

OHIO COMMUNITY RECOVERY SUPPORT PLANNING COUNCIL BYLAWS

Article I

NAME

The name of this organization shall be the Ohio Community Recovery Support Planning Council, hereinafter referred to as the "Planning Council."

Article II

VISION and MISSION

VISION

Ohio Community Recovery Support Planning Council will be recognized as a strong voice in the continuous improvement of Ohio's mental health and addiction system and be responsive and respectful to the needs and desires of people receiving recovery and resiliency services.

MISSION

Ohio Community Recovery Support Planning Council will advise, advocate, and make recommendations to Ohio Mental Health and Addiction Services (OhioMHAS), as well as perform the duties specified in the Mental Health and Substance Abuse Block Grant authorizing legislation in the Public Health Services Act (42 USC – 300x).

Article III

PURPOSE & FUNCTION

Planning Council serves as the advisory body to the Ohio Department of Mental Health and Addiction Services (OhioMHAS) for the SAMHSA (Substance Abuse and Mental Health Services Administration) Substance Abuse, Prevention and Treatment and Community Mental Health Block Grants. The Planning Council serves as a forum for communication among key constituencies and state agencies having a strong interest in issues that affect persons identified at risk or having a substance use disorder and/or mental illness or emotional disturbance. The Planning Council advocates for the prevention of mental illness and addiction. Planning Council promotes partnerships among state agencies, providers, boards and consumers and families to address the mental health/addiction services of Ohioans.

Article IV

AUTHORITY & DUTIES

Under Section 1914 of the Block Grant Agreement, the State will establish and maintain a mental health planning council to perform the statutorily defined duties which are to:

1. Review the combined Substance Abuse Prevention and Treatment and Community Mental Health Block Grant Plan and submit to the State any recommendations for modification;
2. Serve as an advocate for adults with serious mental illness, children with a serious emotional disturbance, and other individuals with mental illnesses or emotional problems;
3. Monitor, review, and evaluate, not less than once each year, the allocation (i.e., resources and/or funding) and adequacy of mental health services within the State;

The Council will:

1. Advise, consult with and make recommendations to the State of Ohio's Mental Health and Addiction Services (OhioMHAS),
2. Advocate for a recovery-oriented system of care for persons in recovery or in need of recovery from mental illness and/or addiction.
3. Promote wellness, resiliency and prevention activities and reduce underage use of alcohol, tobacco, and other drugs, ,
4. Act as requested by the OhioMHAS director or his/her designee.

Article V

MEMBERSHIP

SECTION ONE: Membership Composition

The Planning Council's Membership/Bylaws Committee shall make every effort to ensure that membership and alternates when applicable on the Planning Council consist of the following voting representatives:

Federal legislation requires that persons who are in recovery, their family members and other advocates who are not employed by state agencies and providers to compose 51% or more of the Planning Council. The following representatives shall meet these requirements.

- 1) **Ten Persons in Recovery Seats:** Five persons in recovery from mental illness and five persons in recovery from addiction to alcohol and/or other drugs. Persons in dual recovery may also apply, but must pick one designation for representation purposes.
- 2) **Six Family Seats:** Two parents of children (age 18 or younger) with serious emotional disturbances; three family members of persons who are addicted to alcohol and/or other drugs, and one family member of an adult with serious mental illness.

3) **Six Statewide Advocacy Association Appointed Seats:** One designee appointed by each of the following statewide organizations whom must identify themselves as advocates who are not state employees or providers of mental health or addiction services.

- Ohio Citizen Advocates for Addiction Recovery
- Consumer operated organization
- NAMI Ohio
- Protection and Advocacy for Individuals with Mental Illness (PAIMI) as part of Disability Rights Ohio.
- Multi-ethnic Advocates for Cultural Competence
- Youth Move Ohio

Additionally, SAMHSA requires representation of specific state agency functions, as well as providers. The following representatives meet these requirements.

4) **Required State Agencies for 8 Seats:** One designee appointed by each principal state agency with statewide responsibilities for education, vocational rehabilitation, criminal justice, housing, social services (Title XX) & child welfare, Medicaid, mental health/substance use, and aging,.

