

**BYLAWS OF
NEVADA CHILDREN’S BEHAVIORAL HEALTH CONSORTIUM**

Article I

Name

The name of this organization shall be the Nevada Children’s Behavioral Health Consortium, which in these Bylaws will herein be referred to as the “Consortium.”

Article II

Purpose

Section 2.1 Mission

The mission of this Consortium is to serve as a clearing house and steering body to advocate on behalf of Nevada’s children/youth and their families for timely access to an array of behavioral health treatment services and supports, which meet their needs in the least restrictive environment that are delivered according to the values of a system of care. To do so, the Consortium will advocate, provide input, and guidance regarding service and policy development and financing strategies to support quality service delivery. The Consortium will serve as the mechanism by which system stakeholders can act in concert to ensure that children’s/youth’s needs are met by serving as the voice to the four regional behavioral health policy boards regarding the regional needs of children/youth and their families, based on the identification of common themes articulated by the three regional consortia (Clark, Rural, and Washoe) established under NRS 433B.333 and NRS 433B.335.

Section 2.2 Place of Business

The Consortium may have such place or places of business as the purposes of the Consortium might require, and as Consortium members may, from time to time, appoint.

Article III

Consortium Members

Section 3.1 Voting Membership

The Consortium shall consist of at least the following persons:

- representative of the Division of Child and Family Services;
- representative from Aging and Disability Services Division;
- representative of the agency which provides child welfare services in Clark County;
- representative of the agency which provides child welfare services in Washoe County;
- representative of the Division of Health Care Financing and Policy;
- representative of the Washoe County school district;
- representative of the Clark County school district;
- representative of juvenile services in Washoe County;
- representative of juvenile services in Clark County;
- representative of each Consortium (Rural, Clark and Washoe);
- representative of the Substance Abuse Prevention and Treatment Agency;
- representative of private provider of mental health care;
- representative parent of an emotionally disturbed child (one from each regional mental health consortia: Rural, Clark and Washoe);
- representative from a tribal provider of juvenile mental health services;

Approved by the Consortium: 9/27/2018
Date

Approved by the Attorney General’s Office: _____
Date

- representative of group home provider (north and south);
- representative from the Division of Public and Behavioral Health;
- representative of provider of child/adolescent substance abuse treatment and prevention services;
- representative of an advocacy group;
- representative of the Commission on Behavioral Health' Subcommittee on the Mental Health of Children.

Consortium representation beyond the above list of members may include:

- representative youth from regional mental health consortia (Rural, Clark and Washoe);
- representative of Family Court (Rural, Clark and Washoe)
- representative of Youth

Prospective members will be asked to complete an application before being selected as a member of the Consortium.

The maximum number of voting Consortium members shall not exceed thirty-one (31).

Section 3.2 Composition

The Consortium shall be composed of the officers and members of the Consortium. Consideration shall be given to retaining the geographic balance of the Consortium. Qualified persons are considered for membership without regard to race, color, religion, sex, sexual orientation, national origin, age, political affiliation or disability.

Section 3.3 Appointment

Upon the recommendation of the Consortium, director of the Department of Health and Human Services (hereinafter, "Director") shall appoint persons to the Consortium.

Section 3.4 Terms of Office

The members of the Consortium shall hold office until resignation, disqualification, or other cause requires removal.

Section 3.5 Filling of Vacancies

In the case of a vacancy on the Consortium through death, resignation, disqualification, removal, or other cause, the Consortium shall make recommendations to the Director so that the Director may fill the vacancy.

Section 3.6 Consortium Duties

Acting as a Statewide voice, members of the Consortium shall:

- Advocate for the development of a coordinated and integrated behavioral health system for children/youth and families in Nevada;
- Advocate and support the further development and/or refinement of the behavioral health system to meet the needs of children/youth and their families statewide;
- Advocate for services and supports customized to meet the needs of Nevada's children/youth and their families;
- Support the refinement, development and/or expansion of human resources to meet the needs of children/youth and their families;
- Advocate for behavioral health changes in policy, practice, and financing to improve the system of care for children/youth and their families;

- Adhere to System of Care principles; and
- Collect, synthesize, and coordinate feedback/information from the three regional consortia (Clark, Rural and Washoe), based on each region's unique needs, and provide to the four regional behavioral health policy boards and other decision-making bodies, committees, etc.;
- Provide input to the Commission on Behavioral Health
- Provide input or advocate needs to Division of Child and Family Services and other related Divisions under the Department of Health and Human Services from a broad array of stakeholders from the System of Care

Section 3.7 General Powers

The property and business of the Consortium shall be managed by the Consortium who shall exercise all powers under the law of the State of Nevada and other such provisions of federal and state law and regulations as may apply to the Consortium.

