

# **Massachusetts State Mental Health Planning Council**

## **BYLAWS**

**Effective November 15, 2021**

**Revised May 31, 2023**

### **ARTICLE I – NAME AND AUTHORITY**

The name of this council shall be the Massachusetts State Mental Health Planning Council (SMHPC or Council). The Council operates under the authority of the State Mental Health Authority (SMHA) for Massachusetts, the Department of Mental Health (DMH). The SMHPC is a subcommittee of the Commissioner’s Mental Health Advisory Council established by M.G.L. Chapter 19, Section 11 and 104 CMR 26.04.

### **ARTICLE II – PURPOSE AND CHARGE**

The purpose of the Council is to advocate for individuals of all ages in the Commonwealth who are at risk for, or have, mental health conditions and their families, and advocates for decision making and actions that protect and advance their health and well-being. As part of this, the SMHPC reviews the Federal Mental Health Block Grant application as mandated by federal statute, Public Law 102-321 and provides a forum to collaborate with DMH and other stakeholders to identify needs, share learning, propose solutions and inform policy development aimed to improve the comprehensive community-based system of behavioral health services in the Commonwealth. The Council focuses its duties to influence the public mental health system in a manner consistent with its purpose.

### **ARTICLE III - VISION AND MISSION STATEMENT**

#### **VISION STATEMENT**

The Council shall promote respect, dignity and access to prevention, early intervention, health engagement and activation, housing, employment and other support services that encourage individuals of all ages and their families to develop resilience, fully recover and be productive members of their communities.

## **MISSION STATEMENT**

The Council provides informed advice and perspective to DMH on key policy and program issues affecting both individuals of all ages in the Commonwealth who are at risk for, or have, mental health conditions as well as their families, and advocates for decision-making and actions that protect and advance their health and well-being.

### **Guiding Principles:**

This advice and advocacy shall be aligned with the following guiding principles:

- Mental Health is a key part of overall health;
- Integration of mental health, substance use, and primary care services produces the best outcomes and proves the most effective approach to caring for people of all ages with behavioral health conditions and multiple healthcare needs;
- Promotion of prevention, early intervention, resiliency, and recovery as well as fair and timely access to health care, income, education, employment, and housing are important for the protection of and improvement of mental health and behavioral health;
- It is important to foster the strengths of individuals of all ages with lived experience, their families, communities, and the organizations serving them;
- Innovative evidence-based programs and best practices should be regularly examined for applicability to, and replication in, Massachusetts and promising models should be identified and pursued for implementation;
- It is important to foster an understanding of social determinants of mental health and incorporate that understanding in policy and program planning;
- Alignment of mental health policy across all state government agencies will promote better efficiency and effectiveness in providing individuals of all ages and their families with the mental health services and supports they need.

The Council shall periodically review its Vision and Mission Statement to determine its currency. If the Council determines that either the Vision and/or Mission Statement need revision, the Council shall direct the Co-Chairs to revise either or both of these and present them to the Council for review and approval.

## **ARTICLE IV– MEMBERSHIP**

### **Qualifications**

Membership in the Council membership shall follow the requirements set forth in Public Law

102-321 and amendments thereto, as well as DMH regulations 104 CMR 26.00, and any subsequent regulations pertaining to Council membership. All members must be residents of Massachusetts.

At least 50 percent of the members of the Council, in accordance with the SAMHSA Mental Health Block Grant application, shall include:

- Individuals in recovery (to include those with lived experience of a mental health condition or emotional distress or trauma resulting in significant life disruption);
- Family members of individuals in recovery (to include those with lived experience of a mental health condition or emotional distress or trauma resulting in significant life disruption);
- Parents of children with Serious Emotional Disturbance (SED);
- Advocates who are not state employees or providers;
- Persons in recovery from or providing treatment for or advocating for Substance Use Disorder (SUD) services;
- Representatives from federally recognized tribes;
- Youth/adolescent representatives.

Additional Council members, representing no more than 50 percent of the members of the Council, shall include:

- State employees, including one or more representatives from the following state agencies:
  - Department of Mental Health
  - Department of Public Health
  - Department of Developmental Services
  - Department of Children and Families
  - Department of Corrections
  - Department of Elementary and Secondary Education
  - Department of Housing and Community Development
  - Massachusetts Rehabilitation Commission;
- Providers of mental health services.

