



RULES OF PROCEDURE

As of January 1, 2025

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MISSION

The Behavioral Health Services Oversight and Accountability Commission works through partnerships to catalyze transformational change across systems and ensure everyone who needs behavioral health care has access to and receives effective and culturally competent care.

GOVERNANCE PHILOSOPHY

Integrity and sound stewardship in adherence to the Commission's Mission, Vision, and Core Principles are paramount in the governance of all Commission activities. The Commission will govern itself with an emphasis on the following:

- a. Collaborating with clients, their families, and underserved communities
- b. Advancing health equity and strategies to eliminate disparities
- c. Promoting mental wellness and supporting recovery and resiliency
- d. Advancing an objective understanding and incorporating diverse viewpoints
- e. Making decisions in a transparent, responsive, and timely manner
- f. Striving to improve results and outcomes
- g. Elevating transformative vision and strategic leadership
- h. Working collaboratively to drive system-scale improvements
- i. Being proactive

COMMISSIONERS

1.1 Terms of Commissioners

- A. The Commission consists of 27 voting members
 1. The Attorney General or the Attorney General's designee.
 2. The Superintendent of Public Instruction or the Superintendent's designee.
 3. The Chairperson of the Senate Committee on Health, the Chairperson of the Senate Committee on Human Services, or another member of the Senate selected by the President pro Tempore of the Senate, or their designee.
 4. The Chairperson of the Assembly Committee on Health, the Chairperson of the Assembly Committee on Human Services, or another Member of the Assembly selected by the Speaker of the Assembly, or their designee.
 5. The following individuals, all appointed by the Governor:
 - a. Two persons who have or have had a mental health disorder.
 - b. Two persons who have or have had a substance use disorder.
 - c. A family member of an adult or older adult who has or has had a mental health disorder.

- d. One person who is 25 years of age or younger and has or has had a mental health disorder, substance use disorder, or cooccurring disorder.
 - e. A family member of an adult or older adult who has or has had a substance use disorder.
 - f. A family member of a child or youth who has or has had a mental health disorder.
 - g. A family member of a child or youth who has or has had a substance use disorder.
- 6. A current or former county behavioral health director.
 - 7. A physician specializing in substance use disorder treatment, including the provision of medications for addiction treatment.
 - 8. A mental health professional.
 - 9. A professional with expertise in housing and homelessness.
 - 10. A county sheriff.
 - 11. A superintendent of a school district.
 - 12. A representative of a labor organization.
 - 13. A representative of an employer with less than 500 employees.
 - 14. A representative of an employer with more than 500 employees.
 - 15. A representative of a health care service plan or insurer.
 - 16. A representative of an aging or disability organization.
 - 17. A person with knowledge and experience in community-defined evidence practices and reducing behavioral health disparities.
 - 18. A representative of a children and youth organization.
 - 19. A veteran or a representative of a veteran's organization.

(Welfare and Institutions Code Section 5845)

- B. The term of each Commissioner is three years, to be staggered so that approximately one-third of the appointments expire in each year. A Commissioner may resign prior to the end of the Commissioner's term by submitting written notification to the appointing authority and sending a copy of the resignation to the Commission Chair and the Executive Director. A Commissioner who desires to serve after their term has expired shall notify the Commission Chair and the Executive Director in writing of their intention to serve until reappointed or replaced by a new appointee. Commissioners serve without compensation but are reimbursed in accordance with the policy of the State of California for all actual and necessary expenses incurred in the performance of their duties. (Welfare and Institutions Code Section 5845)

1.2 The Role of Commissioners

- A. Commissioners are expected to work collectively to accomplish the Commission's goals as adopted by the Commission and to attend Commission meetings in person or via teleconference.
- B. At the request of the Chair, Commissioners are expected to serve as a member of a committee, subcommittee, or other Commission body.
- C. At the request of the Chair, Commissioners are expected to represent the Commission in meetings, conferences, testimony in public hearings, and other speaking engagements.
- D. The Commissioner with the most seniority and present at the meeting is expected to preside at the Commission meeting when neither the Chair nor Vice Chair is available to run all or part of the meeting.
- E. The best decisions come out of unpressured collegial deliberations and the Commission seeks to maintain an atmosphere where the Commissioners can speak freely, explore ideas before becoming committed to positions and seek information from staff and other members. To the extent possible the Commission encourages members to come to meetings without having fixed or committed their positions in advance.

