

## **Section 1.01**

The name of the organization is the “Arkansas Mental Health Planning and Advisory Council” (AMHPAC). Collectively, all persons who are appointed as members comprise the Arkansas Mental Health Planning and Advisory Council. Each of these persons is also a member of one of five geographic Regions, which correspond with the Department of Human Services’ geographical boundaries.

## **Article II. Duties**

### **Section 2.01**

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 of the Council are: (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.”

Definition: Throughout these Bylaws, the term “Council” means a State mental health planning council. The “State Mental Health Planning Council” for Arkansas is named the “Arkansas Mental Health Planning and Advisory Council.” “Executive Committee” means the Executive Committee of the Arkansas Mental Health Planning Advisory Council.

## **Article III. Responsibilities**

### **Section 3.01**

The Arkansas Mental Health Planning and Advisory Council’s responsibilities to improve the service delivery in the public mental health system 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 of Behavioral Health Services / Department of Human Services.

- to advocate for the provision of mental health services to persons of all ages with serious mental illness and other mental health needs, particularly as it relates to managed care and the imminent changes in national mental health systems; and
- 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 mental health system throughout the state.

## **Article IV. Membership and General Structure**

### **Section 4.01 Composition**

As mandated in Public Law 102-321, cited from Section 1914 C Membership -- “(1) In General ... 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;
- (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) mental 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 indicating parents of children with a serious emotional disturbance to other members of the Council shall be sufficient to provide adequate representation of such children in the deliberations of the Council. At least one member may be a representative from the Child and Adolescent Service Systems Program (CASSP). Each Region shall recruit parents of children with a serious emotional disturbance to provide adequate representation of such children in the deliberation of the Council; and (b) at least fifty percent of the members of the Council shall be individuals who are not State employees and not providers of mental health services. This fifty percent requirement will be applied to the Council as a whole, although each Region is encouraged to attempt to maintain a similar balance.

### **Section 4.02: Appointment of Members**

It shall be the responsibility of the Director of the Division of Behavioral Health Services to authorize appointments to the Council. Each Region shall submit nominations of prospective members to the Director of the Division of Behavioral Health Services. The Nominating Committee of the Region shall recommend prospective members to the Region, and additional nominations will be accepted from the body during Region meetings. The Region members will vote whether to submit each prospective member’s name as the Region’s recommendation to the Director of the Division of Behavioral Health Services. (See policy.)

### **Section 4.03: Terms of Membership**

A member may resign before the end of his or her term by sending written notice to the Chair of their Region. The Region Chair may ask the member to reconsider, but if the member does not wish to withdraw the resignation, the Region Chair will notify the State Chair, who will notify the Executive Committee and the Director of the Division of Behavioral Health Services of the resignation.

### **Section 4.04: Voting Powers**

Within each respective Region, members of that Region have power to vote. For meetings of the Council as a whole or of the Executive Committee, each Region has a single vote. In the event that the selected designee does not attend, the Region forfeits its vote. It is the Region's responsibility to notify the Executive Committee of their designee, and alternate voting representative in writing. In unforeseen circumstances, when a representative and alternate cannot attend, written communication on results of any vote can be sent to the AMHPAC Administrative Assistant, who will forward the communication to the Executive Committee and the Director of the Division of Behavioral Health Services. Members of each Region must decide by majority vote or by consensus what instructions to give their representative for casting the Region's vote.

### **Section 4.05: Membership Meetings**

The Arkansas Mental Health Planning and Advisory Council 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 Division of Behavioral Health Services to all Council members before such a meeting. At these meetings, each Region has a single vote, and time may be provided during the meeting for each Region to caucus and determine how to cast its vote. The Region vote will be given by the Region designee or the alternate.

### **Section 4.06: Executive Committee**

Each Region will vote to appoint one of its members to the Executive Committee of the Council. (See Article VI.) Meetings of this Executive Committee may coincide with Arkansas Mental Health Planning and Advisory Council membership events or may occur at other times. (The representative elected by the Region may be the Region's chairperson, vice-chair, or another representative voted by the membership.) The term of Executive Committee members will be two years. Terms shall run from July 1 of each odd numbered year through June 30 of each odd numbered year. The Former State Chair is strongly encouraged to attend and participate in Executive Committee meetings. This is an ex-officio non-voting position, unless the State Chair's Region elects to appoint him or her to carry the vote of that Region. The Vice Chair shall be expected to attend all Executive Committee meetings as a non-voting member.

