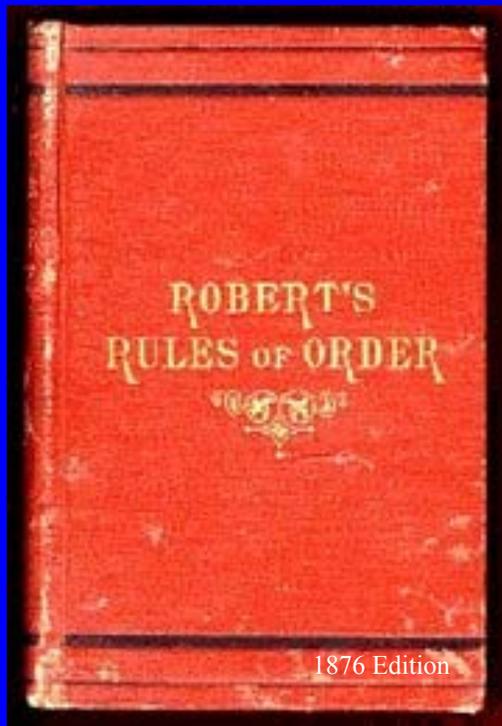




April 25, 2008

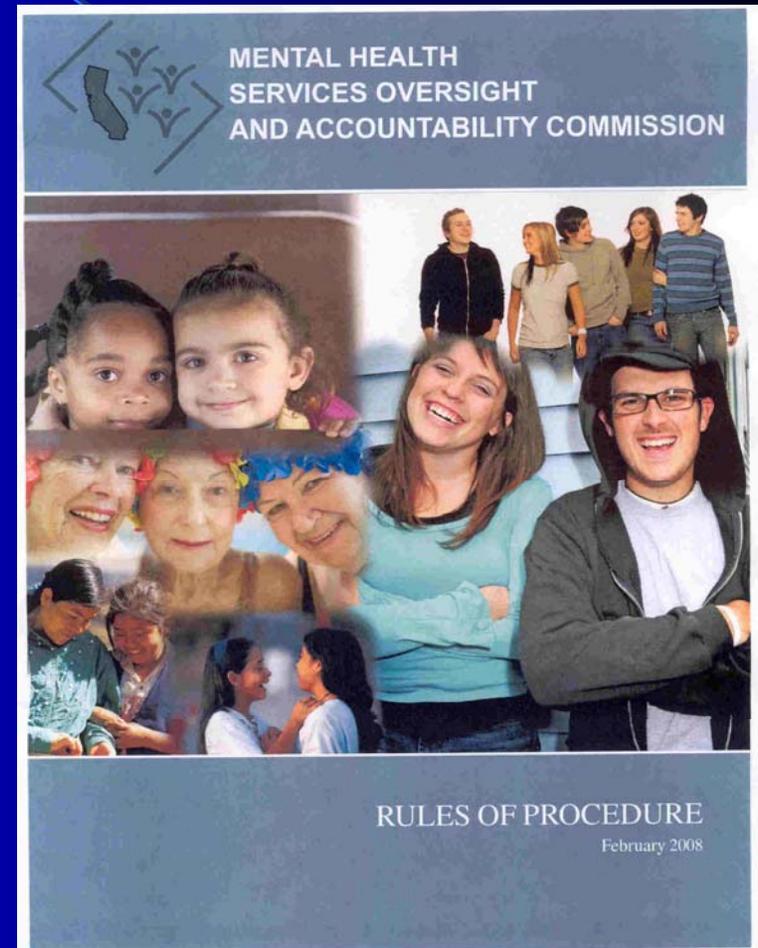
DEFINITION



“...Written rules of parliamentary procedure adopted by a deliberative assembly, which detail the processes used by the body to make decisions.”

