

**MENTAL HEALTH COMMISSION
AD HOC BYLAWS COMMITTEE
MEETING MINUTES**

Thursday October 26, 2017 – FINAL

At: 1340 Arnold Drive, suite 200 in Martinez- small conference room

Agenda Item / Discussion	Action / Follow-Up
<p>I. Call to Order / Introductions: Chair, Meghan Cullen, called the meeting to order @3:39pm.</p> <p><u>Members Present:</u> Sam Yoshioka, District IV Gina Swirsding, District I Meghan Cullen, District V</p> <p><u>Members Absent:</u> Duane Chapman, District I</p> <p><u>Other Attendees:</u> Margaret Netherby, NAMI representative (arrived @3:45pm) Leslie May (arrived @3:51pm) Erika Raulston (arrived @3:51pm) Adam Down- MH Project Manager</p>	<p>EA-Transfer recording to computer</p>
<p>II. Public Comment:</p> <ul style="list-style-type: none"> • none 	
<p>III. Chair announcements:</p> <ul style="list-style-type: none"> • none 	
<p>IV. Committee member comments/announcements:</p> <ul style="list-style-type: none"> • Due to the poor air quality because of North Bay fires, meeting scheduled for October 12, was cancelled. • Poor air quality causes health problems for some the members 	<p>*</p>
<p>V. Approval of the minutes for September 14, 2017 meeting Gina Swirsding motioned to approve the minutes, seconded by Meghan Cullen</p> <ul style="list-style-type: none"> • Sam stated that the statement- regarding item VI, on page 2 of 3, “bullet 8: In California... regarding which term to use: “Behavioral Health or Mental Health” should not be made, since a decision has not been rendered referencing the usage of either term. • Another member responded to the conflicting messages of each term • Chair noted that in the previous meeting the members had discussed that the term in the current Bylaws was outdated and needed to reflect the current changes. • A clinician, present at the meeting, commented that “Behavioral Health Services” encompasses a larger community; various behaviors of people that have different types of mental health issues, it is a “kinder term,” because it reflects to other agencies to have more respect for the fact that different diagnosis cause certain 	<p>*EA will consult with Supervisor regarding comments referenced, during the “minutes” discussion.</p> <p>*EA will complete draft minutes and include in the next meeting’s packet.</p> <p>*EA will finalize minutes and post approved minutes of meeting 9/14/17</p>