The Executive Committee's responsibility is to discuss emerging problems, to take questions back to their Region for discussion, to bring concerns from their Region, and to advise the Director of the Division of Behavioral Health Services in situations where a meeting of the whole Council is not feasible.

At meetings of the Executive Committee, each Region has one vote, and three of the five Regions must have a Region designee or alternate attending for a quorum to be established. The Division of Behavioral Health Services will send written notice to all members of the Council before the meeting, including notice of the agenda to be discussed and/or questions to be addressed. (Any member of the Council may attend these meetings.) In the event that the selected designee or alternate doesn't come, the Region forfeits its vote. It is the Region's responsibility to notify the Executive Committee of their designee and alternate voting representative in writing. In unforeseen circumstances when a representative and alternate cannot attend, written communication on results of any vote can be sent to the AMHPAC Administrative Assistant who will then send the communication to the Executive Committee and the Director of the Division of Behavioral Health Services.

Only the Director of the Division of Behavioral Health Services can call an emergency meeting of the Executive Committee. In the event of an emergency, a meeting by teleconference may be held. If no representative of a particular Region can attend, a written proxy vote may be sent from the Region to the Chair of the Executive Committee by fax or mail to cast a vote on the issues to be discussed.

If a Region is not represented for two consecutive meetings, the State Chair shall contact the Region designee and alternate of record of that Region. After three consecutive absences, of the designee and alternate of the Executive Committee may be asked to resign from the Committee. Before recommending a member be removed from the Committee, the State Chair shall contact the member, consider the circumstances and ask the Committee to vote whether to recommend termination.

The Chair of the State Council may cast one vote to break a tie between Regions.

#### **Section 4.07: Meetings of Regions**

Each of the five Regions are expected to hold a minimum of four meetings a year. All members are expected to attend meetings of their own Region. After three consecutive absences, a member may be asked to resign. Before recommending a member be terminated, the Region shall contact the member, consider the circumstances, and vote whether to recommend termination. Recommendations will be presented to the State Chair who will forward the recommendation to the Director of the Division of Behavioral Health Services for approval.

If a Region has sub-Regions, each sub-Region is expected to meet a minimum of four meetings a year.

## **Article V. Minutes of Meetings**

### **Section 5.01: Minutes of Executive Committee Meetings**

The Chair of the Executive Committee Council will lead the meetings and ensure accurate minutes are maintained. Meetings shall be recorded and transcribed by support staff of the Division of Behavioral Health Services. Minutes shall be sent to each member of the Committee for review, and after minutes are approved by the Executive Committee, they shall be mailed by the Division of Behavioral Health Services to all Council members and added to the archive of Council minutes.

### **Section 5.02: Minutes of Region Meetings**

The Secretary of each Region shall ensure an accurate summary of Region meetings is maintained. Approved minutes of each meeting will be sent to all members of the Region, distributed with State Meeting announcements, and copied to the Division of Behavioral Health Services, who shall maintain an archive of all Regional minutes.

## **Article VI. Election of Officers**

### **Section 6.01 Region Officers**

Each Region shall elect a slate of officers for a term to be effective July 1 of each odd year through June 30 of each odd year. Officers shall include a Chair, a Vice-Chair, and a Secretary. A Co-Chair may additionally be elected if the Region prefers to share presiding duties among two individuals during a given term. The Region shall also elect a designee and an alternate to serve on the Executive Committee, who may be the same person as any of these officers or any other voting member of the Region.

Each Region may appoint a Nominating Committee or may accept nominations from the floor at a Region meeting. Although no quotas are set, efforts should be made to encourage as many consumers and family members as possible in leadership positions. If a Nominating Committee is used, additional nominations may be made from the floor at the election meeting. Election shall be by majority vote at a meeting of the Region membership, with notice of the time and place of the voting meeting mailed to all Region members at least four weeks in advance. For Region input to the State Elections see Section 6.02.

The Region designee or alternate shall report Region activities to the State Chair and the Executive Committee, who will report, as needed, to the Director of the Division of Behavioral Health Services for information and/or approval.

## **Section 6.02 Officers of the Statewide Council and of the Executive Committee**

**State Chair.** A Chair of the Arkansas Mental Health Planning Advisory Council will be elected from among the current members in good standing. 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 Region casting one vote. Procedures for the election shall be developed by the Executive Committee with the approval of the Director of the Division of Behavioral Health Services.

