MENTAL HEALTH BOARD

• Local mental health boards are part of the county health services system.
• Each one is unique and represents the county health system and county demographics.
• Some include alcohol/drug services
THE MENTAL HEALTH BOARD

• As a board member, you will help to build the ‘culture’ of the board
  – Membership
  – Participation
  – Activities, committees
  – Reporting responsibilities
  – Attitudes
WHAT IS THE MEMBERSHIP OF THE MENTAL HEALTH BOARD?

Welfare and Institutions Code (WIC) Sections 5604(a)(1) et seq
MEMBERSHIP OF THE BOARD

• Each community mental health service shall have a mental health board.
• The mental health board may be established as an advisory board or a commission based on the preference of the county.
• Boards have different names: behavioral health, drug and alcohol, advisory, commission.
MEMBERSHIP OF THE BOARD

• The membership of the board is appointed by the Board of Supervisors, but the local mental health board can make recommendations to the Board of Supervisors.

• Each member of the board is appointed for 3 years; the appointments are staggered
MEMBERSHIP OF THE BOARD

• Appointees should be individuals with experience and knowledge of the mental health system and reflect the ethnic diversity of the client populations of the county.
MEMBERSHIP OF THE BOARD

• No member shall be an employee of a county mental health service, the State Department of Health Care Services (DHCS), or an employee or paid member of the governing body of a mental health contract agency.
MEMBERSHIP OF THE BOARD

• *In large counties (80,000 or more)* the board will consist of 10-15 members, or more:
  – 50% of the membership shall be consumers or family
  – At least 20% shall be consumers
  – At least 20% shall be families of consumers
MEMBERSHIP OF THE BOARD

• *In small counties (less than 80,000)* the board will consist of at least 5 members:
  – *At least 1 member shall be a parent, spouse, sibling or adult child of a consumer who is or has been receiving mental health services*
WHAT ARE THE DUTIES OF THE MENTAL HEALTH BOARD?

Welfare and Institutions Code (WIC) Sections 5604(a)(1) et seq
DUTIES OF THE BOARD

- Review and evaluate the community’s mental health needs, services, facilities, and special problems.
DUTIES OF THE BOARD

• Review any county agreements entered into pursuant to WIC Section 5650: specifically assure that the board has approved the procedures ensuring citizen and professional involvement in all stages of the planning process.
DUTIES OF THE BOARD

• Advise the governing body and the local mental health director as to any aspect of the local mental health programs.
DUTIES OF THE BOARD

• Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.
DUTIES OF THE BOARD

• Submit an annual report to the governing board on the needs and performance of the mental health system.
DUTIES OF THE BOARD

• Review and make recommendations on applicants for the appointment of a local director of mental health services. The board shall be included in the selection process prior to the vote of the governing body.
DUTIES OF THE BOARD

• Review and comment on the county’s performance outcome data and communicate its findings to the California Mental Health Planning Council.
DUTIES OF THE BOARD

• Assess the impact of realignment of services from the state to the county on services delivered to clients and the local community.
DUTIES OF THE BOARD

• Perform any additional duties or authority as assigned by the governing board.
REIMBURSEMENT TO BOARD MEMBERS

• Members of a local mental health board may be reimbursed for expense from available funds:
  – Actual and necessary expenses
  – May include travel, lodging, child care and meals as approved by the director of the local mental health program.
BYLAWS

• The bylaws for a local mental health board must include:
  – Specific number of individuals on the board
  – Composition to ensure representation
  – Quorum is more than one-half of membership
  – Consultation between the chair and the local mental health director
  – Possibility of having an ‘executive committee’
ETHICS TRAINING

• AB1234 requires that if a local agency provides any type of compensation or reimburses expenses, that the local agency’s officials must receive training in ethics.
WHAT IS THE MENTAL HEALTH SERVICES ACT?