Section 3.8 Attendance

Members are required to attend all regularly scheduled meetings. Members who are unable to attend a meeting must contact the Chair, or his/her designee, prior to the meeting. Attendance via proxy will be permitted. Any member who is absent without informing the Chair, for 4 or more meetings per year, may be asked to resign their position as a voting member. Members who are removed as voting members will receive written notification from the Chair.

Section 3.9 Entitlement of Vote

Each Consortium member shall be entitled to one vote in any manner of general business before the Consortium. A Consortium member may designate an alternate member (proxy) to vote on his or her behalf. This designation by a Consortium member appointing the designee shall authorize the designee to vote in the Consortium member's absence, on all items before the Consortium.

If a member chooses an alternate to vote as a proxy, this authorization must be in writing and presented to the Chair or Chair's Representative. Members are responsible for contacting the Chair to provide information about any changes related to proxy status.

Section 3.10 Conflicts of Interest

In discharging the duties of the Consortium, members shall act at all times in accordance with ethical standards and avoid creating the appearance of impropriety as defined under the laws of Nevada. A Consortium member shall declare his or her conflict, and not participate in the approval, disapproval or recommendation of any application, grant, contract, or any other matter in which he or she has a financial or other beneficial interest.

Section 3.11 Compensation

No Consortium member shall receive compensation for his or her services, unless such compensation is provided directly to the member by his/her employer. Exceptions may be made for parents, family or youth under extenuating circumstances and if funding is available. Consortium members working on behalf of the Consortium may receive reimbursement for expenses.

Section 3.12 Associate Membership

Once the capacity of voting membership has been reached, other persons interested in the activities of the Consortium shall be granted Associate Member status. Associate members shall be afforded the opportunity to become voting members if a vacancy occurs. Associate members may participate in any

and all workgroups. Associate members shall also receive all regular Consortium communication and/or correspondence, such as minutes, agendas, meeting notices, etc.

Article IV
Work Groups

Section 4.1 Work Groups

The Chair may designate one or more work groups with the advice of the Consortium. Such work groups shall have the names and duties as may be determined from time to time and adopt at a regular or special meeting.

Section 4.2 Composition

The Chair shall appoint members of the work groups. Work groups shall consist of no fewer than three (3) members. Members of workgroups are not limited to voting members of the Consortium.

Section 4.3 Work Group Activities

The workgroup's main function is to submit recommendations to the Consortium, which require a quorum and majority vote for acceptance. In some instances the Consortium may grant a workgroup the authority to carry out activities to further the work of the Consortium. In these instances the parameters of the activities will be discussed by the Consortium and voted on during a Consortium meeting prior to a workgroup's meeting.

Workgroup products and deliverables will be Consortium-driven as well as Consortium-supported. All workgroups will be accountable to the Consortium via written reports and minutes. Workgroups will:

- a. Be mission-driven and product-oriented, with an expectation that activities will result in measurable, visible outcomes;
- b. Operate on a timeline established by the Consortium, and agreed to by the Workgroup Chair;
- c. Be designated by the Consortium to fit a specifically identified strategy, rather than a general philosophy;
- d. Utilize formal agendas;
- e. Report progress and results to the Consortium utilizing a formatted report.

All workgroup meetings are subject to the Nevada Open meeting laws, including posting notices, establishing agendas and recording minutes.

Article V
Meetings

Section 5.1 Regular Meetings

The Consortium shall meet at least four times per year at such places as may be determined by the Consortium. All Consortium members shall be given notice no less than seven (7) days prior to such meeting and such notice shall set the time and place of the meeting and agenda. The Nevada Open Meeting Law shall govern such regular meetings.

Section 5.2 Special Meetings

Special meetings of the Consortium shall be held whenever called by the Chair, or whenever called by three (3) or more Consortium members. The Consortium members shall be given notice of each special meeting of the Consortium by mail, by telephone, by fax or by otherwise electronic means seven (7) days prior unless a resolution or agreement or the Consortium requires otherwise. The Nevada Open Meeting Law shall govern such special meetings.

