Mental Health Services
Oversight & Accountability Commission

RULES OF PROCEDURE

ADOPTED
JUNE 25, 2009

Including amendments as of
January 2016

TABLE OF CONTENTS

MISSION.....3

GOVERNANCE PHILOSOPHY.....3

1.0 COMMISSIONERS.....4

1.1 Terms of Commissioners.....4

1.2 The Role of Commissioners.....4

1.3 Chair.....4

1.4 Vice Chair.....5

1.5 Commission Member Vacancy.....5

1.6 Compensation and Expenses.....5

1.7 Training and Orientation.....5

1.8 Statement of Economic Interest – Form 700.....6

1.9 Conflict of Interest.....6

1.10 Commission Representation.....7

2.0 EXECUTIVE DIRECTOR.....7

2.1 Duties of the Executive Director.....7

2.2 Designation of Acting Executive Director.....8

2.3 Evaluation of Executive Director.....8

2.4 Contract Authority of Executive Director.....9

2.5 Authority of the Executive Director to Advocate on Legislation.....9

3.0 LEGAL COUNSEL.....9

3.1 Duties of Chief Legal Counsel.....9

3.2 Hiring Chief Legal Counsel.....9

4.0 COMMISSION MEETINGS.....10

4.1 Frequency of Meetings.....10

4.2 Robert's Rules of Order.....10

4.3 Open Meetings.....10

4.4 Serial Meetings.....10

4.5 Agenda Items.....10

4.6 Request for Item to be Placed on the Agenda.....11

4.7 Exhibits and Handouts.....11

4.8 Public Agenda Notice (PAN).....11

4.9 Availability of Commission Meeting Materials.....12

4.10 Closed Sessions.....12

4.11 Teleconference Meetings.....13

4.12 Quorum.....13

4.13 Voting.....13

4.14 Public Comment.....14

4.15 Access to Commission Meeting Sites.....14

4.16 Minutes and Motion Summaries.....14

5.0 COMMITTEES.....14

5.1 Committee Structure.....14

5.2 Compensation and Expenses.....15

5.3 Open Meetings.....16

5.3 Public Agenda Notice (PAN).....16

6.0 WORKGROUPS.....16

6.1 Establishment of Workgroups.....16

MISSION

The MHSOAC provides the vision and leadership, in collaboration with clients, their family members and underserved communities, to ensure an enhanced continuum of care for individuals at risk for and living with serious mental illness and their families by holding public systems accountable and by providing oversight, eliminating disparities, promoting mental wellness, supporting recovery and resiliency resulting in positive outcomes in California's community based mental health system.

GOVERNANCE PHILOSOPHY

Integrity and sound stewardship are paramount in the governance of all Commission activities. The MHSOAC will govern itself with an emphasis on the following:

a.) Being objective and encouraging diversity in viewpoints;
b.) Making decisions in an efficient and timely manner;
c.) Striving for results and outcomes;
d.) Focusing on outward vision and strategic leadership and less on administrative detail;
e.) Using collaboration rather than individual decisions-making processes;
f.) Being proactive rather than reactive

Specifically:

a. The MHSOAC will cultivate a sense of group responsibility. The MHSOAC will be responsible for excellence in governing. The MHSOAC will use the expertise of individual members to enhance the ability of the MHSOAC as a body.

b. The MHSOAC will direct, evaluate, and inspire the organization through the careful establishment of written policies, procedures and directives.

c. The MHSOAC will enforce upon itself the necessary discipline to govern with excellence, including regular attendance at meetings, thorough preparation by each member for each meeting, adherence to its policy-making principles, and respect of roles.

d. Continual development of the MHSOAC will include orientation of new members in the Commission's governance policies and processes, periodic re-orientation of existing members, and regular discussion of process improvement.

e. The MHSOAC will regularly discuss and evaluate its performance and take steps to improve its effectiveness.

