



ARTICLE I - NAME

The name of this unincorporated association shall be the State Advisory Council on Mental Health (the "Council").

ARTICLE II - PURPOSE

The Council's purposes under federal and state law include:

- (1) serve as advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems;
- (2) review the State Mental Health Plans as part of the block grant application. (Any recommendations of the Council must be submitted with the block grant application whether incorporated into the Plan or not.);
- (3) monitor, review, and evaluate the yearly allocation and adequacy of mental health services in the state;
- (4) advise the governor and heads of state departments and agencies about policy, programs, and services affecting people with mental illness;
- (5) advise the commissioner of human services on all phases of the development of mental health aspects of the biennial budget;
- (6) advise the governor about the development of innovative mechanisms for providing and financing services to people with mental illness;
- (7) encourage state departments and other agencies to conduct needed research in the field of mental health;
- (8) review recommendations of the subcommittee on children's mental health;
- (9) educate the public about mental illness and the needs and potential of people with mental illness;
- (10) review and comment on all grants dealing with mental health and on the development and implementation of state and local mental health plans; and
- (11) coordinate the work of local children's and adult mental health advisory councils and subcommittees.

ARTICLE III - MEMBERSHIP

Section 1. Qualification

Council membership composition shall follow the guidelines set forth in federal law and Minnesota Statutes 245.697.

Section 2. State Law

The council must have members appointed by the governor in accordance with federal requirements. In making the appointments, the governor shall consider appropriate representation of communities of color. The council must be composed of:

- (1) the assistant commissioner of mental health for the department of human services;
- (2) a representative of the Department of Human Services responsible for the medical assistance program;
- (3) one member of each of the following professions:
 - (i) psychiatry;
 - (ii) psychology;
 - (iii) social work;
 - (iv) nursing;
 - (v) marriage and family therapy; and
 - (vi) professional clinical counseling;
- (4) one representative from each of the following advocacy groups: Mental Health Association of Minnesota, NAMI-MN, Mental Health Consumer/Survivor Network of Minnesota, and Minnesota Disability Law Center;
- (5) providers of mental health services;
- (6) consumers of mental health services;
- (7) family members of persons with mental illnesses;
- (8) legislators;
- (9) social service agency directors;
- (10) county commissioners; and
- (11) other members reflecting a broad range of community interests, including family physicians, or members as the United States Secretary of Health and Human Services may prescribe by regulation or as may be selected by the governor.

Section 2.

The council shall select a chair. Terms, compensation, and removal of members and filling of vacancies are governed by section 15.059. Notwithstanding provisions of section 15.059, the council and its subcommittee on children's mental health do not expire.

Section 3. Federal Law

1. At least fifty percent (50%) of the Council membership will consist of individuals who are not State employees or providers of mental health services.
2. The ratio of parents of children with serious emotional disturbance to other members of the Council should be sufficient to provide adequate representation of such children in the deliberations of the Council.

Section 3. Terms, compensation and removal

Terms, compensation and removal of members of the Council and Subcommittee are governed by Minnesota Statutes 15.059.

ARTICLE IV - SUBCOMMITTEE ON CHILDREN'S MENTAL HEALTH

Section 1. Pursuant to Minnesota Statutes 245.697, Subd. 2a, the Council must have a Subcommittee on Children's Mental Health, hereafter referred to as the Subcommittee. The Subcommittee must make recommendations to the Council on policies, laws, regulations, and services relating to children's mental health.

Section 2. Members of the Subcommittee are appointed by the chair of the Council in accordance with the requirements set forth in statute and must include:

- (1) the commissioners or designees of the commissioners of the departments of human services, health, education, and corrections;
- (2) the commissioner of commerce or a designee of the commissioner who is knowledgeable about medical insurance issues;
- (3) at least one representative of an advocacy group for children with emotional disturbances;
- (4) providers of children's mental health services, including at least one provider of services to preadolescent children, one provider of services to adolescents, and one hospital-based provider;
- (5) parents of children who have emotional disturbances;
- (6) a present or former consumer of adolescent mental health services;
- (7) educators currently working with emotionally disturbed children;
- (8) people knowledgeable about the needs of emotionally disturbed children of minority races and cultures;
- (9) people experienced in working with emotionally disturbed children who have committed status offenses; (10) members of the advisory council;
- (11) one person from the local corrections department and one representative of the Minnesota district judges association juvenile committee; and
- (12) county commissioners and social services agency representatives.

Section 3. The Council Chair shall appoint members to ensure a geographical balance on the Subcommittee. In making appointments, the Chair shall consider recommendations of an appointments committee, composed of members of the State Advisory Council and Subcommittee appointed by the chairs of each group.

Section 4. The Subcommittee shall meet at the call of the Subcommittee chair (or co-chairs) who is (or are) elected by the Subcommittee from among its members.

