

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY

NUMBER: BA003

**NAME: ADMINISTRATIVE MANUAL (FOR THE BY-LAWS) OF SANILAC COUNTY
COMMUNITY MENTAL HEALTH AUTHORITY BOARD**

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| INITIAL APPROVAL DATE: | 03/29/1994 | BY: Sanilac CMH Board |
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ADMINISTRATIVE MANUAL
FOR THE BY-LAWS
OF THE
SANILAC COUNTY
COMMUNITY MENTAL HEALTH AUTHORITY

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Section 1: PURPOSE

The purpose of these procedures shall be to implement the By-Laws of the Sanilac County Community Mental Health Authority Board.

Section 2: ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS

The annual organizational meeting shall be held on the April Board meeting date of every calendar year. The new member appointments to the Board, however, may be made as part of the annual organizational meeting of the Sanilac Board of Commissioners at an earlier date. New appointments will not sit on the Mental Health Board in any official capacity until their term begins on April 1st of the year of their appointment.

The incumbent Chairperson, Vice Chairperson, or designee shall be acting Chairperson until a new Chairperson is elected. Two tellers shall be appointed by the acting Chairperson.

The offices to be filled are Chairperson, Vice Chairperson, Secretary and Auditor. They shall be elected in that order.

Nomination may be made by voice or written vote.

All nominees shall be announced by the presiding officer.

A ballot will then be cast until one member receives a majority of votes by those Board members present and voting. After each ballot, the nominee receiving the least number of votes shall be dropped. At no time shall there be less than two nominees eligible for election unless one has received a majority of those present and voting.

In the event that the nominating ballot should be unanimous, the presiding officer shall announce this and by a motion of the Board the office shall be filled.

In the event that written ballots are used:

1. The ballots shall be kept until after a motion to destroy is made at the next annual organizational meeting.
2. Citizens wishing to view the ballots from this meeting shall submit a written request to the Board Chairperson.
3. Ballots may be viewed at Executive Committee meetings and/or under the direction of the Board Chairperson and one other officer.
4. The Recording Secretary is responsible for safekeeping, viewing and destruction of the ballots from the election.

Section 3: CONDUCT OF BOARD MEMBERS

An official attendance record shall be maintained on all Board members for regular, special and committee meetings by the Agency staff under the supervision of the CEO.

NEGLECT OF OFFICIAL DUTY

Regular attendance allows a Board to govern with excellence. The following criteria shall be used to determine the need for an evaluation by the Executive Committee as to corrective action and/or continuation on the Board.

1. Missing 3 out of 5 Board meetings
2. Missing 3 out of 5 Committee meetings
3. Missing 5 out of 10 combined Board and Committee meetings.

Once notified, the Executive Committee shall evaluate the reasons for the absences and will determine whether they feel confident that the Board member in question will be able to fulfill their Board responsibilities

in the future. If because of extended illness, future work conflict or other legitimate reasons the Board member does not appear able to participate on a regular basis in the future, the Executive Committee shall ask that individual to submit their resignation from the Board.

Failure by the Board member to resign will lead to a vote for removal by the Sanilac Mental Health Board.

MISCONDUCT IN OFFICE

The Board of Directors gives the organization a reputable name through their individual and collective reputations. When individual board misconduct is alleged, it should be reported to the Board Chairperson for action. All occurrences of reported board misconduct shall be investigated by either the Executive Committee or an independent investigative body appointed by the Board.

The Board may recommend a variety of options depending on the severity of the proven infraction. This would include verbal or written admonishment, official censure or recommendation for removal from the Mental Health Board. A recommendation for removal from the Board to the Sanilac County Board of Commissioners would require a two-thirds vote of the Mental Health Board for replacement.

All recommendations for replacement to the Board will be consistent with the membership requirements outlined in Section 222 of the Mental Health Code. It should be duly noted in any recommendation for removal, that the board members serve as a public servant to their community. Further, that removal is a response to the expectation for future commitment to the Board and not a reflection on that Board member's ability or past quality of service.

Section 4: BOARD COMMUNICATIONS AND RELATIONSHIPS

The below noted procedures are intended to provide organization, recognize appropriate channels of communication and foster objectivity and the achievement of Board goals.

1. The Board determines its philosophy, its accountability and the specifics of its own job.
2. The Power of the Board is not as individuals, but as a group entrusted to govern and lead the Agency. Diversity of viewpoints brings strength to the decision process.
3. If the Board is to make authoritative decisions if it is to lead – then on any given issue it must speak with a single voice. This one-voice principle does not mean that there should be unanimity or lack of diversity on the Board. Rather, the Board must embrace all the diversity it can. Differences among Board members are to be respected and encouraged. However, once the Board has spoken, that decision should be implemented as decided and dissenting Board members should make an attempt to not present a conflicting message to the community or staff. A contrary opinion should clearly indicate that the Board member speaks for themselves and not the Board.

The Board and the CEO constitute a leadership team. Board-staff linkage shall be the responsibility of the CEO. In general, communication with state, regional or agencies shall be the responsibility of the CEO and his/her staff.

The Board has the right to expect performance, honesty and straightforwardness from its CEO. The CEO has the right to expect the Board to be clear about the rules and act accordingly.