COMMISSIONERS

1.1 Terms of Commissioners

Pursuant to the Welfare and Institutions Code Section 5845, the term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year. Members shall serve without compensation, but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties. (Amd. 7/2012)

If a Commissioner cannot attend a Commission meeting he or she will notify the Chair and the Executive Director of such absence in advance of the Commission meeting. If a Commissioner misses one (1) Commission meeting without notice or three (3) Commission meetings in a calendar year with notice the Chair shall notify the Commissioner and that Commissioner's appointing power in writing that the attendance record of the Commissioner be improved or that the Commissioner be replaced.

1.2 The Role of Commissioners

- Represent the MHSOAC outside Commission meetings
- Provide knowledge and expertise to guide Commission policy-making
- Attend Commission meetings throughout the state
- Serve as a member of at least one MHSOAC Committee
- Attend, in person or via teleconference, meetings of any MHSOAC Committee of which they are a member
- Work collectively to accomplish the goals of the MHSOAC as set forth in its Multi-Year Strategic Plan and/or the yearly Work Plan

The best decisions come out of unpressured collegial deliberations and the MHSOAC seeks to maintain an atmosphere where the Commission or Committee members can speak freely, explore ideas before becoming committed to positions and seek information from staff and other members. To the extent possible the MHSOAC encourages members to come to meetings without having fixed or committed their positions in advance. (Amd. 5/2011)

1.3 Chair

The Chair shall be elected at a MHSOAC meeting preferably held in September but no later than during the last quarter of the calendar year by a majority of the voting members of the MHSOAC. The Chair shall assume all duties and preside at all MHSOAC meetings starting the following January. The term of the Chair shall be one year. (Amd. 2/2010; 5/2011; 7/2012)

In the event of resignation or death of the Chair the Vice Chair shall assume all of the responsibilities of the Chair until a successor is elected. The election shall be held within sixty (60) days after such resignation or death.

1.4 Vice Chair

The Vice Chair shall be elected at a MHSOAC meeting preferably held in September but no later than during the last quarter of the calendar year by a majority of the voting members of the MHSOAC. The Vice Chair shall assume all duties starting the following January. The term of the Vice Chair shall be one year. The Vice Chair fulfills the role of Chair and presides at meetings in the absence of the Chair. (Amd. 2/2010; 5/2011; 7/2012)

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 most senior Commissioner shall preside at the meeting.

1.5 Commission Member Vacancy

Commissioners may leave office at the end of their term or sooner. When a vacancy occurs, a successor is selected by the appointing power.

1.6 Compensation and Expenses

Commissioners, staff, agendized presenters, and active Committee members will be reimbursed in accordance with State per diem laws. Also, any reasonable business expenses incurred will be reimbursed as authorized by the Commission. On a case-by-case basis the designee of a Committee member may also be reimbursed in accordance with the State per diem laws.

1.7 Training and Orientation

New members shall within 30 days of being appointed receive training and orientation in: (1) Commission governance, policies and procedures; (2) Commission strategic directives; (3) MSHA programs and issues; and (4) relevant laws and statutes.

At or before the orientation session, the new Commission member will receive the following documents:

1) Listing of names, addresses, and contact information for the Commission members;
2) Listing of names and contact information for MHSOAC Staff
3) Copy of the Rules of Procedure
4) Brief history and overview of MHSOAC including mission, purpose statement, and Proposition 63

5) Information about the Political Reform Act and how it affects the Commissioners
6) Information about the travel reimbursement procedures
7) List of meeting dates and locations
8) Copy of the Bagley-Keene Open Meeting Act
9) Summary of Robert's Rules of Order
10) Copy of the following documents:
    a) Mental Health Services Act Prevention and Early Intervention: County and State Level Policy Direction;
    b) Recommendation to the MHSOAC for funding for Innovative Programs;
    c) Eliminating Stigma and Discrimination Against Persons with Mental Health Disabilities;
    d) Mental Health Services Oversight and Accountability Commission Report on Co-Occurring Disorders;
    e) Mental Health Services Oversight and Accountability Commission Position Paper on Training and Education;
    f) Any other policy paper adopted by the Commission

