

**BY-LAWS
OF
THE REGION II BEHAVIORAL HEALTH BOARD**

ARTICLE I: NAME AND ESTABLISHMENT

The name of this organization shall be Region II 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: Clearwater, Idaho, Latah, Lewis, and Nez Perce.

ARTICLE III: MEMBERS, OFFICERS, AND ELECTIONS

Section 1:

Members shall be selected in accordance to Idaho Code 39-3134 totaling 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. One (1) 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) prevention specialist;
- l. One (1) family member of an adult substance use disorder services consumer;
- 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 shall meet annually or as needed to fill vacancies on the board. The appointing authority in each region shall be a committee composed of the following:

- a. Current Chair of the Regional Behavioral Health Board; and
- b. One representative of the Department of Health and Welfare.
- c. One County Commissioner of a county situated within the region.

The consumer, parent and family representatives shall be selected from nominations submitted by behavioral health consumer and advocacy organizations.

Section 3:

In accordance with Idaho Code 39-3134 the boards shall annually elect a chairperson and other officers as it deems appropriate. A nominating committee shall be selected from the Behavioral Health Board membership and consist of no more than three (3) members who are in good standing. The Behavioral Health Board chair will ask for volunteers to serve on this committee. If no one volunteers, the chair will appoint members to serve, and a committee chair. The nominating committee will convene three (3) months before the June election meeting to begin the nominating activities. The nominating committee shall request nominations from the board. A slate of officers will be presented to the Board the month preceding the election. At the June election meeting nominations may also be accepted from the floor. The contested officer candidates will have an opportunity to present their qualifications/desire to the board for a Behavioral Health Board officer position.

Section 4:

At the June meeting, the board shall elect officers to a one year term beginning July 1st. The officers of the boards shall be: Chair, Vice Chair, Secretary and two At-Large positions for the Executive Committee.

Duties of Chair: The Board Chair conducts Behavioral Health Board meetings, prepares the meeting agenda after receiving agenda suggestions from Board and Staff members, assist all Board committees, identifies and monitors Behavioral Health Board agreed upon goals and maintain appropriate communication with Region II Board Members, Staff, Public Health, and other stakeholders.

Duties of Vice Chair: 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: The Board Secretary receives notice from Board members when they are unable to attend Board meetings, keeps track of attendance without cause and notify any member after two such absences. The Board Secretary coordinates with the Board Chair to: maintain a list of current Board Members and their contact information, present the list of Board positions to be filled to the Behavioral Health Board Appointing Authority, monitor corrections to the Board minutes and maintain a file of the approved documents and maintain official Board documents in an electronic and/or hard copy file. The Public Health 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 the minutes shall be distributed to Board members, Regional Behavioral Health Board Chair and a representative of the Idaho Department of Health and Welfare, and other regional advisory boards, if requested. The Public Health staff will provide administrative assistance during the meeting and will distribute minutes, agenda and other informational material prior to Board meetings.

Terms:

Midterm vacancy of the position of Chair shall be assumed by the current Vice-chair. The vacant vice-chair position shall be nominated by majority vote of the Board at the next regular meeting.

Officer removal notwithstanding any provision of the bylaws a two-thirds (2/3) vote of all persons present and entitled to vote at any meeting of the Board at which a quorum is present, may recommend removal of an officer if just cause is determined that the individual is unable or unwilling to perform the specified duties or is grossly negligent or derelict in their duties as an officer. Such determination of underperformance shall be sent in writing to the affected officer for review and comment 30 days prior to a vote to allow for due process.

Board Member removal notwithstanding any provision of the bylaws a two-thirds (2/3) vote of all persons present and entitled to vote at any meeting of the Board at which a quorum is present, may recommend removal of a member if just cause is determined that the individual is unable or unwilling to perform the specified duties or is grossly negligent or derelict in their duties as a member.

The vote of the Board shall be provided to the Appointing Authority for their determination and action per Idaho Code 39-3134

Section 5:

The executive committee of the Behavioral Health Board shall be the officers of the board plus two board members elected by the board during the election. The executive committee shall include (1) mental health consumer or advocate and one (1) substance use disorder consumer or advocate. Additionally, the executive committee may appoint the DHW Program Manager, whose expertise, experience, and credentials, bring strategic value as an ex-officio member to the executive committee. The Executive Committee shall be empowered to make fiscal, legal and business decisions on behalf of the full board. The Regional Behavioral Health Board has joined with Public Health, a governmental approved entity that can fulfill the same management infrastructure function. The executive committee 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;
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.

All meetings of the executive committee shall be held in accordance with the open meeting law.

ARTICLE IV: TERM – VACANCIES – COMPENSATION

Section 1:

In accordance with 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. The term of each ex-officio 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.

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 at the State prescribed rate for pre-approved travel and expense to attend meetings of the Board and other approved activities.

Section 4:

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

ARTICLE V: MEETINGS

Section 1:

The board generally meets once a month.

Section 2:

Fifty percent of the members of the board constitutes a quorum. Voting is limited to Board Members who are entitled to vote at any meeting of the Board at which a quorum is present. Proxy Voting is not permissible.

Section 3:

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

Section 4:

Members unable to attend a meeting shall notify the Board Secretary, Chairperson, or designee. Three consecutive absences without good cause may be deemed a termination of Board membership. The Board Secretary or designee shall notify any member after two such absences. The appointing authority shall have the final say regarding member terminations.

Section 5:

Videoconference facilities shall be secured in remote communities as possible to facilitate the attendance of members in outlying communities.

Section 6:

Special Meetings of the Board may be called at the discretion of the chair and the Executive Committee, carry-out the duties and responsibilities imposed upon the Board by Chapter 31 Title 39.

ARTICLE VI: POWERS AND DUTIES

Section 1:

In accordance with Idaho Code 39-3135 the Regional Behavioral Health Board:

- a. Shall advise the state behavioral health authority and the state behavioral health planning council on local behavioral health needs within the region;
- b. Shall advise the state behavioral health authority and the 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 behavioral health planning council with planning for service system improvement. The behavioral health planning council shall incorporate the recommendation to the regional behavioral health boards into the annual report provided to the Governor by June 20th of each year. This report shall also be provided to the legislature.
- f. May develop, or obtain proposals for, a petition for regional services for consideration by the state mental health authority.
- g. May accept the responsibility to develop and provide community family support and recovery support services in their region.
- h. Shall annually provide a report to the behavioral health planning council, the regional behavioral health centers, and the state behavioral health authority; and
- i. The regional board may establish subcommittees as it determines necessary and shall, at a minimum, establish and maintain a children's mental health subcommittee, and a financial subcommittee which may be comprised of the Executive Committee as needed. Each board member is required to be a member of at least one (1) subcommittee and will actively work on initiatives in their area of interest and/or appointment. Each subcommittee is subject to Idaho's Open Meeting Law.
- j. The Chairman will appoint, with approval of the Executive Committee, such other subcommittees and chairs as are needed to achieve the objectives of the Board. The Chairman may invite individuals who are not members of the Board to serve on subcommittees. Subcommittee chairs may be Board members or non-Board members.

ARTICLE VII: BASIC POLICIES

Section 1:

This board shall be noncommercial, nonsectarian and nonpartisan.

Section 2:

No person shall be excluded from membership on the basis of race, color, creed, national origin, or disability.

Section 3:

The Region II Behavioral Health Board may appoint "ex-officio" members to participate in Board activity as non-voting members whose expertise, experience, credentials, and/or geographic residence bring strategic value to the vision and mission of the Board.

Appointments are made by motion and majority vote by the Board membership and serve for a specific term, or their term may be shortened at the pleasure of the Board.

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 By-Laws.

Section 2:

All actions shall be based on a majority vote of the quorum.

Section 3:

Individual members of the Board shall not speak for the Board, except on specific delegation.

ARTICLE IX: AMENDMENTS

The sections of these By-Laws not mandated by law may be amended at any meeting of the Board by a two-thirds vote, provided the amendment is presented in writing to all members prior to the business meeting at which they are presented for adoption.

These By-Laws were approved at a regular Board meeting on the 13th day of August 2020.