The Board will strive to cultivate a sense of group responsibility. It will enforce upon itself whatever action is deemed necessary to govern with excellence. This includes such matters as attendance, preparation for meetings, policymaking principles and respect of roles.

Section 5: ORIENTATION AND CONTINUING EDUCATION

An orientation program for new Board members shall be planned and implemented by the CEO and his staff as soon as feasible after the Board member is appointed. As many as necessary shall be called for the sole purpose of orientation of the new members.

Orientation shall include, but is not limited to, the following areas:

- Mission Statement
- Program Descriptions
- Confidentiality
- Recipient Rights
- Local level service sites
- Overview of Michigan Community Mental Health System
- Budget and Source of Funds
- Board operations and responsibilities
- Board Committee Structure
- Definition of Program Elements
- List of Acronyms
- Visit to Program Sites

Orientation for new Board members shall be provided as soon as possible after taking office.

Continuing education of Board members shall be provided.

Reference materials shall be immediately made available to new Board members.

Section 6: BOARD MEETINGS

The agenda shall be recognized as being for Board related matters. The following minimum agenda outline will be used by the Sanilac County Community Mental Health Authority Board.

- Notice of Meeting
 - Date
 - Time
 - Place

- I. Call to Order – Prayer & Pledge of Allegiance
- II. Roll Call
- III. Recognition of Guests
- IV. Adoption of Agenda
- V. Comments from the Public
- VI. Informational Presentation
- VII. Approval of Minutes
- VIII. CEO's Report
- IX. Committee Reports
- X. PIHP Report
- XI. Old Business
- XII. New Business
- XIII. Reports on Meetings Attended
- XIV. Public Comments
- XV. Announcements
- XVI. Date of Next Scheduled Meeting
- XVII. Adjournment

The Agency will honor requests from media and interested community people for a copy of the Board agenda.

A copy of the agenda, proposed minutes, and any other material pertinent to the business of the regular monthly meeting of the CMH Board will be sent to each Board member no later than five days before the scheduled meeting. A copy of approved minutes will also be sent to the Sanilac County Board of Commissioners.

Committee reports will be presented and discussed.

Any matters not resolved at a meeting will be placed under Old Business on the following month's agenda. These matters will reappear under Old Business each month until they are resolved.

All special Board and committee meeting dates, as well as any other pertinent dates, comments, and/or announcements will be given during announcements.

A qualified staff person will serve as Recording Secretary for the regular monthly meeting and any special meetings which may be called to conduct the business of the Sanilac County Community Mental Health Authority Board by taking a written account of the proceedings held during said meetings.

Approved minutes will be signed by the Secretary and Chairperson of the Board.

The minutes for the Official Minutes Book will be typed after final approval by the Board.

In compliance with the Open Meetings Act (Section 9), the proposed minutes will be available no later than eight business days after the date of the public meetings. Approved minutes will be available for inspection no less than five business days after which the minutes have been approved by the general membership of the Board.

The Open Meetings Act (Section 7, Items I and II), requires minutes to be taken for any Closed Session. They shall be entered in a separate Official Closed Sessions Minutes Book and shall be available for inspection by Board members, but shall not be available to the public, except as provided by law. Amendment of Closed Session minutes shall be made in a subsequent duly authorized Closed Session.

The CEO is to see that legal notice of all Board meetings, regular, special, and emergency are posted and/or advertised as required by law. Periodic inspections shall be made by the CEO to ensure compliance.

A monthly date for regular meetings shall be established during the organizational meeting of the Board and posted as required.

Special meetings may be called for specific purposes upon authorization of any of the following:

Sanilac County CMH Authority Board

Chairperson of the Board

Executive Committee

Majority of the Board by signed, written request to the Chairperson, Executive Committee or CEO

Section 7: RIGHTS OF RECIPIENTS

The Sanilac County Community Mental Health Authority Board and the Agency shall administer the rights of recipients as provided and/or outlined in Chapter 7 of the Mental Health Code and other current rules and regulations.

An office of Recipient Rights and a Recipient Rights Officer shall be established as required in Chapter 7, Section 754 of the Mental Health Code.

A Recipient Rights Advisory Committee shall be appointed to advise the Board on the development of policies and procedures to implement provisions of Chapter 7 of the Mental Health Code.

The Committee shall consist of one-third consumers and family members, and half of that one third shall be primary consumers. The Committee shall meet at least semi-annually; maintain a list of members' names; protect the office of Recipient Rights; recommend candidates for the Director of the Office; advise the CEO on the selection and dismissal of the Director of the Office of Recipient Rights; review and provide comments on the annual report; and review the funding of the Office of Recipient Rights.

At least one member of the Board shall be appointed to be the Board's representative on the Recipient Rights Committee.

The Recipient Rights Officer or his/her designee receiving an allegation of a violation of recipient rights shall be responsible to see that an immediate record is made of the complaint, using the appropriate form: Recipient Rights Complaint, DCH 0030 2/97.

Investigations of the alleged Recipient Rights violations shall be given the highest priority by the Recipient Rights Officer, its Advisors and the staff.