The term of the Council Chair will be two years, and four consecutive years may be served. To coordinate with the schedule of the State Legislature, the term shall begin July 1 of each odd-numbered year and end June 30 of each odd-numbered year.

This Chair will preside over meetings of the statewide Council membership, preside over meetings of the Executive Committee, and carry out such other responsibilities as are requested by the Director of the Division of Behavioral Health Services. At Executive Council meetings the Chair shall cast a vote only if needed to break a tie among the Regions voting.

Taking into consideration the abilities, interests, and resources available among the five persons serving on the Committee and among other Council members, the Executive Committee or the Director of the Division of Behavioral Health Services may assign other specific functions to the Chair as needed.

**Vice-Chair.** A Vice-Chair of the Arkansas Mental Health Planning and Advisory Council will be elected from among the current members in good standing. 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 Region casting one vote. Procedures for the election shall be developed by the Executive Committee with the approval of the Director of the Division of Behavioral Health Services.

The term of the Council Vice-Chair will be two years, and four consecutive years may be served. To coordinate with the schedule of the State Legislature, 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, the Executive Committee or the Director of the DBHS.

The Vice-Chair is not a voting member of the Executive Committee, unless he or she has also been selected by his or her Region to carry the vote of that Region.

**Parliamentarian.** The Parliamentarian of the Arkansas Mental Health Planning and Advisory Council will be elected from among the current members in good standing. 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 Region casting one vote. Procedures for the election shall be developed by the Executive Committee with the approval of the Director of the Division of Behavioral Health Services.

The term of the Parliamentarian will be two years, and four consecutive years may be served. To coordinate with the schedule of the State Legislature, the term shall begin July 1 of each odd-numbered year and end June 30 of each odd-numbered year.

The Parliamentarian is not a voting member of the Executive Committee, but will be expected to attend such meetings.

The Parliamentarian will advise the Chair and give 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**

### **Section 7.01**

Amendments to these Bylaws may be proposed at any regular meeting of the Executive Committee. The Executive Committee 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. This shall be mailed to all AMHPAC members, along with a notice of date, time, and place that the Executive Committee will vote on the revisions. This notice shall be mailed no less than thirty days before the Executive Committee meeting.

At that meeting of the Executive Committee, any or all of the proposed revisions may be adopted. A majority vote for this purpose shall be affirmative votes from no less than three Regions of the AMHPAC. (That is, regardless of the number of Regions present, a minimum of three affirmative votes are needed, and for this purpose the Chair may vote to break a tie only if the representative from the Chair's own Region is not present.) The revised Bylaws shall be immediately forwarded to the Director of the Division of Behavioral Health Services for final approval.

The State Chair shall ensure that the Bylaws are routinely reviewed at least every two years, if no changes have been proposed in that time.

## **Article VIII. Committees**

### **Section 8.01 Arkansas Mental Health Planning and Advisory Council Committees**

The Council shall have the power to establish committees to work on specific topics or issues. The committees can be abolished or created by Executive Committee, after consideration and majority vote by the Regions. Persons who are not voting members of the Council may serve on committees at the recommendation of a Region with approval by the State Chair. The committees may include, but will not be limited to (a) Legislative; (b) Education and Community Relations; (c) Advocacy; (d) Employment and Vocational Rehabilitation; (e) Transportation; and (f) Housing.

### **Section 8.02: Region Committees**

Each Region shall have the power to establish and disband Region committees as needed. Persons who are not members of the Council may participate in these committees, as long as they do not vote in Region deliberations.

### **Section 9.01: Removal of Officers or Members**

Elected officers at the State or Region level and members of the Council can be recommended for removal by a majority vote of the Region, and a majority vote of the Executive Committee, and the approval of the Director of the Division of Behavioral Health Services.

### **Section 10.01**

In all procedural matters not governed by these Bylaws, the AMHPAC shall be bound by the provisions of *Robert's Rules of Order* (10<sup>th</sup> Edition).

### **Section 11.01**

The Arkansas Mental Health Planning Advisory Council Governing Bylaws were presented and adopted this

22nd day of August 2007.

**Section 12.01**

**APPROVED:**

This 22nd day of August 2007 .

**APPROVED:**

This day of 2007

State Chair, Arkansas Mental Health  
Planning Advisory Council

Director of the Division  
of Behavioral Health Services

Region I, Chairperson

Region 2, Chairperson

Region 3, Chairperson

Region 4, Chairperson

Region 5, Chairperson