1.3 Chair

- A. Election of the Chair
 - A.1. The Commission shall elect a Chair at a Commission meeting preferably held in September but no later than during the last quarter of the calendar year. The Chair shall be elected by a majority of the Commissioners present and voting consistent with the Rule 4.11A and shall assume all duties starting January 1, following the election. The Chair is elected to a one-year term. A Commissioner may be elected to serve more than one term as Chair.

A.2. In the event more than two candidates are nominated for Chair and no candidate receives a majority of the votes cast, the balloting shall continue, and another vote taken between the two candidates receiving the highest number of votes.

B. Duties of the Chair

B.1. The Chair, with input from Commissioners and staff, sets the Commission's meeting agenda, prioritizing and scheduling agenda items as appropriate, and conducts the meetings.

B.2. The Chair appoints Commissioners to Commission subcommittees, committees, or other bodies as necessary to conduct the Commission's business.

B.3. The Chair provides guidance and direction to the Executive Director on Commission business, including but not limited to: (a) advocating on legislation consistent with Commission Rule 2.5; (b) approving Innovation projects consistent with Commission Rule 2.6; and (c) placing items on the Commission agenda consistent with Commission Rule 4.5.

B.4. In the event the Chair is unable to continue with the Chair's duties due to resignation, death, incapacity, or no longer being a member of the Commission, the Vice Chair shall assume all of the responsibilities of the Chair until a successor is elected. The election shall be held within 60 days of the vacancy.

1.4 Vice Chair

A. Election of the Vice Chair

A.1. The Commission shall elect the Vice Chair at a Commission meeting preferably held in September but no later than during the last quarter of the calendar year. The Vice Chair shall be elected by a majority of the Commissioners present and voting consistent with the Rule 4.11A and shall assume all duties starting January 1, following the election. The Vice Chair is elected to a one-year term. A Commissioner may be elected to serve more than one term as Vice Chair.

A.2. In the event more than two candidates are nominated for Vice Chair, and no candidate receives a majority of the votes cast, the balloting shall continue, and another vote taken between the two candidates receiving the highest number of votes.

B. Duties of the Vice Chair

B.1. The Vice Chair fulfills the role of Chair and presides at meetings in the absence of the Chair.

B.2. In the event the Vice Chair is unable to continue with the Vice Chair's duties due to resignation, death, incapacity, or no longer being a member of the Commission, an election for a successor shall be held within 60 days of the vacancy.

- B.3. When neither the Chair nor Vice Chair is available to run all or part of the meeting, e.g., both officers may be absent, need to leave the room, or are disqualified from discussion and action on an item due to conflict of interest, the Commissioner with the most seniority on the Commission who is present shall preside at the meeting.

1.5 Commission Member Vacancy

When a vacancy occurs on the Commission, a successor is selected by the appointing authority.

1.6 Compensation and Expenses

Commissioners will be reimbursed in accordance with State per diem laws. Also, any reasonable business expenses incurred will be reimbursed as authorized by law.

1.7 Training and Orientation

- A. New Commissioners shall within 30 days of being appointed receive orientation in: (1) Commission governance, policies and procedures, including the Commission's Strategic Plan, Mission Statement, Vision Statement, Core Principles, and governance philosophy; (2) Commission strategic directives; (3) Behavioral Health Services Act (BHSA) programs and issues, including the principles of recovery, consumer and family-driven decision making, community collaboration, meaningful stakeholder outreach and engagement, cultural competence and the imperative to reduce disparities; and (4) relevant laws and statutes.
- B. At or before the orientation session, the new Commissioner will receive the following documents:
- 1) The Bagley-Keene Open Meeting Act
 - 2) The Political Reform Act and how it affects Commissioners
 - 3) The Commission's Conflict of Interest Code
 - 4) The Commission's Rules of Procedure
 - 5) List of Commission meeting dates and locations
 - 6) Any other documents that may be helpful to the Commissioner to fulfill the Commissioner's responsibilities on the Commission
- C. As required by Government Code Sections 11146 through 11146.4 and 12950.1, within six months of beginning service as a Commissioner and at least every two years thereafter, Commissioners shall receive training on laws related to ethics, conflict of interest requirements, governmental transparency, open government, fair government processes, and sexual harassment and abusive conduct prevention.