Additional Council members may include:

- Individuals/Family members from diverse racial, ethnic and LGBTQ populations;
- Providers from diverse racial, ethnic, and LGBTQ populations

## **Membership**

Any individual meeting the criteria to serve as a member of the Council may apply for Council membership by submitted a written application and any additional documentation the Council may require.

Applicants for and members of the Council shall be required to disclose any work regularly performed for pay or as a volunteer for a provider of publicly funded mental health services. No term limit exists for membership in the Council.

The members of the Council shall serve without pay. A stipend is available to cover costs associated with travel to attend meetings of the SMHPC and other meetings and activities as which they will officially represent the SMHPC. Council members who wish to receive such stipend shall complete any necessary paperwork required by the Commonwealth.

## **ARTICLE V –COUNCIL CHAIRS**

The Council shall elect an Adult Chair and Young Adult Chair (Chairs) by a majority vote of the Council members, based on recommendations by a Nominating Committee and subject to the approval of the Commissioner. The Chairs will serve as co-chairs of the Council. The Council shall allow the election of up to two Adult and Two Young Adult Chairs if the Nominating Committee recommends more than one candidate and the Council votes to elect either two Adult or two Young Adult Chairs.

Terms for Chairs will be three years, coterminous with the Commonwealth's fiscal years; provided, however, that a Chair shall continue to serve until a successor is elected by the Council and approved by the DMH Commissioner. A Chair may seek re-election for one consecutive term. If a former Chair is not serving as a Chair in a current term, that individual may seek election as a Chair.

The Young Adult Chair shall be between age 18 and 30 at the time of their election. Any Young Adult Chair who reaches age 31 and completes an elected term may not seek another term as Young Adult Chair but may seek election as an Adult Chair.

The Council Chairs shall together preside over all meetings of the Council. If a Chair is not present at a meeting, the other Chair, either Adult or Young Adult, will preside over the meeting. If none of the Chairs are available, the meeting will be rescheduled for a time in which at least one Chair is available to lead the meeting.

The Chairs shall see that all motions and resolutions of the Council are discussed and acted upon by the Council. This includes having Council subcommittees or individual Council members take action on items raised and approved at Council meetings.

The Chairs shall perform other duties as the Council may prescribe. The Chairs serve as the official points of contact for the Council.

The Chairs shall be the signatories for all official Council correspondence.

### **Vacancies**

The Council may recommend removal of a Chair whenever, in its judgment, the best interests of the Council would be served by such removal. A Recommendation to Remove shall be approved by a majority vote of the Council and will be referred to the DMH Commissioner for approval. Such removal shall not affect the individual's Council membership.

A Chair may resign at any time by giving written notice, in the form of a Letter of Resignation, to the Council. Upon recommendation of the Council, as provided below, the Commissioner may appoint a successor Chair to fill a vacancy caused by resignation. Such appointment shall be for the remaining term of the Chair who has resigned.

## **Executive Committee**

The Executive Committee consists of the Chairs and the Steering Committee Chair as described below, and such Committee shall perform its duties in consultation with the DMH Commissioner or designee.

After discussion among the Chairs and the Commissioner or designee, to the extent feasible, the Chairs shall set the agendas for meetings of the Council and recommend action to the Council.

In guiding the Council, the Executive Committee shall consider the suggestions, requests, and expressions of the full Council membership. Recognizing that in the interim between properly called meetings of the Council, the Chairs may be called upon to take action, especially upon the request of the DMH Commissioner, the Chairs are authorized to take action during such interim periods, subject to ratification by the Council at its next scheduled meeting..

## **Nominating Committee**

A Nominating Committee shall be formed when a vacant Chair position exists, either through the completion of a term, resignation, or removal. The Nominating Committee shall consist of five members of the Council, one of whom shall be the remaining co-Chair. The remaining co-Chair shall select the other members of the Committee, which may include the former co-Chair so long as the former co-Chair has not been removed from office as provided herein. The Nominating Committee shall solicit interest in the Chair position from the Council or individuals referred by the Council. In addition, the remaining Chair or Chairs will also, during a Council meeting, ask if any individual on the Council is interested and wants to nominate themselves or another Council member. Any individuals nominated in this manner will be submitted to the Nominating Committee. Individuals who are interested in being appointed as co-Chair shall submit an application and such supplemental documentation as the Committee shall determine. The Committee shall, review all application-related documentation, and conduct interviews of those who submit an application for the Chair position. The Nominating Committee shall submit the top two candidates the Committee recommends for the vacant position to the current Chair or Chairs. The Chair or Chairs will select one or two finalists to recommend to the Commissioner for approval.

