

STATE OF KANSAS
GOVERNOR'S BEHAVIORAL HEALTH SERVICES PLANNING COUNCIL
BY LAWS

ARTICLE I

NAME

The name of the council shall be The Governor's Behavioral Health Services Planning Council.

ARTICLE II

DUTIES OF THE COUNCIL

- A. To serve as an advocate for adults with serious mental illness, children with a severe emotional disturbance, persons affected by substance use disorders, and other individuals with mental illness or emotional problems.
- B. Confer, advise, and consult with the Secretary of KDADS with respect to the policies governing the management and operation of all state psychiatric hospitals and facilities, community-based mental health services, and substance use disorder treatment and prevention services.
- C. Monitor, review, and evaluate, not less than once a year, the allocation and adequacy of mental health services and substance use disorders within the state.
- D. Perform such other planning, reviewing, and evaluating of mental health and substance use disorder services in this state, as may be requested by the Secretary of KDADS or as may be prescribed by law.
- E. Consult with and advise the governor, from time to time, with reference to the management, conduct, and operations of state psychiatric hospitals, community mental health and substance use disorder programs.
- F. A member or members of the Governor's Behavioral Health Services Planning Council, at least once each year, shall visit each state psychiatric hospital and shall visit other providers of community-based mental health and substance use disorder services for the purpose of inspecting the state psychiatric hospitals, mental health centers, or the facility of other such providers of community-based mental health and substance use disorder services, including consumer residence, with their permission. Such visits shall be made at such times and in such manner as the council determines at a regular meeting.
- G. The Governor's Behavioral Health Services Planning Council shall make annual reports to the Governor and members of the Legislature and may make such recommendations as it deems advisable for appropriate legislation.

ARTICLE III

MEMBERSHIP

The Council's membership will be appointed by the Governor in compliance with KSA 39-1605.

ARTICLE IV

TERM

Each Council member shall serve for four years. In the case of a vacancy on the Council, the Governor shall appoint a successor for the unexpired term in the same manner as the original appointment.

ARTICLE V

OFFICERS AND DUTIES

The Governor shall designate the chairperson of the Council. The members of the Council shall elect a Vice-Chairperson annually at the first meeting in each calendar year.

The duties of the Chairperson shall be to preside at each meeting of the Council, to be or to delegate specifically, the official representative of the Council in all communications with the Governor, the Secretary of KDADS, the Commissioner, and the Legislature. The Chairperson may also appoint committees as needed.

The Vice-Chairperson shall act in the absence of the Chairperson to fulfill all duties of the Chairperson. The Vice-Chairperson shall be an ad hoc member of all committees of the Council and shall provide oversight of all such committees, and report to the Council significant committee functions.

ARTICLE VI

MEETINGS

The regular meetings of the Council shall be held not less than quarterly, on dates established by the Council.

Special meetings may be called by the Chairperson, the Vice-Chairperson, or on written request of five members. The purpose of all special meetings shall be communicated to all Council members at least three days in advance, except in the case of emergencies.

Sixteen members of the Council, including representatives of state agencies, shall constitute a quorum. Actions of the Council may be passed with a majority vote of the quorum. Each member of the Council who is present shall have one vote.

ARTICLE VII

COMMITTEES

Standing Committees shall be utilized as determined by the Council. Each standing committee shall consist of member(s) of the Council and other persons appointed by the Chairperson, the Council, or the Committee Chairperson. Each standing committee shall operate under a charter approved by the executive committee.

An Executive Committee shall be comprised of the Chairperson, the Vice-Chairperson, and five other individuals to be appointed by the Chairperson. The Executive Committee shall reflect the makeup of the Council to include at least one consumer or family member of a consumer, member that represents members of governing boards of mental health centers or executive directors of mental health centers, or person licensed to practice medicine or surgery, or private mental health services provider, or a substance use disorder services provider and one member for representatives of the general public, or representatives of children and adolescents.

Special committees may be appointed by the Chairperson to accomplish a specific task. These committees will consist of members of the Council and other persons capable of assisting the committee in accomplishing its tasks.

ARTICLE VIII

PARLIMENTARY PROCEDURE

Rules contained in Robert's Rules of Order shall serve as the guidelines for the conduct of business by the Council and its committees.

ARTICLE IX

MINUTES AND RECORDS

Minutes of all Council meetings and all committee meetings shall be kept on file by the staff members assigned by KDADS to advise and assist the Council. The same individual shall keep on file any other data, reports, or information as directed by the Council, the Chairperson, or Vice-Chairperson.

ARTICLE X

ATTENDANCE

If members of the Council miss three meetings that are unexcused in a calendar year, this shall be considered, by the Chairperson, as a resignation from the Council. The Chairperson will recommend to the Governor that another representative be appointed to the Council. The Chairperson has the option to extend a leave of absence to a member for extenuating circumstances.

When a member has a conflict and is unable to attend a meeting, he or she will be provided a phone number to access the meeting via conference call. If, for some reason, a breakdown in the technology occurs and the call is unavailable, it will not be considered an unexcused absence.

ARTICLE XI

ADOPTION, AMENDMENT, AND SUSPENSION OF BY LAWS

These By Laws shall take effect upon adoption by a majority of a quorum. These By Laws may be amended by a two-thirds (2/3) majority of the members of the Council. Proposed amendments shall be mailed to all members of the Council at least two weeks before a vote is to be taken or proposed amendments may receive a first reading at any meeting of the Council and voted upon at the next meeting of the Council. Procedural rules of the By Laws may be suspended by a two-thirds (2/3) majority of the Council. The definition of a quorum may not be suspended.