5) **Eight Other Organizations Seats:** One designee appointed by each of the following organizations:

- Adult mental health provider appointed by Ohio Council of Behavioral Health and Family Services Providers;
- Child mental health provider appointed by Ohio Council of Behavioral Health and Family Services Providers
- Board representation by Ohio Association of County Behavioral Health Authorities (OACBHA); (represents both mental health and addiction at county level)
- Prevention provider
- Recovery support provider
- Adult alcohol and/or other drug treatment provider – women’s program
- Any alcohol and/or other drug treatment provider
- Urban Minority Alcohol and Drug Abuse Outreach Program – prevention

6) **Ad Hoc Representatives** - The Planning Council may invite additional persons as Ad Hoc representatives to assist in meeting its purpose. Representatives of various constituency groups or other experts in the mental health or substance use field may be asked to join as ad hoc representatives; they may participate in both plenary and committee meetings of the Planning Council as well as special committees of

the Council. Ad Hoc representatives may be members of the community, as well as the private/public/state government. Ad hoc representatives do not vote.

- 7) **Open Meetings** – Planning Council is an open meeting. The Chairperson has the discretion to limit public participation of guests who are not on the agenda to a few minutes at the beginning or end of the meeting, or to allow public participation in discussion.

SECTION TWO: Terms

The seats on Planning Council shall each be appointed to a three (3) year term. Thus, only one-third of the appointed consumer and family member seats expire each year. Planning Council members will matriculate off of Planning Council based on: 1) the expiration of the member's term; and/or 2) Planning Council members who have three absences in any twelve month period. Terms will change from July – June to January – December in 2015 – 2016 with the January 2015 appointments to serve 18 months during their first “year.”

The consumer and family members stand for re-appointment upon expiration of their term of membership for a maximum of two consecutive terms. Partial terms will be counted as full terms for purposes of reappointment. Members who wish to serve a second term should notify the Membership Committee three months prior to the expiration of their term. Additionally, the Membership Committee may also, at its discretion, contact members whose first term is ending to determine if they wish to serve a second term.

After completing two terms, members holding recovery, family and youth/young adult seats must sit out one year before being eligible to apply for a maximum of one additional 3-year term.

Members appointed by statewide associations, state departments and other organizations will serve for three years. Every three years the Director of each association/state agency will appoint or re-appoint his/her agency designee. Members appointed by organizations may serve a maximum of two full terms. Members appointed by state departments may serve an unlimited number of terms as long as they are reappointed by their department every 3 years.

SECTION THREE: Appointment of Planning Council Members

The Membership/By-Laws Sub-Committee shall solicit nominations for the Consumer and Family member seats for Planning Council membership, review submitted nominations, and make recommendations for membership to the Planning Council for vote of approval when vacancies occur. Prospective members will be invited to attend one meeting prior to

becoming members. The Membership Committee or its designee will interview prospective members.

SECTION FOUR: Vacancies

When the Member seats become vacant, the membership sub-committee will solicit nominations for election through the regular procedures established by the Membership/By-Laws Committee. Special member recruitment efforts may be made when seats remain vacant after regularly scheduled elections have been held. Vacancies of organizational representation will be filled at the discretion of each organization upon notification of a vacant seat on Planning Council.

SECTION FIVE: Consumer and Family and Partnership Team (CFPT) Stipends

OhioMHAS values contributions from persons in recovery and their family members toward activities that promote recovery, cultural competency and resiliency. In order to support consumer and family involvement, OhioMHAS has developed Consumer and Family Partnership Team stipends which reimburse consumers and family members who are not employed by a statewide organization funded by OhioMHAS. See current CFPT rules for information about eligibility and reimbursement requirements.

SECTION SIX: Conflicts of Interest - Transparency and Disclosure

- (1) Members will be asked to complete and sign a disclosure statement of their affiliation with organizations receiving SAMHSA Block Grant funds and other OhioMHAS funding in applications for membership and again in January of each year. Members are required to disclose conflicts of interest including organizational affiliations such as Board member, employee, or in a position to benefit monetarily from a SAMHSA Block Grant award.
- (2) New consumer and family members will be selected from eligible applicants who do not have close affiliations with OhioMHAS funded organizations.
- (3) Members who have conflicts of interest will be asked to sign an agreement to recuse themselves during evaluations of a project or program operated by an organization with which they or someone in their household is closely affiliated.
- (4) All Planning Council members will receive a list of affiliations of Planning Council members annually to disclose potential conflicts of interest.