As required by Government Code Sections 11146 through 11146.4 within six months of beginning service as a member of the Commission and at least every two years thereafter, members of the Commission shall receive training on laws related to ethics, conflict of interest requirements, governmental transparency, open government, and fair government processes. (Amd. 5/2011)

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 thirty days of being appointed; (2) on a yearly basis as prescribed by law; and (3) within thirty days of ending Commission membership. (Amd. 5/2011)

1.9 Conflict of Interest

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 his or her official position to influence a Commission decision in which he or she knows or has reason to know he or she has a financial interest (Government Code Section 87100). 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.). (Amd. 5/2011)

A Commissioner who has a financial conflict of interest must do the following:

- 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.
- 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
- Recuse himself or herself from discussing or voting on the matter or from attempting to use his or her position to influence the decision

The Commission will adopt for itself and adhere to an Incompatible Activities Policy.

1.10 Commission Representation

Every member of the MHSOAC has the right to express his or her opinion on any subject whenever the member is acting as an individual and not on behalf of or at the expense of the Commission. Commissioners who agree to represent the Commission in meetings, conferences, testimony in public hearings, speaking engagement, etc, and do so at the request of the Commission, with or without reimbursement, agree also to represent only the officially approved positions of the Commission. Members 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.

A Commissioner is considered to be acting officially on behalf of the Commission whenever he or she states or implies that he or she is acting as a representative or member of the Commission, whenever the member is authorized by the Commission to represent it, or the activity of the member results in an expense, direct or indirect to the Commission. Examples of such expenses include but are not limited to: compensation for travel, per diem, phone calls, postage, use of Commission stationary, or other materials produced or furnished by the Commission.

Nothing shall prevent members of the Commission from expressing their views as individuals in regular or special meetings of the Commission when these views bear directly upon policy issues under discussion.

EXECUTIVE DIRECTOR

2.1 Duties of the Executive Director

The Executive Director is appointed and discharged by the MHSOAC. The Executive Director acts under the authority of, and in accordance with direction from the

MHSOAC. Commissioners should direct their requests for information or assistance from staff to the Executive Director.

The Executive Director also serves as the Commission's liaison with county commissions, other mental health associations and stakeholder groups.

The Executive Director is responsible for the following:

a) Achieve the results set forth in the Multi-Year Strategic Plan of the MHSOAC within the appropriate and ethical standards of business conduct set by the Commission and the State of California;

b) Plan, organize, direct, and administer all activities, programs and functions of the MHSOAC;

c) Respond to direction from the Chair to develop ideas for programs and/or initiatives reflecting the MHSOAC's goals.

d) Direct the preparation of all reports to be submitted by the MHSOAC to the Governor and Legislature;

e) Direct the preparation of the MHSOAC's annual budget for review by the Chair and submission to the Department of Finance, and/or the Legislative Analyst; (Amd. 5/2011)

f) Direct the implementation of all federal and state statutes and regulations and Commission policies that require action by staff, administer the civil service system (including hiring, evaluating and terminating all employees), attend meetings of the Commission and report on the general affairs of the Commission, and keep the Commission advised as to the needs of the MHSOAC.

2.2 Designation of Acting Executive Director

When the Executive Director is absent or otherwise unavailable to perform the duties of the office, the Executive Director may designate another person to act on the Executive Director's behalf.

2.3 Evaluation of Executive Director

The Commission shall evaluate the Executive Director's performance on an annual basis.

The evaluation will be based on: the MHSOAC's accomplishment of the Commission's Multi-Year Strategic Plan; performance goals and professional development objectives adopted annually by the Commission; and the Executive Director's duty statement developed and adopted by the Commission.