<p>behaviors, that may be uncontrollable at times. It is better to use behavioral health, rather than mental health, because the term is more universal, including with dual diagnosis.</p> <ul style="list-style-type: none"> • Chair would like to refer the term for further investigation to EA and Adam to report back to the committee regarding which term should be used in the Mental Health Commission’s bylaws. The determined term needs to be consistent throughout the document. • Sam states that the switch, regarding the term has not been made and disagrees with the comments made. Also stated that changing the term will cause confusion since the terms have not been dealt with. • Sam made another reference was made regarding page 1, Article II in the redlined Bylaws- it was clarified that reference can be discussed in item VI in the agenda. The reference made has no relevancy to the minutes. • Sam- regarding page 3 of 3, item VI, second bullet referencing “Article IV, section 1.3, under “Membership Restrictions...” currently stating that County employees cannot become Commission members but there is a California Law that states that employees can participate and become members. Wants the copy of the law that was reference, which was supplied at the prior meeting by Gina, who brought up the change and issue because of some County employees/consumers, that would like to apply for membership, and currently cannot because of the current Bylaws. In addition, referenced that the Board of Supervisors all agreed that only the BOS has the authority to appoint members and any reference made that the MHC will interview or accept applications for membership needs to be stripped from the document. • The law referenced is the WELFARE AND INSTITUTIONS CODE (WIC), DIVISION 5. COMMUNITY MENTAL HEALTH SERVICES, CHAPTER 1. UNDER GENERAL PROVISIONS, CODE SECTION 5604, paragraph 2, which reads as follows: “A consumer of mental health services who has obtained employment with an employer described in paragraph (1) and who holds a position in which he or she does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the board. The member shall abstain from voting on any financial or contractual issue concerning his or her employer that may come before the board”. The law, in its entirety was provided in the meeting packet for the 10-26-17 meeting. • The matter was further explained that the reasoning for bringing up the issue is to verify if consumers, currently employed by the County, can become mental health commission members. • Sam- on page 3 of 3, item VI, final bullet states “Once a proposal has been completed, the proposed bylaws will be submitted to the Mental Health Commission for approval to forward to the Board of Supervisor’s (BOS) for approval. Stated that prior to the bylaws going before BOS, they need to be approved by the County Council (CC) first, before they are forwarded to the BOS. Felt that the statement was unclear because several changes will be made to the 	<p>*EA will include the law that referenced, again, in the November meeting packet</p>
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<p>bylaws, stating that each change should not be forwarded to the MHC, CC and the BOS because there will be several changes being made and going multiple times through the process.</p> <ul style="list-style-type: none"> The response was to clarify that once all the changes have been completed to the entire document (bylaws), then the document will be submitted to all the appropriate parties/agencies for approval. Sam- does not agree that the committee should wait until the entire document is completed before submitting, because there are too many problems with too many items It was clarified that it will be a lengthy process and the document being submitted does not mean it will be approved, it can be rejected and more than one revision might take place. It is too soon to know. Sam- insisted that there are areas that should be consulted with County Council first and not wait until the entire document is completed and furthermore needs to be clear in the minutes. The experience addresses when things get put in writing. Wants notations to be made regarding every issue to assure everything is addressed. EA will discuss the matter further with her Supervisor to provide clarity for the next meeting in November. Reminded everyone that the minutes are only a summary of the meeting, nothing more. The Chair agreed to place the item on the agenda <p>VOTE: 3-0-0 YAYS: Gina Swirsding, Meghan Cullen and Sam Yoshioka NAYS: none ABSTAIN: none ABSENT: Duane Chapman</p>	
<p>VI. REVIEW and DISCUSS proposed changes in the existing Mental Health Commission Bylaws</p> <ul style="list-style-type: none"> Article I of the Bylaws stands, as is Article II of the Bylaws was further discussed how the term behavioral health cannot be used, over mental health, just yet. Noted that it was accepted to add “Member-at-Large” Sam noted regarding the first comment made, in red, reference as follows: “Should this be BH? Consideration-there is an existing Alcohol and Other Drugs Advisory body (AOD) Board and an existing task force studying the integration of the two bodies”? What task force? Would like the minutes of the all the meetings of the task force. He is the liaison for the AOD board and has no idea where the statement or information comes from? Sam also stated that the bylaws should no longer use the word “department” and should be updated to use the word “division” Others agreed that the bylaws should use the current wording “Contra Costa Behavioral Health Services Division,” replacing wherever “department” is stated within the bylaws, from this point on It was clarified, by Adam Down that the task force consists of Sam Yoshioka and Gina Swirsding. They volunteered to form an “Advisory body Integration Task Force, at the Mental Health Commission meeting at the beginning of this year. They both agreed 	<p>*EA will correct bylaws as stated</p> <p>*Change bylaws to read “Contra Costa Behavioral Health Services Division”</p> <p>*Strike item 6</p> <p>*EA will refer items, for review, pertaining to “MHSA...” to the MHSA Program Manager for accuracy</p>

to investigate, studying and write a report regarding the integration of advisory bodies, the process and whether or not it is feasible for Contra Costa County to do the same as other counties. It was Sam Yoshioka that brought up the integration of advisory bodies issue, at the end of 2016, to the Mental Health Commission. It needs to mirror the structure of the division's plan, by bringing the bodies together. That work will be ongoing and should not be included in the bylaws until the integration has actually taken place.