SECTION SEVEN: Resource Persons/OhioMHAS Staff

OhioMHAS shall designate a staff member to serve as the Primary Resource staff to Planning Council, as well as additional staff with expertise in prevention as well as treatment services for addiction, and mental illness. The OhioMHAS Primary Resource Staff is responsible for

working with the Chairperson, other OhioMHAS staff, and other officers of Planning Council to conduct the activities of Planning Council.

Additionally, Planning Council will have regular access to staff who represent the State Block Grant Plan with SAMHSA who shall have “standing” resource/liaison responsibility to provide information to the Planning Council, as well as to the Director and his/her designee. Additional resource persons may be appointed. Resource persons are encouraged to attend all Planning Council meetings and provide information, but do not have voting privileges.

Article VI **OFFICERS**

The officers of the Planning Council shall be chairperson, vice-chairperson, secretary, parliamentarian, and the chairpersons of the Membership and Bylaws and Block Grant Sub-Committees. The chairpersons and vice-chairperson of the Planning Council must not be providers of public behavioral health services or state employees as defined by federal legislation in the membership criterion, which requires 51% or more of the members to be advocates who are not providers or state employees. The other members of the Executive Committee may be drawn from across the Council’s membership.

SECTION ONE: Duties of Officers

A. Chairperson:

The Chairperson shall preside at all meetings including those with the SAMHSA. S/he shall represent the Planning Council in various meetings and speaking engagements at the request of the State Block Grant Planners or OhioMHAS management. S/he shall also review and sign all official correspondence from the Planning Council. The Chairperson shall alert Planning Council members and interested persons to program resources, training events, information seminars, etc., which are available from a variety of sources.

B. Vice-Chairperson:

In the absence or disability of the Chairperson, the Vice-Chairperson shall preside at meetings, and act for him/her. In case of the Chairperson’s death or resignation, the Vice-Chairperson shall assume the office until the next meeting of the Planning Council, where the unexpired term of office will be filled through the regular procedures established through the Membership/By-Laws Committee. The position of the Vice-Chair is to prepare for the Chairperson’s position upon that position being vacated. The election to any position is still subject to voting by the membership of the Council.

C. Parliamentarian:

The Parliamentarian shall resolve all disputes regarding procedures and other matters affecting the Planning Council and its Committee deliberations.

D. Secretary:

The designated OhioMHAS staff will be responsible for compiling the minutes; however, the Secretary will review the minutes for accuracy before they are sent out to Planning Council. In the absence of the secretary, another member of the Executive Committee may review the minutes.

SECTION TWO: Term of Office

The term of each officer is one year. A member may be nominated and re-elected for the same office for one additional year.

SECTION THREE: Election of Officers

The Membership/Bylaws Committee shall present a slate of officers for the Planning Council's vote no later than the meeting prior to the Annual Meeting. The Planning Council may also receive nominations from the floor.

SECTION FOUR: Executive Team/Committee

The Executive Team is made up of the four elected Planning Council Officers and OhioMHAS's Primary Resource Person. The executive team's authority includes, but is not limited to, 1) leading Planning Council 2) setting the agenda in collaboration with OhioMHAS staff 3) review of the agenda prior to the meeting, 4) conducting business, if needed, between meetings.

Article VII
COMMITTEES

The Chairperson of the Planning Council shall be an ex-officio member of all Committees. Committees shall be established under the direction and vote of the Planning Council. Each Committee's duties shall be defined by the Planning Council or by these By-laws. Each committee shall have its own chairperson who is designated by the Planning Council Chairperson. It is the committee Chairperson's responsibility to inform committee members of all committee meetings and activities.

The action recommended by the majority of members present in any Committee meeting shall be the action of the committee, except those actions requiring the approval of the Planning Council membership. Committees may use unpaid consultants or resource people at their own discretion. The advice and involvement of resource persons shall be reported to the Planning Council. Ohio Department of Mental Health and Addiction Services resource persons will be assigned to relevant committees as ex-officio members who are non-voting members.

STANDING SUB-COMMITTEES:

A. Membership/Bylaws Sub-Committee

The Membership/By-Laws Committee shall be appointed by the Chairperson and consist of the same ratios as Planning Council stakeholder representatives, plus one additional member and the OhioMHAS's primary resource staff.

The Membership/By-Laws Sub-Committee shall solicit nominations for Planning Council membership through an application process, review submitted nominations, and make recommendations for membership to the Planning Council for vote of approval no later than the meeting prior to the Annual Meeting. One or more members of the Membership Committee, or its designee will interview prospective Planning Council members; this may be done by tele-conference. The Planning Council may also receive nominations from the floor.