Section 5.3 Agenda

The order of business on the agenda may be determined by the chair, with the assistance of committee members and staff. All agenda items shall be submitted to the secretary, or designee, at least ten (10) working days prior to the scheduled meeting. The format and posting of the agenda shall be in accordance with the Nevada Open Meeting Law.

Section 5.4 Quorum

A simple majority of the Consortium members constitutes a quorum for the transaction of business. An affirmative vote of the majority of those Consortium members who are present at a regular or special meeting at which there is a quorum shall be sufficient to approve or disapprove any motion before the Consortium.

Section 5.5 Business

Unless otherwise indicated in the notice thereof, any and all business may be transacted at any regular or special meeting of the Consortium.

Section 5.6 Minutes

Minutes of each regular, special and workgroup meetings of the Consortium shall be maintained.

Article VI
Officers

Section 6.1 Officers

The officers of the Consortium shall include a Chair, an Immediate Past Chair, a Vice Chair and Secretary. The chair, Vice Chair and Secretary shall come from different regions of the state: therefore one officer shall represent the northern region, one officer shall represent the rural/frontier area, and one officer shall represent the southern region. If a vacancy occurs the representation of the officers shall be maintained to represent the three areas of the state as previously mentioned.

Section 6.2 Selection

After the initial election of officers the regular election of officers shall be held biennially by the second quarterly meeting of the Consortium in even numbered years. In order to preserve Consortium continuity, persons may move progressively upward through the offices.

Section 6.3 Absence or Inability

In the event of absence or inability of any officer to act, the Consortium may delegate the powers or duties of such officer to any other member of the Consortium.

Section 6.4 Removal of Officers

The Consortium may remove any officer, agent whenever in its judgment the best interests of the Consortium shall be therefore served.

Section 6.5 Filling of Vacancies

A special election to fill any vacancy in such offices may be held by the Consortium at the next regularly scheduled meeting after the vacancy occurs. Any officers elected to fill a vacancy shall serve until the next regularly scheduled election of officers.

Section 6.6 Appointments

The Consortium may appoint such additional officers, agents and employees as it deems necessary, who shall hold offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Consortium.

Section 6.7 Chair Duties

The Chair shall see that the orders and resolutions of the Consortium are carried into effect. The Chair shall preside at meetings of the Consortium. Additionally, the Chair, or designee, shall represent the Consortium at all meetings where the Consortium has been requested to attend.

Section 6.8 Vice Chair Duties

The Vice Chair shall carry on the duties of the Chair in the Chair's absence.

Section 6.9 Secretary Duties

The Secretary, or designee, is the recording officer of the Consortium and the custodian of records. The Secretary, or designee, shall keep the minutes and audio recordings of all meetings, certificates, contracts, resolutions, and all Consortium acts that shall be open to the inspection of the public and all interested parties.

Article VII
Dissolution

Upon dissolution of the Consortium, Consortium members shall, after paying or making provision for the payment of all liabilities of the Consortium, transfer all of the assets of the Consortium to the Department of Health and Human Services.

Article VIII
Savings Clause

Should any provision contained in these Bylaws, or any amendments hereafter, be found to be unlawful or contrary to public policy by any court or competent jurisdiction or any authority having jurisdiction in such matters, such decisions or ruling shall in no way be construed so as to affect any of the remaining provisions of these Bylaws or any amendments thereto.

Article IX
Amendment to the Bylaws

The Consortium shall have the power and authority to amend, alter or repeal these Bylaws or any provision thereof, and may, from time to time, make additional Bylaws by a vote of a majority of those Consortium members who are present at a meeting at which there is a quorum. Proposed changes to the Bylaws must be presented at one meeting of the Consortium and may not be amended, altered or repealed until a subsequent meeting of the Consortium.

Article X
Miscellaneous

Section 10.1 Fiscal Year

The fiscal year of the Consortium shall be from July 1 to June 30.

Section 10.2 Notices

Whenever, under the provision of these Bylaws, notice is required to be given to any Consortium member, it shall be construed to mean personal notice, unless otherwise specified in these Bylaws. The notice shall be given in writing, by United States mail, by telephone, by fax or by other electronic means, unless a resolution or agreement of the Consortium members requires otherwise.