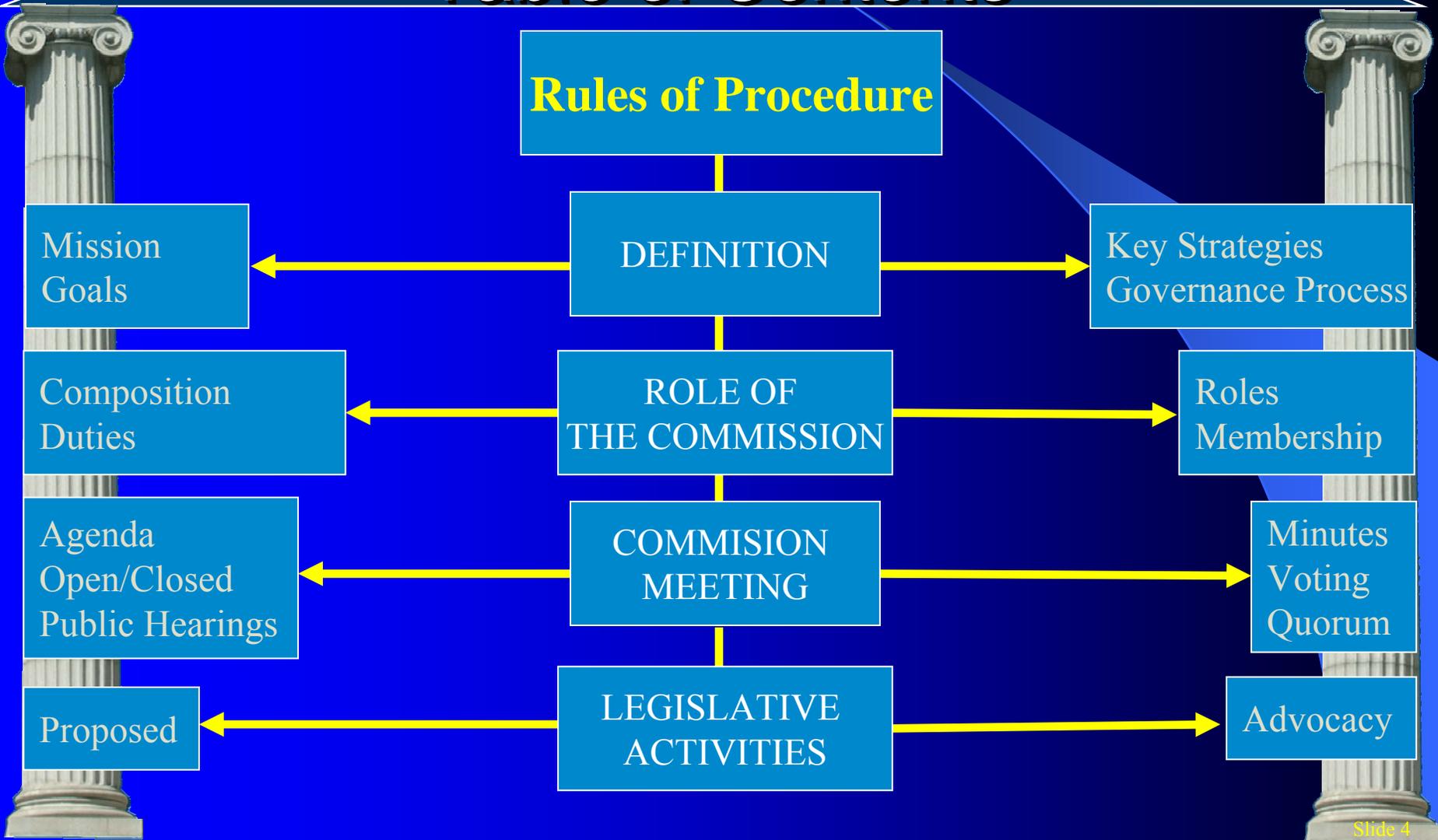
RULES OF PROCEDURE

- ▶ **First 5 California: Commission Proceedings Manual**
- ▶ CA Transportation Commission (CTC)
- ▶ **CA Integrated Waste Management Board**
- ▶ Bylaws of the CA Travel and Tourism Commission
- ▶ **Bagley-Keen Open Meeting Act 2004**
- ▶ MHSOAC Work Plan 2006