Proposition 63 passed in November 2004 and has evolved since then
MENTAL HEALTH SERVICES ACT

The California voters approved a 1% tax on incomes over $1 M to fund additional mental health services to individuals in California

- More than $8.5 B has been raised
- More than 1500 programs have been developed
- Many thousands has been served
MENTAL HEALTH SERVICES ACT

Five components to MHSA:

• Community Services and Supports (CSS)
• Capital Facilities/Technology Needs (CFTN)
• Workforce, Education and Training (WET)
• Prevention and Early Intervention (PEI)
• Innovation (INN)
MENTAL HEALTH SERVICES ACT

COMMUNITY SERVICES AND SUPPORTS provides funds for direct services to individuals with severe mental illness:

• Full Service Partnerships (FSP)
• Housing
MENTAL HEALTH SERVICES ACT

CAPITAL FACILITIES AND TECHNOLOGICAL NEEDS (CFTN) provides funding for building projects and increasing technological capacity to improved illness service delivery:

• Electronic health records
• Building projects
MENTAL HEALTH SERVICES ACT

WORKFORCE, EDUCATION AND TRAINING (WET) provides funding to improve and build the capacity of the mental health workforce:

- Training social workers, psychologists, psychiatrists, nurses
- Peer certification programs
MENTAL HEALTH SERVICES ACT

PREVENTION AND EARLY INTERVENTION (PEI) provides an investment of 20% of the funding to recognize early signs of mental illness and to improve early access to services and programs, including the reduction of stigma and discrimination.
MENTAL HEALTH SERVICES ACT

INNOVATION (INN) funds and evaluates new approaches that increase access to the unserved and/or underserved communities.

It also promotes interagency collaboration and increases the quality of services.
FOR MORE INFORMATION

• Promises Still To Keep: A Decade of the Mental Health Services Act by the Little Hoover Commission (January 2015)

• http://www.dhcs.ca.gov/services/mh/Pages/MH_Prop63.aspx

• http://prop63.org/

The nature of the Brown Act is fundamentally political. It is nothing more or less than self-government.
WHAT IS THE BROWN ACT?

The Brown Act is legislation, now in statute, that defines the way that public commissions, boards and councils, and the other public agencies in California conduct their business.
WHO IS SUBJECT TO THE BROWN ACT?

• Government: a county, city, town, school district, municipal corporation, district, political subdivision or any board, commission or agency thereof

• Non-governing bodies: commission, committee, board or other body of a local agency created by charter, ordinance, resolution or formal action of a legislative body.
WHAT IS A MEETING?

• Any congregation of a majority of the members of the group at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the group:
  – Briefings and hearings
  – Committee meetings
  – Retreats
WHAT IS A “SPECIAL” MEETING?

• A special meeting is called when a body needs to:
  – Discuss or act on a matter that it deems pressing enough not to wait for a regular meeting
  – Convenes at some place other than its adopted meeting site
  – Departs from its regular calendar and meets at some other time or place
WHAT IS NOT DEFINED AS A MEETING?

• Ad hoc committees
• One on one conversations
• Open conferences or similar gatherings open to the public
• Noticed meetings of another body
• Social or ceremonial occasions
WHERE CAN A MEETING BE HELD?

• Meetings must be held within the jurisdiction of the legislative body
• Meeting sites must be accessible
• No member of the public may be required to register his/her name or provide any other information, to complete a questionnaire, or fulfill any condition precedent to attendance.
HOW ARE MEETINGS NOTICED TO THE PUBLIC?

- Regular meetings: Agendas must be posted at least 72 hours before the meeting in a location freely accessible to members of the public.
WHAT IS INCLUDED IN THE AGENDA?

• The agenda must specify the time and location of the regular meeting.
• The agenda must contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.
• No action or discussion can be taken on any item that does not appear on the posted agenda except to briefly respond to statements made or questions posed by public.
WHAT RIGHTS DOES THE PUBLIC HAVE TO VIEW AND GET COPIES OF DOCUMENTS?

• Agendas and other documents distributed to the body must be available to the public at the same meeting without delay.
DOES THE PUBLIC HAVE THE RIGHT TO ADDRESS THE BODY?

• The public may address members of the body on matters on or even off the agenda, preserve the proceedings by photography or electronic recording and even broadcast them to the community.

• The body may limit the public comment; “reasonable” is generally defined as 3 minutes per speaker per topic.
DOES THE PUBLIC HAVE THE RIGHT TO ADDRESS THE BODY?

- The First Amendment does not allow the body to limit comment because it is offensive.
- Speakers may address issues that are scheduled for discussion or action in closed session.
- The public may use photo, recording or broadcast equipment at meetings.
WHAT ARE THE RULES FOR A CLOSED SESSION?

• The most fundamental rule of the Brown Act is that meetings of the bodies are accessible to the public unless specifically excepted and action taken at open meetings must be “public” in every way. The body may not use a secret ballot.

• Closed sessions may be held to consider:
  – Pending litigation
  – Consultation on employee negotiations
  – Consultation on property negotiations
WHAT ARE THE RULES FOR A CLOSED SESSION?