The Membership/By-Laws Sub-Committee shall present a membership slate to the Planning Council Executive Team prior to the Annual Meeting. Additionally, the Membership/Bylaw Committee or its designee will interview prospective Planning Council members. The Planning Council Executive Team will vote on accepting the membership slate prior to the annual meeting.

The Membership/By-Laws Sub-Committee shall review bylaws annually and recommend changes to the Planning Council for approval, as needed.

B. Block Grant Sub Committee

The Block Grant Sub-Committee shall include the Chairperson of Planning Council and representation from state agencies, consumers, family members of children and other Planning Council representatives. The Block Grant Committee will prepare any letters required by SAMHSA and will represent Planning Council in activities with SAMHSA. Members who have conflicts of interest with reviewing the Block Grant should recuse themselves from this committee and/or reviewing sections of the Block Grant with which they have a conflict of interest. (See Article Six; Section Four for definition of conflict of interest.

C. Additional Sub-Committees

The Planning Council may establish other committees as deemed necessary. Members are encouraged to suggest and serve on committees in order to further the activities of the Council. All committee work and activities is subject to approval by the Planning Council membership.

Article VIII
MEETINGS AND QUORUMS

SECTION ONE: Regular Meetings

Planning Council shall meet not less than five (5) times a year. The dates, time, and agenda shall be determined by the Planning Council Chairperson in consultation with the OhioMHAS's Primary Resource Person and Executive Committee. Notice of all Planning Council meetings containing the date, time, location, and the Secretary or designee shall send agenda to all members at least 7 days prior to the meeting.

SECTION TWO: Special Meetings

Special meetings may be called by the Planning Council Chairperson, with at least twenty-four (24) hours advance written notice to all officers and members. In addition, a special meeting will be called by the Chairperson upon the written request of 10 members of the Planning Council.

SECTION THREE: Annual Meeting

The last meeting of each state fiscal year shall be designated as the Annual Meeting of the Planning Council and should encompass such activities as, assessment of the year's activities, receiving reports, and transacting any other Council business as deemed appropriate.

SECTION FOUR: Quorum

A quorum for conducting a meeting of the Planning Council shall not be required, however, when meeting attendance is less than 50% of the membership, those present shall determine by majority vote whether actions/decisions may be approved by a majority vote of members present or deferred until a majority of members are present.

SECTION FIVE: Attendance and Removal of Planning Council Members

Planning Council members who have three absences in a twelve month period may be subject for removal and may be replaced with another member who fits the same demographic profile. The Membership Committee may consider mitigating circumstances and will determine whether to remove or retain members who have missed three meetings.

Article IX

VOTING PROCEDURE

All actions requiring approval of the Planning Council shall be decided by a simple majority vote of those members present and eligible to vote, unless otherwise specified in these bylaws (See Article VII, Section Four).

Article X

RULES OF ORDER

Planning Council operates through the use of a consensus model; however, the rules of order contained in Roberts' Rules of Order may be used to govern the deliberations of this Planning Council.

Article XI

CONFLICT RESOLUTION

When two (2) or more members have a conflict to such a degree that the Planning Council's proceedings are disrupted, the Chairperson will attempt to resolve the conflict between the parties. If the conflict continues, a mediation process will be implemented. Parties outside of the Planning Council will be sought as mediators to resolve the conflict. If the member (or members) refuse(s) to participate in the mediation process and the conflict continues to disrupt the proceedings of the Planning Council, the Chairperson will request the refusing party (or parties) to exclude themselves from the Planning Council until they can return as a productive, non-disruptive member. If the party (or parties) continues to refuse these requests, his/her membership may be terminated by a 40% vote of the entire Planning Council. Planning Council members not present at the time of the vote shall be contacted by the Planning Council Chairperson and/or Secretary for purposes of obtaining his/her vote.

The need to enforce this policy will be determined by a majority vote of the Planning Council. The Chairperson of the Planning Council will follow up with the mediation process along with a representative of OhioMHAS.

Article XI

AMENDMENTS

Proposed amendments to the By-Laws must be submitted in writing to all Planning Council members 30 days prior to the next scheduled meeting. Changes in bylaws require an approval vote of three-fourths (3/4), once a majority (51%) of voting membership is present.

Signature:

David Caperton, Chairperson