A monthly summary report of Recipient Rights activities will be sent to the Board and the Recipient Rights Advisory Committee. The report will include the number of alleged Recipient Rights complaints, the class of the complaint, the resolution and corrective action if needed and the number being appealed.

Client confidentiality shall be maintained and protected in all phases of the investigation and correction, as required by law and current Mental Health regulations.

Section 8: REFERENCE SECTION 8, ITEM g – BY-LAWS

The Chairperson (Board) shall, with Board approval, appoint all standing and special committees.

The Board may, by majority vote, add such members to any committee of the Board, as it deems desirable, provided that no committee has more than six Board members.

Membership of standing committees shall be designated no later than the first Board meeting following the annual organizational meeting.

Section 9: BOARD MEMBER PER DIEM ALONG WITH TRAVEL AND EXPENSE REIMBURSEMENT

Per Diems – Board and Committee Meetings

Board members attending consecutive Board or Committee meetings of the Board will receive only one per diem for those consecutive meetings, as outlined herein. ("Consecutive meetings" are defined as two or more meetings at the same location in the same day (MCL 330.1224).)

Each Board member shall be reimbursed at the identified rate for each Board, Ad Hoc or Advisory Committee meeting they attend as an official representative (i.e., Board assigned):

- \$50.00 per day for any meetings or group of meetings that are under 3 hours in length; or
- \$60.00 per day for any meetings or group of meetings that are over 3 hours in length.

Each Board member shall be reimbursed 50% of the regular meeting per diems for scheduled telephone (conference call) meetings that last over 30 minutes in length and involve decision points.

Per Diem – Board Chairman

The Board Chairman shall be reimbursed at the identified rate for each Board, Ad Hoc or Advisory Committee meeting they attend as an official representative (i.e., Board assigned):

- \$60.00 per day for any meetings or group of meetings that are under 3 hours in length; or
- \$70.00 per day for any meetings or group of meetings that are over 3 hours in length.

The Board Chairman shall be reimbursed at the rate of \$70.00 per day for each day of attendance at an approved Board related conference. A day is defined as the date the conference sessions are in session. An additional per diem will be reimbursed for attendance at the Member Assembly Meeting for all Voting Delegates when the Assembly is held on the day prior to the conference, or attendance at the Association Executive Board meeting.

Per Diem – Board Conference

Each Board member shall be reimbursed \$60.00 per day for each day they attend a pre-approved Board related conference. A day is defined as the date the conference sessions are in session. An additional per diem will be reimbursed for attendance at the Member Assembly Meeting for all Voting Delegates when the Assembly meeting is held on the day prior to the conference.

In order for Board members to receive a conference per diem they will need to acquire attendance certificates for 50% of the sessions they attend at the related conference and submit them with their travel voucher.

A member who cancels their attendance at a board conference without a legitimate reason (i.e., illness, death of a family member, etc.), and with the approval of the CEO/Board Chairperson, will be required to reimburse the Agency for the related conference costs.

Per Diem - Other

Board members will not receive any reimbursement for attendance at Board, Ad Hoc or Advisory Committee meetings to which they have not been officially assigned as Board representative.

Board members who have been officially assigned to serve as Board representative on our Advisory Committees (i.e., Recipient Rights, Consumer Advisory, or Parent Advisory Committee) shall be reimbursed at the Board member rate.

Board members who have not been officially assigned to serve as Board representative but appointed in another capacity to our above noted Advisory Committees shall receive the per diem assigned to that Committee for meeting attendance.

Board members are eligible for reimbursement per meeting for all prior approved meetings/conferences they attend on behalf of the Mental Health Board. In order to qualify for reimbursement, Board members must receive prior authorization for attendance at the meeting/conference from the Chairperson of the Board or Designee.

Mileage Reimbursement

In addition, Board members who use a personal car to travel to and from meetings shall be reimbursed at the federally determined IRS mileage rate from the Board Member's Residence in determining Mileage. Commuting Mileage to and from the Agency will be considered income and subject to IRS tax rules as appropriate. Any travel to other sites (conferences/ out of county meetings will need to be submitted on the Board Member's Travel Voucher and is not subject to tax. It is the position of the Agency that membership on the Board should not result in a direct out-of-pocket expense for a member, and special circumstances may require additional consideration by the Executive Committee.

Travel Voucher

A completed Travel Voucher will be routinely submitted quarterly by the Board members, but, under special circumstances, can be submitted on or before the October Board meeting of the New Year in order to be eligible for payment.

Board members will be assisted by the Recording Secretary in completing their travel vouchers.

In order to be eligible for payment, Board members must submit their completed travel vouchers for the previous fiscal year on or before the October Board meeting of the New Year.

Identity Theft Protection Plan

Due to the State and Federal Government, as well as the PIHP, requirements of releasing identifying information on Board Members, Board Members are entitled to reimbursement for an Identity Theft Protection Plan. The Plan will be 100% reimbursed upon submission of the receipt. The Agency will reimburse the amount of the Identity Theft Protection Plan as long as the amount is deemed to be reasonable when compared to other Identify Theft Plans. Any discrepancies will be discussed and decided on by the Executive Committee.