mental Health; and
 - 3. One Member at large.
- B. At the November meeting, the Nominating Committee, consisting of at least three Council members, will submit a slate of recommendations for the Executive Committee positions. Additional nominations may be made from the floor.
- C. Each candidate must accept the nomination.
- D. The Council will vote to elect the Executive Committee. Should an Executive Committee position be vacated prematurely, the Co-Chairs will announce to The Council a 'call for interest' for an interim officer.
 - 1. The Executive Committee shall appoint an interim officer.
 - 2. The interim officer shall perform the duties of their appointed position until the annual election.

Section 2: Officer Terms

- A. Mental Health Co-Chair and Mental Health Vice Co-Chair elections will alternate annually with SUD Co-Chair and SUD Vice Co-Chair elections.
- B. Officers shall hold two-year terms with a mandatory two-term limit per officer position.
- C. Upon reaching the term limit for one Officer position, the member is not precluded from serving in another Officer position.
- D. Following an Officer term limitation, the Member is eligible to serve in the same officer position after a minimum of one year out of the officer position.
- E. Executive officer role term supersedes general membership term. General membership shall be extended to fulfill executive term commitments.
- F. Any officer may resign at any time by giving written notice to the Council.

Section 3: Officer Responsibilities

- A. The Co-Chairs shall preside equally over meetings of the Council, prepare and ensure that an agenda is distributed prior to each regular meeting, and shall have such powers and perform such duties as prescribed by these Bylaws or other directives of the Council.
- B. The Vice Co-Chairs shall perform the duties of their respective Co-Chair in their absence. The Member at Large is responsible for overseeing the voting of Officer Elections.

Section 4: Removal of Officers and Members

- A. An officer may be removed by the Council whenever, in its judgement, the best interests of the Council would be served thereby, but such removal shall be without prejudice to such officer's position as a member.
 - 1. Removal may occur only at a regular meeting or a properly called special meeting of the Council, after at least thirty (30) days' notice to the person proposed to be removed.
- B. Any removal of a member of the Council must be made upon the vote of the *two-thirds (2/3) majority* of the Council.
- C. A letter of notification will be sent to the Director by a Chair of the Council in regard to the removal.

ARTICLE V: MEETINGS

Section 1: Frequency

- A. A minimum of six (6) meetings will be held per year. Meetings are open to the public.
- B. Special meetings may be called outside of the usual meeting schedule.

Section 2: Agenda

- A. Inclusion of any agenda item for a particular meeting will be determined by the Executive Committee.
- B. Additional agenda items not previously scheduled may be submitted for consideration by the members at the beginning of each meeting and may be incorporated into the agenda at the direction of a Co-Chair.
- C. Individuals from the public may request to be placed on the agenda as "new business" for the next Council meeting subject to veto by the Council.
- D. If time permits, the public may be invited to comment at the end of the Council's business.

Section 3: Special Meetings

Special meetings may be called by DBHR or the Co-Chairs (or Vice Co-Chairs, if the Co-Chairs are unavailable) for the purpose of completing a specific request or activity.

Section 4: Decision Making Process

Decisions of the Council shall be preferably by consensus or, failing that, by majority vote of the members present.

- A. The Member at Large shall only vote whenever their vote will affect the outcome to break a tie or to cause attainment of a two-thirds majority when a two-thirds majority is necessary for an action pending.
- B. Voting by email is allowable.

Section 5: Remote Attendance

Although in-person attendance is encouraged, the Council recognizes that remote attendance is sometimes necessary.

- A. Remote Voting - Remote Voting will be allowed for members who choose to attend via remote/virtual options.
 - 1. For Officer Elections: members who plan on attending remotely must notify the Executive Committee Member at Large at least one week prior to the November meeting date.
 - 2. The Member at Large ensures that members participating remotely submit their votes no later than one day prior to the November meeting.
 - 3. The Member at Large or designee performs a roll call of members to ensure all votes are counted.