Section 10.3 Parliamentary Authority

Consortium Meetings shall be conducted in accordance with NRS Chapter 241, known as Nevada Open Meeting Law. So far as practical, and where not in conflict with applicable law, Robert's Rules of Order Newly Revised, shall be complied with at the meetings of the Consortium.

Article XI
Nondiscrimination Policy

Section 11.1 Membership and Officers

The Consortium does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, or sexual orientation with respect to membership on or the election to the position of officers for the Consortium.

Section 11.2 Nondiscrimination Policy

The Consortium does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, or sexual orientation with respect to its membership on the Consortium, the opportunity to be heard at meetings, or its discharge of its official duties, including but not limited to, its plan for delivery of mental health services.

Article XII
Complaints

Section 12.1 Complaint Rights

Complaints are limited to deviations from or violations of the Bylaws established by the Nevada Children's Behavioral Health Consortium.

Section 12.2 Complaint Procedure

1. The complaint process will be fair, impartial and responsive to all parties.
2. A grievant shall not be discriminated against, nor suffer any retaliation, as a result of filing or participating in the complaint process.
3. A complaint or grievance must be submitted to one of the people noted on the bottom of the Complaint Form within 30 days of the date the alleged episode causing the complaint became known.

4. Upon receipt of a complaint the Consortium Chair will form an Ad Hoc Complaint Workgroup to address and resolve the complaint. The membership of the Ad Hoc Complaint Workgroup will not include anyone associated with the complaint.
5. The Complaint Workgroup shall address complaints for the Consortium, including making a formal recommendation to the Consortium. The Complaint Workgroup will bring the formal recommendation before the Consortium at the next regularly scheduled Consortium meeting, which will be presented as an agenda item. The Consortium will then, by majority vote, agree or disagree with the Complaint Committee's formal recommendation in determining the final action regarding the complaint. If the Consortium agrees with the grievant it must suggest how the complaint may be remediated or resolved. If the Consortium disagrees with the complaint it must state why, and if appropriate, offer an alternative suggestion. The Grievant may attend in person, or, if not in person, elect to submit a letter on his or her behalf. NRS 241.033 and 241.035 permit the Complaint Workgroup to address all issues of the complaint in a closed hearing/meeting provided the specific elements of the statute are followed.
6. Any complaint filed must be submitted on the "Nevada Children's Behavioral Health Consortium Complaint Form."
7. In the event the Grievant does not agree with the Consortium's final decision, the grievant may appeal to the Director of the Department of Health and Human Services.

By These Present:

The undersigned, the Secretary of the Consortium, organized and existing under the laws of the State of Nevada, does hereby certify that the foregoing Bylaws, consisting of twelve (12) articles, were duly adopted as the Bylaws of the Consortium by appropriate resolution of the members of the Nevada Children's Behavioral Health Consortium on this 27th day of September, in the year 2018.

Secretary, Nevada Children's Behavioral Health Consortium

ADOPTED AND APPROVED this 27th day of September , 2018 .

Chair, Nevada Children's Behavioral Health Consortium

APPROVED:

Richard Whitley
Director, Department of Health and Human Services

**NEVADA CHILDREN'S
BEHAVIORAL HEALTH CONSORTIUM
COMPLAINT FORM**

Name of Person filing Complaint: _____

Consortium member: Yes _____ No _____

If no, how represented: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address: _____

I. STATEMENT OF COMPLAINT

1. Please state how you believe the Nevada Children's Behavioral Health Consortium or any one or more of its members deviated from its established Bylaws, and the date the Consortium decision was made or when the conduct occurred.

2. Please state how you were or are directly affected by the decision of the Consortium or one or more of its members.

II. STATEMENT OF SUGGESTED REMEDY

1. Please state what action you would like the Consortium to take to resolve the problem.

2. Any other comments or information you would like to provide?

I affirm the above statements are true and accurate to the best of my knowledge.

Signature of Grievant

Date

Approved by the Consortium: 9/27/2018
Date

Approved by the Attorney General's Office: _____
Date

Please return this Complaint Form within 30 days you believed the alleged grievous action occurred to:

Chris Empey , Chair
NV Children's Behavioral Health Consortium

Michelle Sandoval, Secretary
NV Children's Behavioral Health Consortium

OR

Once these positions are filled the names and addresses will be included in this section