1.8 Statement of Economic Interest – Form 700

Each Commissioner is required by the California Political Reform Act and the corresponding regulations to file a Statement of Economic Interests, Form 700: (1) within 30 days of being appointed; (2) on a yearly basis as prescribed by law; and (3) within 30 days of ending Commission membership.

1.9 Conflict of Interest

- A. Presence of a conflict of interest prohibits Commissioners as public officials from participating in discussion about or taking action on an item. Provisions in California statutes, regulations, and case law define and provide guidelines related to conflict of interest. A Commissioner shall not make, participate in making, or in any way attempt to use the Commissioner's official position to influence a Commission decision in which the Commissioner knows or has reason to know the Commissioner has a financial interest (Government Code Section 87100). Additionally, Commissioners must be guided solely by the public interest, rather than by personal interest, when dealing with contracting in an official capacity (Government Code Section 1090 et seq.).
- B. A Commissioner who has a financial conflict of interest shall do the following:
 - 1) Notify the Executive Director as soon as possible if any agenda item presents a potential conflict of interest. This will prepare the Chair to announce the Commissioner's nonparticipation in any discussion, deliberation or vote when the item comes up.
 - 2) Publicly identify, in enough detail to be understood by the public, the financial interest that causes the conflict of interest or potential conflict of interest.
 - 3) Recuse themselves from discussing or voting on the matter or from attempting to use their position to influence the decision.

1.10 Commission Representation

- A. Every Commissioner retains the right to express their opinion on any subject whenever the Commissioner is acting as an individual and not on behalf of the Commission.
- B. Commissioners who agree to represent the Commission and do so at the request of the Commission, agree to represent only the officially approved positions of the Commission or a complete and accurate presentation of issues under consideration by the Commission. Commissioners whose personal positions are in conflict with the Commission's official positions must represent either the Commission's positions only or decline the request to represent the Commission.
- C. A Commissioner is considered to be acting officially on behalf of the Commission whenever the Commissioner states or implies that they are acting as a representative or member of the Commission, whenever the Commissioner is authorized by the Commission to represent it, or the activity of the Commissioner results in an expense to the Commission.

- D. Nothing shall prevent Commissioners from expressing their views as individuals in Commission meetings or activities when these views bear directly upon policy issues under discussion.

EXECUTIVE DIRECTOR

2.1 Duties of the Executive Director

- A. The Executive Director is appointed and discharged by the Commission. The Executive Director acts under the authority of, and in accordance with direction from the Commission.
- B. The Executive Director represents the Commission and advances its goals by working with California's constitutional officers, federal, state and local agencies, national and international organizations, private sector leaders, and other stakeholders, including but not limited to, consumers, families, and representatives of diverse communities.
- C. The Executive Director presents to the Commission the annual budget and expenditures at the beginning of the fiscal year for Commission adoption, a mid-year expenditure report, and a close-of-year expenditure report.
- D. The Executive Director fulfills the responsibilities set forth in the Executive Director's duty statement and implements the delegated authority specified in the Rules of Procedure.

2.2 Designation of Acting Executive Director

When the Executive Director is absent or otherwise unavailable to perform the duties set forth in these Rules of Procedure, the Executive Director may designate in writing another person to act on the Executive Director's behalf. Within 24 hours of such delegation the Executive Director shall notify the Chair and Vice Chair of the delegation including the scope and duration of the delegation.