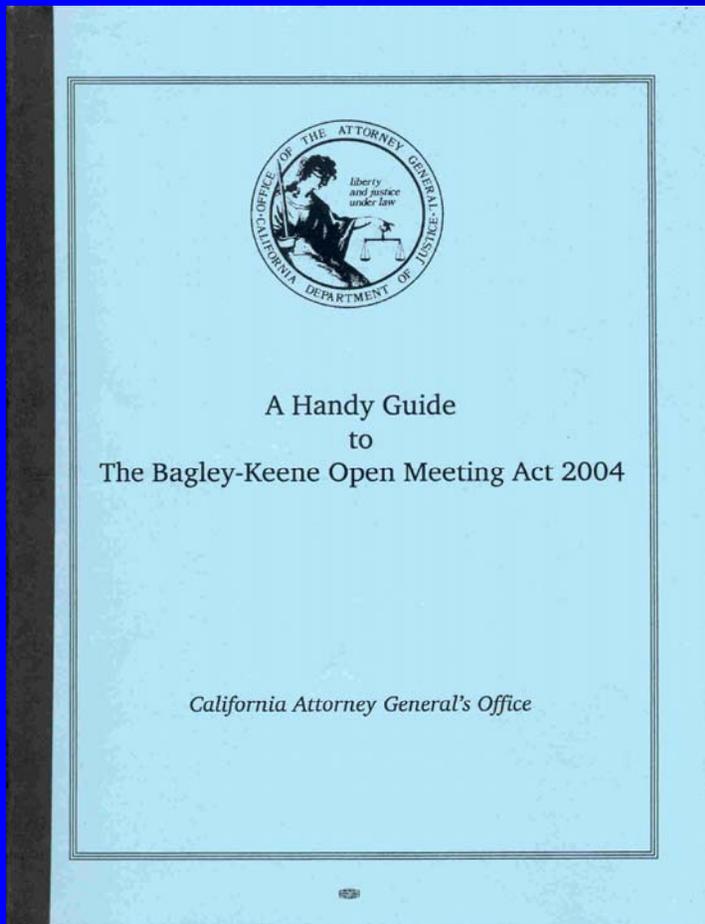


ARCHITECTURE

-Table of Contents-



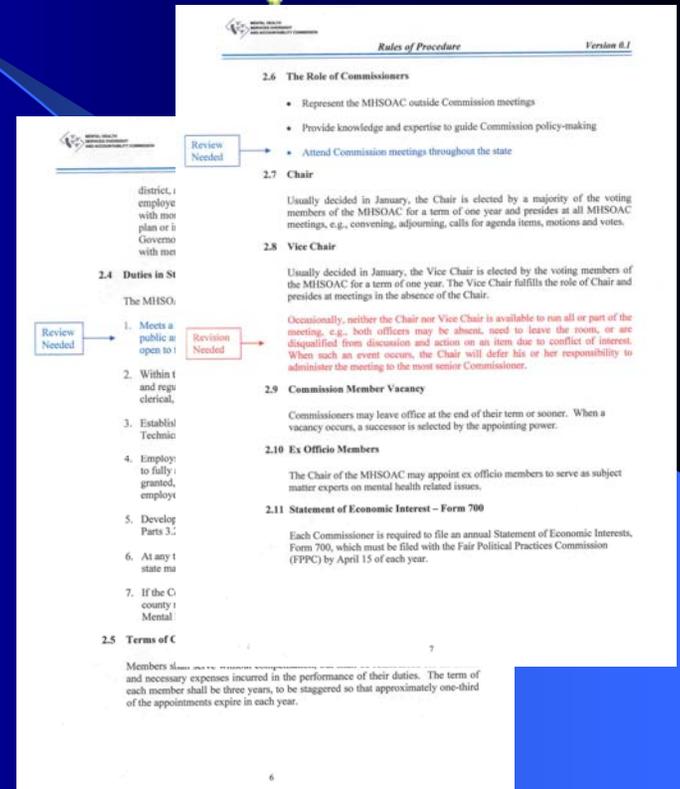
GOVERNING PRINCIPLES



“... When a body sits down to develop consensus, there needs to be a seat at the table reserved for the public (Gov. Code Section 11120).”

DRAFT STRUCTURE

- ▶ Review Needed
- ▶ Revision Needed
- ▶ Pending Information



REVIEW NEEDED

- 2.6 Role of Commissioners
- 2.13 Committee (s) Structure
 - 2.13.1 Technical Resource Group
 - 2.13.2 Workgroups
- 3.0 Legal Counsel
- 4.0 Commission Meetings
- 4.3 Agendas
- 4.4 Request for Item
- 4.5 Time Allocation
- 4.7 Pre-Meeting Conference

 *Rules of Procedure* *Version 0.1*

district, a representative of a labor organization, a representative of an employer with less than 500 employees and a representative of an employer with more than 500 employees, and a representative of a health care services plan or insurer, all appointed by the Governor. In making appointments, the Governor shall seek individuals who have had personal or family experience with mental illness.