2.4 Contract Authority of Executive Director

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 behalf of the MHSOAC in the amount of $100,000 or less and to enter into Interagency Agreements in the amount of $200,000 or less. The Executive Director may delegate to subordinates any of the authority delegated to the Executive Director by the MHSOAC. Within 24 hours of such delegation the Executive Director shall notify the MHSOAC Chair and Vice Chair. (Add 5/2011)

2.5 Authority of the Executive Director to Advocate on Legislation

The Executive Director, or his or her designee, is authorized on behalf of the MHSOAC to advocate on legislation: (1) when the legislation is consistent with an officially approved position of the Commission; or (2) at the direction of the Chair and when the legislation furthers the interest of the Commission.

The Executive Director shall give an update of all advocacy efforts taken on behalf of the Commission at the next Commission meeting following the advocacy efforts.
(Add 1/2016)

LEGAL COUNSEL

3.1 Duties of Chief Legal Counsel

The Chief Counsel provides legal advice to the MHSOAC. The Chief Counsel reports both to the MHSOAC and to the Executive Director and is responsible for, among other things, advising staff regarding all relevant legal matters and supporting the legal inquiries and meeting activities of the MHSOAC. In situations where the Chief Counsel would have a conflict of interest, or where legal expertise outside the practice of Chief Counsel is imperative consultation with the office of the Attorney General via an interagency agreement is available.

Counsel shall not provide legal counsel to members of the Commission except in their role as members of the MHSOAC.

3.2 Hiring Chief Counsel

The Executive Director is responsible for hiring and discharging the Chief Counsel.

The Executive Director is responsible for evaluating the Chief Counsel's performance with input from the MHSOAC and staff.

COMMISSION MEETINGS

4.1 Frequency of Meetings

MHSOAC meetings are to be held as often as is necessary to enable the Commission to fully and adequately perform its duties but it shall not meet less than once each quarter at any time and location convenient to the public as it may deem appropriate. All meetings of the Commission shall be open to the public pursuant to the Bagley-Keene Open Meeting Act.

The MHSOAC meeting schedule for the following calendar year is approved prior to January of that calendar year.

4.2 Robert's Rules of Order

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

4.3 Open Meetings

The principal law that governs the meetings of the MHSOAC and its Committees is the Bagley-Keene Open Meeting Act which is set forth in Government Code Sections 11120 et seq.

4.4 Serial Meetings

The Bagley-Keene Open Meeting Act prohibits the MHSOAC from using direct communication, personal intermediaries, or technological devices to 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 11121). (Amd. 5/2011)

4.5 Agenda Items

The meeting agenda may include action or information items.

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 shall be discussed at a point in the meeting deemed appropriate by the Commission. There shall be no discussion or presentations made concerning items that remain on the consent agenda.

Information items consist of presentations made to Commissioners to give background to an issue, an update, or may be in response to a Commissioner's inquiry. Since all agenda

items are subject to action by the Commission there may be information items upon which the Commission decides to take action.

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.

4.6 Request for Item to be Placed on the Agenda

Agenda items shall only be placed on the Commission's agenda at the request of (1) a Committee of the MHSOAC; (2) a member of the MHSOAC; or (3) MHSOAC staff with the approval of the Executive Director. Members of the public wishing to place items on the agenda must go through one of the above.

Before agenda and meeting packets are finalized they shall be reviewed by the Chair of the Commission, the Executive Director, and Chief Counsel. The Chair of the Commission, the Executive Director, and the Operations Committee shall work together to develop and set the Commission agendas. (Amd. 5/2011)

4.7 Exhibits and Handouts

Presenters may provide exhibits and handouts for distribution to the Commissioners. Presenters are encouraged to provide sixteen copies to the Commission office for distribution to the Commissioners and staff at least two weeks before the Commission meeting. Staff will post the material on the Commission website and notice of the posting will be emailed to the MHSOAC list-serve. The material will also be made available to the public at the meeting.