• Closed sessions are not open to the public or others who do not serve some function essential to the confidential communication.

• Minutes are not generally taken at closed sessions.

• The body is required to report specific actions taken in closed session at some point soon after they occur together with a record of how individual members voted on the action.
WHAT ARE THE RULES FOR A CLOSED SESSION?

• As soon as a closed session action is disclosed, any written material approved as part of the closed session action, for example a contract, is likewise disclosable on request.

• No person may disclose confidential information that has been acquired by being present in a closed session unless the body authorizes the disclosure of that information.
FOR MORE INFORMATION:

BROWN ACT:
Government Code Sections 54950-54963

- http://caag.state.ca.us/publications
- http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=54001-55000&file=54950-54963
When people want to do something as a group, they must first agree on exactly what it is they want to do and how they want to do it.
There are many types of rules that can be used to run a meeting. It is important to determine how your meetings can be run most effectively.

- Robert’s Rules
- Roberta’s Rules
- Standing Rules
WHAT HAPPENS AT A MEETING?

• One person is chosen to “preside” over the meeting, often called “the chair”.
• One person is chosen to make a written record of the meeting, often called “the secretary”.
• A “quorum” is required for a meeting to conduct substantive business.
• The meeting is “called to order” by the chair: The meeting will come to order.
• The meeting proceeds according to the “agenda” or order of business.
• The meeting may be recessed: The meeting is recessed until called to order by the chair.
• The meeting is adjourned: Is there further business? Since there is no further business, the meeting is adjourned.
HANDLING MOTIONS

Making a motion
• How to make a motion
• Seconding a motion
• The Chair states the question

How the membership considers a motion
• Debate on the motion
• The Chair “puts” the question
• The Chair announces the result of the vote
THE RIGHT WAY TO CLOSE DEBATE

- Debate is closed when an individual who is recognized by the chair states *I move the previous question* and the motion is seconded;
- The Chair calls for an immediate vote;
- If the two-thirds of the membership votes aye, the Chair puts the question;
- If the membership votes no, debate continues.
MINUTES

• The first paragraph provides all the basic information
• The minutes include a paragraph for each subject matter including reports and motions.
• The last paragraph gives the time of adjournment.
• Minutes should be signed by the secretary or the president.
EFFECTIVE PRESIDING

• Memorize constantly used procedures
• Make sure membership knows what is being debated and voted on
• Learn how to conduct voting
• Know the steps in a meeting
• Learn to handle points of order and appeals
• Know more about parliamentary procedure than other members
ROLE OF THE SECRETARY

• Send out notice of the meeting including time, date and location;
• Prepare the agenda with the Chair;
• Bring basic materials to each meeting
  • Duties at a meeting: read minutes, correspondence
  • Record motions
  • Assist with voting
• Prepare draft minutes and correct minutes as approved;
• Keep the official records of the group including bylaws, membership roles, minutes, committee reports and correspondence.
THAT SAID… INFORMAL PROCEDURES FOR SMALL BOARDS

• Board members do not have to stand or be recognized by the chair in order to speak or make motions;
• A board member may speak any number of times on a motion (not just two) and motions to close or limit debate are generally not permitted;
• A motion does not have to be pending in order to discuss a subject informally;
• Votes can be taken by a show of hands;
• The chair need not stand when putting a question to the vote;
• The chair can participate in debate, make motions and vote.
FOR MORE INFORMATION

• Robert’s Rules of Order Newly Revised (now in the 11th edition)
• RONR In Brief
• http://www.robertsrules.org/
OTHER AGENCIES SERVING THE MENTALLY ILL POPULATION

- American Society of Addiction Medicine (ASAM)
- California Association of Behavioral Health Boards and Commissions (CABHB/C)
- California Mental Health Services Authority (CalMHSA)
- County Behavioral Health Directors Association of California (CBHDA)
- California Coalition for Mental Health (CCMH)
- California Council of Community Mental Health Agencies (CCCMHA)
- California Institute for Behavioral Health Solutions (CIBHS)
- California Mental Health Planning Council (CMHPC)
- California Youth Empowerment Network (CAYEN)
- California Department of Health Care Services (DHCS)
- Each Mind Matters
- Know the Signs
- Mental Health American of California (MHA)
- Mental Health Services Oversight and Accountability Commission (MHSOAC)
- National Alliance on Mental Illness (NAMI)
- United Advocates for Children and Families (UACF)
QUESTIONS?
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