2.4 Duties in Statute

The MHSOAC performs the following duties:

Review Needed →

1. Meets at least 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
2. Within the limit of funds allocated for these purposes, pursuant to the laws and regulations governing state civil service, employs staff, including any clerical, legal, and technical assistance as may appear necessary
3. Establishes Technical Resource Groups, such as the Client and Family Technical Resource Group
4. Employs all other appropriate strategies necessary or convenient to enable it to fully and adequately perform its duties and exercise the powers expressly granted, notwithstanding any authority expressly granted to any officer or employee of state government
5. Develops strategies to overcome stigma and accomplish all other objectives of Parts 3.2, 3.6 and the other provisions of the Act establishing this Commission
6. At any time, advises the Governor or the Legislature regarding actions the state may take to improve care and services for people with mental illness
7. If the Commission identifies a critical issue related to the performance of a county mental health program, it may refer the issue to the Department of Mental Health, pursuant to WIC Section 5655

2.5 Terms of Commissioners

Members shall serve without compensation, but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties. The term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year.

6

REVIEW NEEDED

-Continued-

- 4.8 Public Agenda Notice (PAN)
- 4.10 Closed Sessions
- 4.13 Motions
- 4.15 Voting
- 5.0 Legislative Activities



MENTAL HEALTH SERVICES BOARD AND ACCOUNTABILITY COMMISSION

Rules of Procedure *Version 0.1*

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REVISION NEEDED



2.6 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

Review
Needed

2.7 Chair

Usually decided in January, the Chair is elected by a majority of the voting members of the MHSOAC for a term of one year and presides at all MHSOAC meetings, e.g., convening, adjourning, calls for agenda items, motions and votes.

2.8 Vice Chair

Usually decided in January, the Vice Chair is elected by the voting members of the MHSOAC for a term of one year. The Vice Chair fulfills the role of Chair and presides at meetings in the absence of the Chair.

Revision
Needed

Occasionally, 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. When such an event occurs, the Chair will defer his or her responsibility to administer the meeting to the most senior Commissioner.

2.9 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.

2.10 Ex Officio Members

The Chair of the MHSOAC may appoint ex officio members to serve as subject matter experts on mental health related issues.

2.11 Statement of Economic Interest – Form 700

Each Commissioner is required to file an annual Statement of Economic Interests, Form 700, which must be filed with the Fair Political Practices Commission (FPPC) by April 15 of each year.

- 2.8 Vice Chair

PENDING INFORMATION



3.0 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 experience of Chief Counsel is imperative, with permission from the Attorney General.

Review Needed

3.1 Counsel Hiring

The MHSOAC is ultimately responsible for hiring and discharging the Chief Counsel. As general practice, the MHSOAC and the Executive Director shall participate jointly in hiring and discharging the Chief Counsel.

Pending: Counsel Hiring

The MHSOAC is responsible for evaluating the Chief Counsel's performance. The Executive Director's input shall be solicited in evaluating the performance of the Chief Counsel.

3.2 Informal and Formal Opinions/Duties

The MHSOAC or Executive Director may ask the Chief Counsel to provide an opinion regarding a Commission matter. The Chief Counsel may provide informal opinions verbally or in writing. Formal opinions are initiated by a written request from the Executive Director on behalf of the MHSOAC.

Counsel generally writes formal opinions for MHSOAC approval at the Commission's direction when an issue involves the following:

- Interpreting new or existing law
- Informing the MHSOAC of material legal issues impacting the MHSOAC or the Executive Director
- Providing legal advice regarding conflict-of-interest issues
- Assist Commissioners and individual members in complying with applicable statutes and laws
- Coordinating responses to public record requests
- Applying an existing rule to a set of facts significantly different from those found in previously published formal opinions

- 3.1 Counsel Hiring

QUESTIONS?

MHSOAC

Mental Health Services
Oversight and Accountability Commission

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