4.8 Public Agenda Notice (PAN)

A Notice of any Commission meeting must be given and made available on the MHSOAC website at www.MHSOAC.ca.gov, at least ten (10) calendar days before the meeting. The PAN will also be emailed to the MHSOAC list-serve. Any person who requests a PAN in writing must be sent a copy. The notice must include:

- Name, address, and telephone number of the individual who can provide additional information prior to the meeting
- Address of the internet site where notices are posted
- 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)

Upon request by a person with a disability the PAN 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 PAN 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. (Amd. 5/2011)

4.9 Availability of Commission Meeting Materials

PANs and all other materials distributed to the Commissioners for discussion or consideration prior to or at a Commission meeting are public records and as such are subject to disclosure, unless a recognized exemption applies (California Public Records Act, set forth in Government Code Sections 6250 et seq,). Commission meeting materials are available to the public at www.MHSOAC.ca.gov as attachments to the PAN. The materials are also available in printed format on the day of the meeting. (Amd. 5/2011)

The Bagley-Keene Open Meeting Act provides that writings pertaining to the item that are public records and have been distributed by staff or individual Commissioners to the Commission prior to or during the meeting must be made available for public inspection at the meeting or if prepared by some person other than staff or Commissioner, shall be made available after the meeting. In addition, the writing shall be distributed to all persons who request or have requested copies of these writings and will be made available on the MHSOAC website. (Amd. 7/2012)

4.10 Closed Sessions

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 particular closed session. The Commission may only hold closed sessions for the reasons set forth in the Bagley-Keene Open Meeting Act. Pursuant to the Bagley-Keene Open Meeting Act, the following matters may be properly conducted in closed session:

- To consider the appointment, employment, evaluation of performance, discipline or dismissal, as well as to hear charges or complaints about a Commission employee's actions (Government Code Section 11126(a)(1)).
- To confer with or receive advice from legal counsel regarding pending litigation when discussion in open session would prejudice the Commission's position in the litigation (Government Code Section 11126(e)(1)).

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 in the agenda. After the closed session has been completed, the MHSOAC 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.

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 in a sealed envelope 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.

4.11 Teleconference Meetings

Pursuant to the Bagley-Keene Open Meeting Act provides that the MHSOAC or its Committees may hold a meeting by audio or audio-visual teleconference for the benefit of the public and the Commission or Committee (Government Code Section 11123). All PAN requirements apply. (Amd. 7/2012)

4.12 Quorum

A simple majority shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Commissioners present at the meeting duly held at which a quorum is present, shall be regarded as binding. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of Commissioners below a quorum, if any action taken is approved by at least a majority of the required quorum for the meeting.

4.13 Voting

After a motion is made, seconded, and public comment has been heard, the Commission may vote. A Commissioner must be present to vote.

A Commission member 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 he or she "will not participate" and disclose the reasons for the disqualification on the record. This information is noted in the meeting minutes.

A Commissioner may "abstain" from voting, if he or she is entitled to participate, but chooses not to. The reason for not participating need not be disclosed on the record.

Any proposed policy item on the agenda, along with its corresponding language/documents, shall be presented for discussion at a Commission meeting at least one (1) meeting prior to the meeting at which the vote on the issue is taken. (Add 7/2009)

The Commission may take action, by a simple majority, on an agenda item at the same meeting that the item is presented if the Commission deems that there exists a need to take action. (Add 7/2009)

Approval of county MHSA Innovation Plans is exempt from this review schedule and may be voted upon at the Commission meeting at which they are first presented by staff and need not be posted 30 days before the meeting. (Amd. 7/2012)

4.14 Public Comment

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 particular issues and for each individual speaker. (Government Code Section 11125.7)

If the agenda item has already been considered by a Committee composed exclusively of members of the Commission at a public meeting where interested members of the public were afforded the opportunity to address the Committee on the item, additional public comment opportunity at the Commission meeting need not be provided unless the item has been substantially changed since the Committee heard the item. (Government Code Section 11125.7)

The meeting coordinator will request anyone planning to speak to complete a public comment card.