Section 6: Quorum

A quorum shall consist of a simple majority of the appointed members/designee of the Council (50% + 1).

- A. At meetings where a quorum is not present, the only actions that may legally be taken are to fix a time for adjournment, adjourn, recess, take measures to obtain a quorum (such as contacting absent members), and to determine the time for the next meeting.
- B. The Council may ratify emergency action, taken at a meeting when no quorum was present, even though the quorum is provided for in the by-laws. Said emergency action shall be recorded in the minutes and must meet the following three criteria:
 - 1. Serious for Council compliance.
 - 2. To confirm or make valid and action already taken that cannot become legally valid until approved by the Council; and,
 - 3. Is time sensitive
- C. The Co-Chairs (or designee, -if the Co-Chair is not present) must be present in order to conduct business. These officers are members and are counted in determining whether there is a quorum.
- D. Members of the public are not counted in determining quorums.

Section 6: Rules of order

The Council shall be bound by the provisions of the 21st Century Robert's Rules of Order in all procedural matters not governed by these Bylaws.

ARTICLE VI: TRAVEL AND EXPENSES

Section 1: Reimbursement for Expenses

Expenses and reimbursement for Council and Subcommittee members shall be consistent with RCW 43.03.050 and Department Policy.

- A. Members shall use the least costly means of travel. Requests for travel arrangements must be made to the DBHR at least two weeks prior to any regularly scheduled meeting.
- B. Travel expenses for members employed by state agencies will be covered by those respective agencies.

ARTICLE VII: COMMITTEES

Section 1: Standing Committees

The Council is empowered to create and/or disband standing committees as it deems appropriate. The formation of new standing committees shall require a majority vote by the full Council. Standing committees shall be comprised of a minimum of three Council members.

Section 2: Ad Hoc Committees

The Council may form temporary Ad Hoc Committees as it deems appropriate. Ad Hoc Committees shall be approved by a simple majority vote of the Council. The duration of the assignment is determined by the Council. Ad Hoc Subcommittees shall be not less than three members.

ARTICLE VIII: PUBLIC DISCLOSURE AND MEDIA RELATIONS

Section 1: Public Disclosure

All state agencies are required by RCW 42.17 to have available for inspection and duplication, public records such as procedural rules and statements of general policy.

Section 2: News Media

- A. The news media has the important function of informing the public about state government operations. In doing so the media provides an important link with the community.
- B. Individual Council members may speak publicly on any issue as private citizens.
- C. The Co-Chairs, or designated spokesperson for the Council will consult with the Director of DBHR before any contact with the media.
- D. The DBHR Communications staff is available to assist the Chair with any media relations approved by DBHR.

ARTICLE IX: GRIEVANCES AND COMPLAINTS

Section 1: Grievances and Complaints by Council members and/or public

- A. Any grievance and/or complaint from a Council member is to be in writing stating the specific issue(s) and giving the fact(s) supporting the grievance and/or complaint and presented to the Co-Chairs. The complainant may be asked to state any potential relief or resolution when appropriate.
- B. The Executive committee will establish a grievance committee. If a resolution is not able to be reached the grievance and/or complaint will be forwarded to DBHR.
- C. Grievances will include and are not limited to: harassment of any sort, misrepresentation of professional or licensing qualifications, intentional obstruction of BHAC or Ad Hoc Subcommittee, presentation of personal opinions as that of BHAC's, and distribution of information or documents specifically designated as confidential.

ARTICLE X: AMENDMENTS

Section 1: Amendments

Bylaws may be amended by a two-thirds majority of those present. The proposed revision must be submitted in writing to the members of the Council no less than ten (10) days preceding the meeting in

which the vote is to take place.

Bylaws were voted on and were unanimously passed by committee on MONTH DAY, YEAR:

Co-Chair

Date

Co-Chair

Date

Approved for the Division of Behavioral Health and Recovery:

Director of Behavioral Health

Date