

1077.0.0 DHS STATE INSTITUTIONAL BOARD RULES

This Policy sets out the functions and duties of the Department of Human Services (DHS) State Institutional System Board (Board)

1077.1.0 Authority

Ark. Code Ann. 25-10-401 et seq. abolishes the State Hospital Board and Arkansas Youth Services Board and transfers the powers vested in such boards to the State Institutional System Board. The Board "shall perform its functions and duties in accordance with the general guidelines, policies, and regulations of the Department of Human Services..." and "shall perform their respective functions and duties under the general guidelines and standards promulgated by the Director of the Department [of Human Services]."

1077.2.0 Definitions

For purposes of these rules, "DHS institutions" means the Arkansas State Hospital at Little Rock, the Arkansas Health Center at Benton, the Arkansas Juvenile Assessment and Treatment Center at Alexander, and all other institutions owned and/or operated by DHS for youth services, mental health services, or both.

1077.3.0 Term

The Board shall consist of seven members. The Governor appoints board members for a term of seven years, except that the terms of the initial Board members shall be selected by a drawing to be held at the first meeting of the Board, to assure that no two terms expire in the same year.

1077.4.0 Reimbursement

Members of the Board shall be entitled to reimbursement for meals, lodging, and mileage as provided for employees of the State of Arkansas. In addition, members shall be entitled to receive per diem in the amount of \$60.00 per day for each day in attendance at a Board meeting.

1077.5.0 Officers and Staffing

1077.5.1 Board officers shall be based on terms of service, with the Chair being the board member whose term will expire in one year, the Vice-Chair being the member whose term will expire in two years, and the Secretary being the member whose term will expire in three years. The member whose term will expire in four years will serve as the Board's representative on the Arkansas State Hospital Governing Authority.

1077.5.2 In the event that a board resigns or otherwise leaves the board leaving a vacancy in that position on the board, then the person appointed to fill the vacant board position shall not serve in any offices associated with that position under the normal rotation process set forth in Section 1077.5.1

above. Instead, the new board member shall be placed at the bottom of the seniority list in the rotation process and all other board members shall rotate up accordingly. However, in no event shall a board member serve in one office more than two consecutive terms.

1077.5.3 The DHS Director's Office shall provide staff for the Board. The Board and the DHS Director shall specify the duties to be performed by such staff, which shall include, but are not limited to:

- A. Gathering such information as may be requested by the Board
- B. Recording minutes of each Board meeting
- C. Preparing such reports as the Board may from time to time direct

1077.6.0 Meetings

1077.6.1 The Board shall meet upon the call of its Chair or a majority of the members, except that the DHS Director shall call the first meeting. The Board shall meet no less than quarterly.

1077.6.2 The Board shall meet at such times and places as the Chair or a majority of the Board may designate.

1077.7.0 Quorum

1077.7.1 A majority of the members shall constitute a quorum for the transaction of business.

1077.7.2 Whenever possible, Board members shall notify DHS staff at least ten days prior to a regularly scheduled meeting if they cannot attend.

1077.7.3 In the event that there is a later notification by a member of his or her inability to attend the regularly scheduled meeting due to illness, emergency, or other unforeseen circumstance, and provided that such notification results in lack of a quorum, the Board Chair will be promptly notified. After such notification the Board Chair shall decide whether to reschedule the meeting.

1077.7.4 If the meeting is not cancelled and a quorum is not in attendance, the Board shall not conduct business, but the minutes shall reflect the names of all members in attendance.

1077.7.5 If the meeting is cancelled, the Chair will reschedule the meeting to a date and time that accommodates as many members' schedules as possible. Provided, however, that in the event that any member has missed two previous consecutive meetings, then preference as to the date for the rescheduled meeting shall be given to a date that is most likely to ensure attendance by that member.

1077.8.0 Functions and Duties of the Board

1077.8.1 Review and furnish advice relative to the size, location and arrangement of physical facilities housing DHS institutional operations.

- 1077.8.2 Develop long and short term plans for the size, location and arrangement of DHS institutional facilities.
- 1077.8.3 Review and furnish advice regarding any renovation or improvements to DHS institutional land and buildings if the anticipated cost of such renovation exceeds \$20,000.
- 1077.8.4 Review and furnish advice regarding the acquisition of DHS institutional land and buildings by purchase, lease, or otherwise.
- 1077.8.5 Review and furnish advice regarding the disposal of DHS institutional land and buildings by sale, lease, or otherwise, including advice regarding the amount and collection of rents, fees and charges for the use of DHS institutional property.

1077.9.0 Amendment

The DHS Director may amend these rules as may be necessary to assure the efficient operation of the Board. This revision replaces Policy 1077, dated August 1, 2006.

1077.10.0 Department Contact

Any questions concerning DHS Policy Number 1077 should be directed to:

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