It is the policy of the Commission to vet issues as much as is practical through the MHSOAC standing committees before those issues are brought to the full Commission. It is the responsibility of the committee chair to engage stakeholder participation at the committee level and to report back to the full Commission. Public comment and stakeholder involvement at the committee level does not replace public comment at the Commission meetings.

4.15 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.

4.16 Minutes and Motion Summaries

Minutes and motion summaries of each open session meeting are distributed to Commissioners, the Executive Director, Chief Counsel, and selected staff for review. After review and Commission approval, the minutes and motion summaries are published on the MHSOAC website at: www.MHSOAC.ca.gov. (Amd. 5/2011)

COMMITTEES

5.1 Committee Structure

The MHSOAC shall establish one or more standing Committees as necessary to provide technical and professional expertise pursuant to Welfare and Institutions Code Section 5845 (d)(2). Such Committees provide guidance, review materials, and make

recommendations to the MHSOAC, and, in rare instances, when given delegated authority by the MHSOAC, make decisions on behalf of the MHSOAC. (Amd. 8/2009)

The Commission Chair-elect shall appoint a Chair and Vice-chair for each standing Committee from among the Commission's membership. The Chair and Vice-chair for each standing Committee will assume his or her duties in January following the year he or she was appointed. Each year the Commission Chair may reappoint a Committee Chair and Vice-chair. (Amd. 8/2009; 7/2012)

Ideally each standing Committee shall have a maximum of 15 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. (Amd. 8/2009)

The membership of each Committee will be confirmed every other year in odd numbered years at the January MHSOAC meeting. In the intervening time each Committee Chair has discretion to modify the Committee membership based upon the needs of the Committee. (Added 2/2010. Amd. 5/2011)

If a Committee member cannot attend a Committee meeting the member will 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 (1) Committee meeting without notice or three (3) 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. (Added 2/2010)

The MHSOAC may establish an Operations Committee that is composed of the Chair or the Vice-chair of each standing Committee. The Commission Chair and Vice-chair are the Chair and Vice-chair of the Operations Committee. The Operations Committee is exempt from the public membership listed above and it is not authorized to take policy positions on behalf of the Commission unless the Commission specifically delegates such authority. (Add 8/2009. Amd. 5/2011)

5.2 Compensation and Expenses

Commissioners, staff, agendized presenters, and active Committee members will be reimbursed in accordance with State per diem laws. Also, any reasonable business expenses incurred will be reimbursed as authorized by the Commission. On a case-by-case basis a Committee member designee may also be reimbursed in accordance with the State per diem laws.

5.3 Open Meetings

The principal law that governs the meetings of the MHSOAC and its Committees is the Bagley-Keene Open Meeting Act which is set forth in Government Code Sections 11120 et seq.

5.4 Public Agenda Notice (PAN)

A Notice of any Committee meeting must be given and made available on the MHSOAC website at www.MHSOAC.ca.gov, at least ten (10) calendar days before the meeting. The PAN will also be emailed to the MHSOAC list-serve. Any person who requests a PAN in writing must be sent a copy. The notice must include:

- Name, address, and telephone number of the individual who can provide additional information prior to the meeting
- Address of the internet site where notices are posted
- Specific agenda for the meeting containing a brief description of the items of business to be transacted or discussed.

Upon request by a person with a disability the PAN 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 PAN 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. (Amd. 5/2011)

WORKGROUPS

6.1 Establishment of Workgroups

The MHSOAC and its Committees may establish Workgroups to focus on a specific dimension of the Commission's or Committees' work. The Workgroups are project focused with specific time limited deliverables.

The membership of the Workgroups will consist of a smaller body of Committee members who volunteer or are appointed by the Committee Chair and Vice-chair.