2.3 Evaluation of Executive Director

The Commission shall in closed session evaluate the Executive Director's performance on an annual basis. Prior to the closed session evaluation, the Chair and Vice Chair will provide the Executive Director with a performance review to be discussed in the closed session evaluation. The evaluation will be based on the performance goals and professional development objectives adopted by the Commission and the Executive Director's duty statement.

2.4 Contract Authority

Pursuant to the MHSOAC Resolution adopted on March 24, 2011, the Executive Director has the authority to take all actions necessary to enter into contracts on the Commission's behalf in the amount of \$100,000 or less and to enter into Interagency Agreements in the amount of \$200,000 or less.

2.5 Authority to Advocate on Legislation

- A. The Commission is authorized to advise the Governor and Legislature regarding actions the State may take to improve the behavioral health care and services of Californians. As part of this authority, the Commission may advocate on legislation.
- B. The Executive Director, or the Executive Director's designee, is authorized on behalf of the Commission to advocate on legislation: (1) when the legislation advances a formally established position of the Commission; (2) at the direction of the Chair and when the legislation furthers the interest of the Commission; or (3) after full discussion with and at the direction from the full Commission.
- C. The Executive Director shall give an update of all advocacy efforts, except confidential budget proposals, taken on behalf of the Commission at the next Commission meeting following the advocacy efforts.

2.6. Authority to Approve Innovation Projects

- A. The Executive Director, with the consent of the Commission Chair, is authorized to approve a county Innovation plan that meets any of the following conditions:
 - 1) The county Innovation plan, plan extension or modification does not raise significant concerns or issues and includes total BHSA Innovation spending authority of \$1,000,000 or less.
 - 2) The county Innovation plan is substantially similar to a county Innovation proposal that has been approved by the Commission within the past three years, if in the judgement of the Executive Director,
 - a) differences in the county Innovation proposal and a previously approved plan are not material to concerns raised by the Commission in its previous review and are non-substantive, and
 - b) the new project furthers the ability of the previously approved Innovation plan to support statewide transformational change.
- B. The Executive Director shall publicly report to the Commission, at the next Commission meeting any county Innovation plan approved by the Executive Director on behalf of the Commission under this delegated authority.

LEGAL COUNSEL

3.1 Duties of Chief Legal Counsel

- A. Chief Counsel provides legal advice to the Commission and reports both to the Commission and to the Executive Director.
- B. Chief Counsel is responsible for, among other things, advising staff regarding all relevant legal matters and supporting the legal inquiries and meeting activities of the Commission.

- C. In situations where the Chief Counsel may have a conflict of interest, or where legal expertise outside the practice of Chief Counsel is imperative, the Commission may consult with the office of the Attorney General or another state department.
- D. Counsel shall not provide legal counsel to members of the Commission except in their role as members of the Commission.

3.2 Hiring Chief Counsel

- A. The Executive Director is responsible for hiring and discharging the Chief Counsel.
- B. The Executive Director is responsible for evaluating the Chief Counsel's performance with input from the Commission and staff.

COMMISSION MEETINGS

4.1 Frequency of Meetings

- A. Commission meetings are to be held as often as is necessary to enable the Commission to fully and adequately perform its duties, but not less than once each quarter. All meetings shall be open to the public pursuant to the Bagley-Keene Open Meeting Act.
- B. The Commission meeting schedule for the calendar year is approved in January of that calendar year.

4.2 Robert's Rules of Order

Robert's Rules of Order will be used as a guide at Commission meetings.

4.3 Open Meetings

- A. Commission meetings are subject to the Bagley-Keene Open Meeting Act set forth in Government Code Sections 11120 et seq.
- B. The Bagley-Keene Open Meeting Act prohibits Commissioners from using direct communication, personal intermediaries, or technological devices to discuss, deliberate, or take action outside of an open meeting (Government Code Section 11122.5 (b)). Serial meetings are also prohibited. A serial meeting is a series of communications, each of which involves less than a quorum of the Commission, but which taken as a whole involves a majority of the Commission's members. (Government Code Section 11122.5)

4.4 Agenda Items

- A. A Commission meeting agenda may include action or information items.
- B. Action items that are non-controversial or *pro forma* may be placed on the consent calendar. All items on the consent calendar are voted upon as one unit and are not voted upon as an individual item. At the meeting any Commissioner may ask that a matter be

removed from the consent agenda and that request shall be effective without further action. If a matter is removed from the consent agenda it may be discussed at the same meeting or at a different Commission meeting as deemed appropriate by the Commission. There shall be no discussion or presentations made concerning items that remain on the consent agenda.