- Sam- Article III, section I- "authority"- why is it redlined? Chair clarified and confirmed that the section is still current and accurate
- Article III, number 6 needs to mirror the CCC Advisory Handbook, only Supervisors may interview, select and appoint members to the commission. The MHC has no part in the process- strike 6.
- It was addressed that the Mental Health Commission's bylaw needs to mirror the Contra Costa County Advisory Handbook document.
- EA provided copies of the CCC – Advisory Handbook to all those in attendance and noted that the book is also available online, on the County's website. The Advisory Handbook supersedes the MHC Bylaws and the bylaw needs to adhere to the handbook's procedures and regulations.
- The committee agreed that an orientation process should be discussed and created by the Commission, for new members
- Gina- would like the WIC, code 5604, added to the CCC Advisory Handbook.
- It was suggested that the information should be brought to the attention of the BOS, starting with their District Supervisor, so the BOS can act on it. The CCC Advisory Handbook is out of the scope of the Behavioral Health Services Division. Adding it to the MHC Bylaws is a good, as a point of discussion too. Ultimately, it is up to the BOS to agree or not, or make the change, or not.
- Article III, b) 1) referencing the **MHSA Public Hearing** of the three year plan, the Committee agrees and would like the MHSA Program Manager to come prior to the hearing, to the MHC to update before the final document; the commission would like to be more directly involved in the process and have it clearly defined in the bylaws. It was clarified that the MHSA public forms are part of the public stakeholder's process. The process notifies the residents of each area and invites them to participate in providing input regarding the community needs of each area. This year, three community forums were scheduled: one in West County (10/5/17), in Central County (10/25/17) and in East County (12/7/17).
- One of the members has questions regarding "innovation programs" and that section of the budget and would like additional information Strike "public hearing" and state clearly in the bylaws the **"Mental Health Services Act (MHSA) will hold a PUBLIC HEARING OF THE THREE YEAR EXPENDITURE DRAFT" during the Mental Health Commission meeting, annually, in May. Quarterly updates will be provided to the Commission for review and for the Commission to provide recommendations to the Director of Behavioral Health Services Division for possible consideration for revision. The plan will be presented to the Commission, before it is submitted to the Board of Supervisors (BOS) for final approval. Each revision should**

<p>be submitted to the Commission, for approval, before being submitted to the BOS.</p> <ul style="list-style-type: none"> • Are revisions published to the public and presented to the Commission? Define the timeframes for the revisions and for the MHSa public hearing to be presented to the Commission. • It was clarified that on November 1, at the Mental Health Commission meeting, the MHSa Program Manager will discuss the annual revision with the Commission • Members request that the MHSa Program Manager clarify, define and inform which revision is being presented, the changes and the reason for the changes. Would also like to know if the revision states and includes any revisions made by the Behavioral Health Director? • Will ask the MHSa Program Manager what are the revisions and by whom and why at the November 1 meeting 	
<p>VII. REVIEW and DISCUSS Articles IV, section 2 and forward, of the existing Mental Health Commission Bylaws</p> <ul style="list-style-type: none"> • Not enough time to discuss 	<p>*Moved item to the next meeting in November</p>
<p>VIII. DISCUSS the agenda for the next meeting and set a date to reconvene</p> <ul style="list-style-type: none"> • Review and discuss the revisions, made during meeting, regarding Article III, section 2, items 6 and b 1) and change the word “department” to be replaced with “division” • Sam will submit additional concerns to the EA as soon as possible • Review and discuss article IV • Review and discuss the incorporation of the “proposed bylaws” presented by Duane Chapman • Discuss agenda for the following meeting • Tentative date for the next meeting, if venue is available 11/9/17 • EA will confirm availability of room, members would prefer larger conference room if available • Sam stated that Duane had created a document, “proposed bylaws.” He would like to see some of the items included in the new bylaws and more of Duane’s input incorporated in the revision of the MHC bylaws • Chair, did include in the meeting packet, the updated Commission/Board bylaws for Santa Clara County and Solano County and asked the members to please review Duane’s proposed bylaws and the bylaws included in the meeting packet of 10/26/17, to be discussed at the November meeting • Committee members agreed to include Duane’s “Proposed Bylaws” for the November meeting packet, not the other bylaws provided previously 	<p>*EA will confirm tentative date, depending on availability of conference room and inform members</p> <p>*EA will complete minutes, redline and agenda for posting before next meeting</p>
<p>IX. Adjourn meeting @4:59pm</p>	