## **ARTICLE VI - STANDING COMMITTEES**

Participation on at least one Standing Committee is a requirement of each Council member.

Committee Chairs shall be responsible for keeping minutes of committee meetings and for reporting activities to the Council.

The Standing Committees include:

- Steering Committee;
- Housing Committee;
- Transformation Committee (Transcom);
- Employment Committee;

- Older Adult Mental Health Collaborative Committee; and
- Statewide Young Adult Council.

Other committees may be appointed by the Council Chairs as the Council shall from time to time deem necessary or expedient to carry on the business of the Council. These Committees will perform work consistent with the vision and mission of the Council and fill a need that cannot be fully addressed by one of the existing Committees. Members may suggest and serve on such ad hoc committees in order to further the activities of the Council.

All Committee Chairs will be selected by a majority of members of the respective Committees.

The Standing Committee Chairs and ad hoc Committee Chairs shall only have the authority to make decisions as may be specifically assigned by a majority of a quorum of the Council at a properly called meeting of the Council.

The Steering Committee will consist of the chairs of each Standing Committee to encourage collaboration across Standing Committees. A Steering Committee Chair will be elected from members of the Steering Committee and serve as meeting facilitator and liaison to the Council Chairs.

## **ARTICLE VII – MEETINGS**

The Council is subject to the Commonwealth’s Open Meeting Law. All Council meetings shall be held in accordance with the provisions of such law including applicable requirements for conducting business in executive session when necessary.

The Council shall meet at least quarterly. All meetings of the Council shall be open to the public, with a reasonable time set aside for members of the public to address the Council.

Members of the public shall be permitted to propose “new business” for the next meeting of the Council. Subject to approval of the Council, such new business shall be placed on the next Council meeting agenda.

No later than 10 days before each scheduled SMHPC meeting the Council Co-Chairs shall set the meeting agenda and discuss other business to bring forth to the Council for deliberation.

### **Rules of Order**

In all procedural matters not governed by these Bylaws, the Chairs shall determine questions of order, subject to being overruled by a majority of a quorum of the Council present at the meeting.

### **Quorum**

A quorum of the Council shall consist of 50% or more of the Council members as of the day prior to the meeting. The Council may take official action only when a quorum is present, which all references in these By-Laws to a majority vote of the Council shall mean a majority vote of a quorum of members present at a duly called meeting of the Council

### **Alternates and Abstention**

There shall be no proxies for meetings of the Council. However, state employees and members of advocacy organizations who are designated as members by virtue of their office or advocacy organization representation may appoint a designated alternate to attend meetings in their stead, and such alternate may cast a vote.

Members are subject to the Massachusetts Conflict of Interest Law, M.G.L c. 268A. A member who may have a conflict of interest with any item being voted on in Council session or Executive Committee shall make full disclosure and refrain from voting as required by Chapter 268A.

Any member may raise the issue of any potential conflicts of interest which shall be discussed and resolved before the vote is taken.

### **Remote Participation**

Meetings should, if possible, be held in person; provided however, that remote participation of individual members may be permitted consistent with the requirements of the Open Meeting Law.

### **ARTICLE VIII – ANTI-DISCRIMINATION**

The Council shall not discriminate against individuals or entities based on race, color, religious creed, ethnicity, national origin, ancestry, sex, gender identity, age, criminal record, handicap (disability), mental illness, retaliation, sexual harassment, sexual orientation, active military status, genetics, or otherwise as prohibited by law.

### **ARTICLE IX – AMENDMENT AND REVISION OF BYLAWS**

These Bylaws may be amended at any time, provided that any such potential amendment is approved by a majority of a quorum of the Council, present at a meeting and approved by the Commissioner or Commissioner's designee.