Staff prepares briefing materials on each agenda item and provides Commissioners with those materials in advance of the meeting. These materials provide Commissioners with a detailed description of a proposed course of action, background information, fiscal impact, the pros and cons of taking the action, and similar information for alternative actions.

4.5 Request for Item to be Placed on the Agenda

- A. Agenda items are placed on the Commission's meeting agenda with the approval of the Chair and Executive Director. The final meeting agenda is approved by the Chair and the Executive Director after consultation with the Chief Counsel.
- B. Individual Commissioners wishing to place items on the agenda should contact the Chair or the Executive Director.
- C. Members of the public wishing to place items on the agenda should contact Commission staff.

4.6 Exhibits and Handouts

- A. Agendized presenters who are not associated with the Commission may provide exhibits and handouts related to their presentation for distribution at the Commission meeting and are encouraged to submit them to the Commission at least two weeks before the meeting. Additionally, they are encouraged to provide the materials in an electronic format that meets federal and state accessibility standards.
- B. The Commission will make the above-mentioned materials available to the public by publishing them on the Commission website in a format that meets federal and state accessibility standards. The Commission will also send a notice to the Commission's list-serve that the materials have been published on the website.
- C. If the above-mentioned materials were received by the Commission within a reasonable time before the meeting date, the Commission will also make those materials available in printed format for public inspection on the day of the meeting.

4.7 Public Agenda Notice

- A. A public agenda notice of any Commission meeting must be made available on the Commission's website at www.bhsoac.ca.gov, at least 10 calendar days before the meeting. The public agenda notice will also be emailed to the Commission's list-serve. A copy of the public agenda notice will also be sent to any person who requests one in writing. (Government Code Section 11125).

- B. The public agenda notice of a Commission meeting must include the name, address, and telephone number of the individual who can provide additional information prior to the meeting and the address of the internet site where notices are posted. (Government Code Section 11125)
- C. The public agenda notice of a Commission meeting must also include a specific agenda for the meeting containing a brief description of the items of business to be transacted or discussed in either open or closed session. No agenda items may be added after the ten-day period begins, unless permitted by specific exceptions set forth in the Bagley-Keene Open Meeting Act. (Government Code Section 11125)
- D. The public agenda notice of a Commission meeting shall also be made available in appropriate alternative formats as required by Section 202 of the American with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof. The public agenda notice shall include information regarding how, to whom, and by when a request for any disability-related modification or accommodation including auxiliary aids or services may be made by a person with a disability who requires these aids or services in order to participate in the public meeting. (Government Code Section 11125)

4.8 Availability of Commission Meeting Materials

- A. The public agenda notice and all other materials distributed to the Commissioners prior to or at a Commission meeting are public records and as such are subject to disclosure, unless a recognized exemption applies under California Public Records Act, set forth in Government Code Sections 6250 et seq. or the Bagley-Keene Open Meeting Act set forth in Government Code Sections 11120 et seq. Commission meeting materials are available to the public at www.bhsoac.ca.gov . The Commission will also make meeting materials available for public inspection in printed format on the day of the meeting.
- B. The Bagley-Keene Open Meeting Act provides that unless a specific exemption applies, materials pertaining to agenda items distributed to the Commission by the staff or individual Commissioners prior to or during the meeting must be made available for public inspection at the meeting. Materials pertaining to agenda items prepared by a person other than staff or a Commissioner shall be made available after the meeting. In addition, the materials shall be distributed to all persons who request or have requested copies of the materials and will be available on the Commission's website.