Section 5. Chair or Co-Chairs of the Subcommittee

The Chair or Co-Chairs (hereafter referred to as Co-Chairs) shall be the parliamentary chair of the Subcommittee. It shall be the duty of the Co-Chairs to preside over all meetings of the Subcommittee. The Co-Chairs shall be an ex-officio member of all work groups of the Subcommittee. The Co-Chairs shall see that all motions and resolutions of the Subcommittee are carried into effect.

The Co-Chairs are the official spokesperson on behalf of the Subcommittee, and as such may sign correspondence and otherwise represent positions of the Subcommittee.

The Co-Chairs shall appoint members to chair the committees of the Subcommittee and shall name and dissolve such other special work groups as necessity dictates, subject to the ratification of the Subcommittee.

Section 7. Committees and Work groups of the Subcommittee

Nominating Committee. The Subcommittee shall have a Nominating Committee, to be called when needed. The Nominating Committee shall include at least one of the Co-Chairs as a member.

The duties of the Nominating Committee are to present candidates for office in accordance with policies and procedures for election of officers.

Work groups. The Subcommittee shall have work groups as appointed by the Co-Chairs upon the ratification of the Subcommittee.

Section 8. Representation on other bodies

In addition to committees of the Subcommittee, members may be appointed to represent the Subcommittee on other bodies, boards or committees.

Section 9. The bylaws of the Council shall govern the Subcommittee in matters not covered under this article.

ARTICLE V - OFFICERS

Section 1. Fiscal Year; Terms

The Council shall use the same fiscal year as the state. The officers of the Council shall consist of a Chair, who shall be elected by the Council, and a Vice Chair, who shall be elected by the members at the same meeting of the Council as the election of the Chair. Each officer shall serve for two years or until such person ceases to be qualified to serve as an officer. No officer shall serve in the same office for more than two consecutive terms; however, each officer shall hold office until his or her successor shall have been duly appointed or elected, as set forth above.

Section 2. Duties of Chair

The Chair shall be the parliamentary chair of the Council. It shall be the duty of the Chair to preside over all meetings of the Council. The Chair shall be an ex-officio member of all committees. The Chair shall see that all motions and resolutions of the Council are carried into effect.

The Chair is the official spokesperson on behalf of the Council, and as such may sign correspondence and otherwise represent positions of the Council.

The Chair shall appoint members to chair the standing committees and shall name and dissolve such other special committees as necessity dictates, subject to the ratification of the Council.

Section 3. Duties of Vice Chair

The Vice Chair shall, in the absence or disability of the Chair, perform the duties and exercise the powers of the Chair, and shall perform such other duties as the Council shall prescribe.

Section 4. Removal of Officers

An officer may be removed by a two thirds vote of the Council whenever in its judgment the best interests of the Council would be served thereby, but such removal shall be without prejudice to such officer's position as a member. Any officer may resign at any time by giving written notice to the Council.

Section 6. Council Staff

The Commissioner of Human Services shall provide staff support and supplies to the Council.

Director: The Director shall coordinate the functions of the Council and Subcommittee.

ARTICLE VI - STEERING COMMITTEE

There shall be a Steering Committee composed of the Council Chair, Vice Chair, the Co-Chairs of the Subcommittee and the Director. The Steering Committee shall meet as needed to oversee and coordinate the work of the Council and Children's Subcommittee.

ARTICLE VII - STANDING COMMITTEES OF THE COUNCIL

Section 1. Federal Block Grant Committee The Department of Human Services has established a Federal Block Grant Committee has two members from the State Advisory Council and two members from the Children's Subcommittee, to be designated by the Chairs of each group.

The duties of the Federal Block Grant Committee are to review and make recommendations on the state's federal block grant plans.

Section 3. Nominating Committee. The Council shall have a Nominating Committee, to be called when needed.

The duties of the Nominating Committee are to present candidates for office in accordance with policies and procedures for election of officers.

Section 4. Standing Committee members shall be appointed by the Council Chair.

Section 5. Powers

All standing committee decisions shall be made by simple majority vote of members present at a given meeting. Recommendations shall be forwarded to the Council or Subcommittee for a final disposition.

ARTICLE VIII – OTHER COMMITTEES & WORK GROUPS and POLICIES

Section 1. Work Groups shall be designated by the Chair, and must be ratified by the Council.

Section 2. Work Groups Chairs will be selected by the work group unless designated by the Chair.

Section 3. Voting. Voting members of the work group shall be designated by each work group, with the approval of the Council Chair. All Council members are automatically eligible to serve as voting members of specific work group. Non-Council members may serve as non-voting work group members.

Section 4. Powers

All work group decisions shall be made by simple majority vote of members present at a given meeting. Recommendations shall be forwarded to the Council for a final disposition.

Section 5. Removal

The chair or any member of any work group may be removed for willful misconduct by a majority of the Council at any time at a properly called meeting of the Council.

Section 6. