

**BYLAWS OF THE
ARKANSAS BEHAVIORAL HEALTH PLANNING
AND ADVISORY COUNCIL**

Article I

Name

The name of the organization is the “Arkansas Behavioral Health Planning and Advisory Council” (ABHPAC). Collectively, all persons who are appointed as members comprise the ABHPAC.

Definition: Throughout these Bylaws, the term, “Council” means a State Behavioral Health Planning Council. The “State Mental Health Planning Council” for Arkansas is named the “Arkansas Behavioral Health Planning and Advisory Council” to be known as the Behavioral Health PAC.

Article II

Duties

As mandated in Public Law 102-321, cited from Section 1914, “(a) ...the State involved will establish and maintain a State mental health planning council in accordance with the conditions described in this section. (b) ...the duties: (1) to review plans provided to the Council pursuant to section 1915(a) by the State involved and to submit to the State any recommendations of the Council for modifications to the plans; (2) to serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems; and (3) to monitor, review, and evaluate, not less than once each year, the allocation and adequacy of mental health services within the State.”

Article III

Responsibilities

The ABHPAC responsibilities to improve the service delivery in the public mental health and substance abuse systems have been identified as:

- To act on concerns that are paramount commonalities in each Region, as identified during a series of mental health forums that target consumers and families;
- To identify and assist in the design of pilot programs for specialized services, including prevention services, within their respective Region;

- To present position papers to the Division of Behavioral Health Services (“the Division”) regarding recommendations for implementation of such specialized programs and/or services;
- To assist the Division to design a system of care to meet the needs of the consumers by matching resources and choices to maximize the consumers’ health and quality of life;
- To build a more comprehensive and appropriate network for future needs;
- To plan and advise on policies, procedures, mandates, and regulations set forth by the Division and the Department of Human Services.
- To advocate for the provision of behavioral health services to persons of all ages with serious mental illness, substance abuse issues, and other needs, particularly as it relates to managed care and the imminent changes in national behavioral health systems;
- To network with local communities (i.e., municipal leagues, chambers of commerce, church groups, volunteer agencies, etc.) to help assure the accessibility of services for clients of the behavioral health system throughout the state; and
- To promote the use of appropriate evidence based programs and strategies in the behavioral health field.

Article IV

Membership and General Structure

Composition

As mandated in Public Law 102-321, cited from Section 1914 C Membership -- “(1) In General (2) The Council [will] be composed of residents of the State, including representatives of –

- (A) The principal State agencies with respect to -- (i) mental health, education, vocational rehabilitation, criminal justice, housing, and social services; and (ii) the development of the plan submitted pursuant to the Title XIX of the Social Security Act [42 U.S.C.1396 et seq];
- (B) Public and private entities concerned with the need, planning, operation, funding, and use of mental health services and related support services;
- (C) Adults with serious mental illnesses who are receiving (or have received) behavioral health services; and
- (D) The families of such adults or families of children with emotional disturbance.”

As mandated by the same Public Law, “(a) the ratio of children in the deliberations of the Council; and (b) not less than fifty percent of the members of the Council shall be individuals who are not State employees and not providers of mental health services.”

As suggested by block grant guidance (2011) the Behavioral Health PAC is expanding membership to include (a) clients of substance abuse services and their families (b) providers of substance abuse services.

New Membership

Nominations of prospective members shall be submitted by the Chair, who will ensure that the application is forwarded to the Director of the Division of Behavioral Health Services. The Director of the Division (or their designee) is responsible for authorizing appointments to the Council.

Active Membership

Active membership is defined by the guidelines for the Division Supported Conference Attendance, as follows: The member must have attended four meeting during a year not including the meeting held at the Annual Institute. Those four meetings can be all of or a combination of state and committee meetings.

Active participation is monitored by the signatures’ on the ABHPAC sign-in sheets.

A member is considered inactive when one calendar year has past without attendance as monitored by the sign-in sheets. Any member considered inactive on January 1st of each year will receive a letter notifying them of their change in status. An inactive member that doesn’t respond to the change in status letter within 30 days will be considered resigned. Any member who has resigned may reapply by filling out a new application.

Resignation of Membership

A member may resign by sending a written notice to the Chair. The Chair will notify the Director of the Division. The current roster is available upon request.

Voting

During election of officers all members of the Behavioral Health PAC in active status will have equal voting power. Paper ballots will be used for the election of officers. Any officer running for reelection cannot be called upon to break a tie that pertains to their office. The election of officers will use a simple majority vote of individuals in the room to determine the results.

During general business of a regular state meeting vote all members of PAC in active status will have equal voting power. Current State Chair is only allowed a vote in the event of a tie. In the event that the Chair is not present Vice Chair acting as chair in that meeting is only allowed a vote in the event of a tie.

In the event that a member does not attend the meeting the member has forfeited that vote. **NOTE:** Exceptions to this rule will be allowed for Federally Mandated State Agency members (mental health, criminal justice, education, housing, vocational rehabilitation, social service, and Medicaid) who may send a proxy to represent their agency.

In the election of Chair, the current Vice Chair will assume Chair assume Chair duties and is not allowed to vote unless there is a tie.

Membership Meetings

The ABHPAC membership will meet a minimum of four times per year, or as needed, for purposes such as: member education, systems planning, development of policies and procedures, and other such purposes as benefit from the participation of the entire group. These meetings are open to the public. Two weeks' written notice will be sent from the Division to all Council members before such a meeting. The council meets as follows: January, May, and September every third Saturday; March, July, and November every third Thursday. There is also an annual council retreat held in August to coincide the Arkansas Behavioral Health Institute.

Article V Election of Officers

Officers

Chair. A chair of the ABHPAC will be elected from among the current members in active status. Nominations may be offered from the floor or by petition, except that no person's name may appear on the ballot until that individual has accepted the nomination. Candidates shall have the opportunity to present statements to the membership, and an election shall be held with each member present casting one vote.

The term of the Chair will be two years, and two consecutive terms may be served. The election shall be held at the March meeting. The term shall begin July 1 of each odd-numbered year and end June 30 of each odd-numbered year.

Vice Chairs. Two Vice-Chairs of the ABHPAC will be elected during one voting session from among the current member's active status. A first Vice Chair will be designated as

decided by the highest number of votes. The second Vice Chair will be the runner up for Vice Chair. Nominations may be offered from the floor or by petition, except that no person's name may appear on the ballot until that individual has accepted the nomination. Candidates shall have the opportunity to present statements to the membership, and an election shall be held with each member present casting one vote.

The term of the Vice-Chairs will be two years, and two consecutive terms may be served. The election shall be held at the March meeting. The term shall begin July 1 of each odd-numbered year and end June 30 of each odd-numbered year.

The Vice-Chair will fulfill any duties of Chair as requested by the Chair or the Director of the Division.

Parliamentarian. The Parliamentarian of the ABHPAC will be elected from among the current member's active status. Nominations may be offered from the floor or by petition, except that no person's name may appear on the ballot until that individual has accepted the nomination. Candidates shall have the opportunity to present statements to the membership, and an election shall be held with each member present casting one vote.

The term of the Parliamentarian will be two years, and two consecutive terms may be served. The term shall begin July 1 of each odd-numbered year and end June 30 of each odd-numbered year.

The parliamentarian will advise the Chair and gives his/her opinion when asked or when he/she believes that the issue at hand is not in compliance with current Bylaws. The Parliamentarian only advises. The Chair maintains sole responsibility for ruling on a point of order or answering a parliamentary inquiry.

Article VII

Amendments to Bylaws

The Chair shall ensure that the Bylaws are reviewed yearly. The State Chair shall appoint an ad hoc committee to review the entire Bylaws and to recommend changes. The ad hoc committee shall prepare a description of changes being proposed, along with a list of all persons who participated in the review and revision. Amendments to these Bylaws must be proposed at a State meeting. This shall be mailed to all ABHPAC members, along with a notice of date, time, and place that the State Council will vote on the revisions. This notice shall be mailed no less than 30 days before the State meeting.

A two-thirds affirmative vote of the members present shall be necessary to approve the proposed changes to the existing bylaws. The revised Bylaws shall be immediately forwarded to the Director of the Division, within 30 days for final approval. **NOTE:** Exceptions to this rule will be allowed for Federally Mandated State Agency members (mental health, criminal justice, education, housing, vocational rehabilitation, social service, substance abuse, and Medicaid) who may send a proxy to represent their agency.

Article VII Committees

The Council shall have the power to abolish or create committees by a two-thirds vote of members present. Persons who are not members of the Council may serve on committees.

The Block Grant Committee is a standing committee.

The Executive Committee is made up of the current officers and the Current Past Chair. As Ex-Officio. This committee meets as needed or requested by the Director of the Division. The Executive Committee will decide the Behavioral Health PAC Member of the Year and make any emergency decisions needed

Article VIII Removal

Elected officers at the State or Region level and members of the Council can be recommended for removal by a two-thirds vote of members in active status and present in the room and the approval of the Director. **NOTE:** Exceptions to this rule will be allowed for Federally Mandated State Agency members (mental health, criminal justice, education, housing, vocational rehabilitation, social service, substance abuse, and Medicaid) who may send a proxy to represent their agency.

Article IX Parliamentary Authority

In all procedural matters not governed by these Bylaws, the ABHPAC shall be bound by the provisions of *Robert's Rules of Order* [tenth edition].

Article X

Adoption and Review of Bylaws

The Arkansas Behavioral Health Planning Advisory Council Governing Bylaws were presented and adopted this 15th day of February, 2012.

Section 11.01

APPROVED:

This 15th day of February, 2012.

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This 15th day of February, 2012.

State Chair, Arkansas Behavioral Health
Planning Advisory Council

Director of the Division
of Behavioral Health Services