4.9 Closed Sessions

- A. Any closed session must be noted on the meeting agenda and properly noticed, citing the statutory authority or provision of the Bagley-Keene Open Meeting Act that authorizes the closed session. The Commission may only hold closed sessions for the reasons set forth in the Bagley-Keene Open Meeting Act.
- B. Prior to convening a closed session, the Chair must publicly announce those issues that will be considered in closed session (Government Code Section 11126.3). This can be done by a reference to the item as properly listed on the agenda. After the closed session

has been completed, the Commission must reconvene in public prior to adjournment (Government Code Section 11126.3). If the closed session involved a decision to hire or fire an individual the Chair is required to report the action taken, and any roll call vote taken.

- C. Chief Counsel will attend each closed session and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. These minutes are confidential, maintained by Chief Counsel, and are discoverable only to the Commission itself or to a reviewing court. The minutes may, but need not, consist of a recording of the closed session. (Government Code Section 11126.1)

4.10 Teleconference Meetings

Pursuant to the Bagley-Keene Open Meeting Act the Commission may hold a meeting by audio or audio-visual teleconference for the benefit of the public and the Commission. (Government Code Section 11123) All public agenda notice requirements apply.

4.11 Quorum

- A. A simple majority of the Commission's statutory membership shall constitute a quorum for the transaction of business. The Commission's statutory membership is 27 members making 14 members a quorum. When a quorum is present, a simple majority of those present and voting may act to bind the Commission.
- B. A meeting at which a quorum is initially present may continue, notwithstanding the withdrawal of Commissioners and the absence of a quorum. The only action that may be taken in the absence of a quorum is to fix the time to adjourn, recess, or take measures to obtain a quorum.

4.12 Voting

- A. After a motion is made, seconded, and public comment has been heard, the Commission may vote. A Commissioner must be present to vote.
- B. A Commissioner who is disqualified in a matter because of financial contributions, financial interest, or another conflict is not entitled to vote. The Commissioner is required to announce at the meeting that the Commissioner will not participate and disclose the reasons for the disqualification on the record. This information is noted in the meeting minutes.
- C. A Commissioner may "abstain" from voting, if the Commissioner is entitled to participate but chooses not to. The reason for abstaining need not be disclosed on the record.
- D. Prior to voting on a policy project report, the Commission shall consider the report in at least one meeting prior to the meeting at which the motion to approve is considered.

- E. Approval of a policy project report by a subcommittee of the Commission constitutes the “first reading” of a policy project report.
- F. The Commission may determine that the timely release of a policy project report is in the public interest and may vote to suspend this rule in order to approve a policy project report in a single meeting.

4.13 Public Comment

- A. Opportunity is provided for the public to address the Commission on agenda items. The Commission may adopt reasonable procedures so that members of the public have an opportunity to directly address the Commission on each agenda item before the Commission. These procedures may include limiting the total amount of time allocated for public comment on a specific agenda item and for each individual speaker. (Government Code Section 11125.7)
- B. If the agenda item has already been considered by a multi-member body composed exclusively of members of the Commission at a public meeting where interested members of the public were afforded the opportunity to address the multi-member body on the item, additional public comment opportunity at the Commission meeting need not be provided unless the item has been substantially changed since the multi-member body heard the item. (Government Code Section 11125.7)
- C. Members of the public who wish to provide public comment at a meeting are encouraged to complete a public comment card but are not required to do so.

4.14 Access to Commission Meeting Sites

Commission meeting sites are accessible to people with disabilities and should also be accessible by public transportation. Those who need special assistance may contact the meeting coordinator listed on the public agenda notice of the meeting.

4.15 Minutes and Motion Summaries

Minutes and motion summaries of each open session meeting are included in the meeting materials and posted on the Commission website at: www.bhsoac.ca.gov.

PUBLIC OUTREACH AND ENGAGEMENT

5.1 The Commission is committed to ensure the perspective and participation of diverse community members – those with lived experiences and their family members, community advocacy organizations, county behavioral health agencies - are a significant factor in the Commission’s understanding, actions, decisions, and recommendations. The Commission ensures broad and inclusive community outreach and engagement through the following actions and other opportunities that may be identified going forward:

- Public meetings with open, informed, and transparent deliberation.

- Committee and subcommittee meetings that hear from community members and other subject matter experts to develop a shared understanding of the challenges and opportunities of topics specified by the Commission.
- Community forums that are organized to highlight and understand topics specified by the Commission and of concern to the community.
- Small group listening sessions to hear from individuals with lived experience on sensitive topics.
- Site visits that are organized to acquire first-hand knowledge and understanding of the challenges of specific topics and the existing efforts to address those challenges.
- Convening advisory bodies with expertise on topics specified by the Commission.
- Meetings with community-based organizations and local leaders.
- Use of surveys.

COMMITTEES/SUBCOMMITTEES/OTHER MULTI-MEMBER BODIES

6.1 Structure

- A. The Commission may establish one or more committees as necessary to provide technical and professional expertise pursuant to Welfare and Institutions Code Section 5845 (d)(3). Such committees provide guidance, review materials, and make recommendations to the Commission.
- A.1. The Commission Chair shall appoint a Chair and Vice Chair for each committee from among the Commission's membership who will assume their duties immediately upon appointment.
- A.2. Ideally each standing committee shall have a maximum of 14 members and shall include public membership. Of this public membership, at least two shall be consumers, at least two shall be family members or care givers of consumers, and at least two shall be members of underserved ethnic and cultural communities. Public membership of each committee shall be selected by the committee Chair and Vice Chair. In their recruitment and appointment committee Chair and Vice Chair shall pay special attention to issues related to cultural diversity and competency. Commission staff and/or consultants will staff each committee.
- A.3. The committee Chair may establish one or more multi-member body consisting of committee members in order to further the work of the committee.
- A.4. If a committee member cannot attend a committee meeting the member shall notify the committee Chair and the committee staff member of such absence in advance of the committee meeting. If a committee member misses more

than one committee meeting without notice or three committee meetings in a calendar year with notice, the committee Chair has discretion to decide whether it is in the best interest of the committee to have that committee member replaced.

The membership of each Committee will be confirmed every other year in odd numbered years at the January Commission meeting. In the intervening time each Committee Chair has discretion to modify the Committee membership based upon the needs of the Committee.

- B. The Commission may establish any multi-member body (e.g. committee, subcommittee, taskforce) consisting of Commissioners appointed by the Chair as necessary to support the work of the Commission.

6.2 Bagley-Keene Open Meeting Act

- A. Meetings of a committee, subcommittee, and multi-member body are subject to the Bagley-Keene Open Meeting Act set forth in Government Code Sections 11120 *et seq.*
- B. A public agenda notice of a committee, subcommittee, or multi-member body meeting must be given and made available on the Commission website at www.bhsoac.ca.gov, at least 10 calendar days before the meeting. The public agenda notice will also be emailed to the Commission's list-serve. A copy of the public agenda notice will be sent to any person who requests it in writing.
- C. The public agenda notice of a committee, subcommittee, or multi-member body meeting must include the name, address, and telephone number of the individual who can provide additional information prior to the meeting and the address of the internet site where notices are posted.
- D. The public agenda notice of a committee, subcommittee, or multi-member body meeting must also include a specific agenda for the meeting containing a brief description of the items of business to be transacted or discussed. No agenda items may be added after the ten-day period begins, unless permitted by specific exceptions set forth in the Bagley-Keene Open Meeting Act. (Government Code Section 11125)
- E. The public agenda notice of a committee, subcommittee, or multi-member body meeting shall also be made available in appropriate alternative formats as required by Section 202 of the American with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof. The public agenda notice shall include information regarding how, to whom, and by when a request for any disability-related modification or accommodation including auxiliary aids or services may be made by a person with a disability who requires these aids or services in order to participate in the public meeting.
- F. A committee, subcommittee, or other multi-member body may hold a meeting by audio or audio-visual teleconference (Government Code Sections 11123 and 11123.5). All public agenda notice requirements apply.

6.3 Compensation and Expenses

Active members of committees, subcommittees or any other multi-member body and agenda items are eligible to be reimbursed in accordance with State per diem laws.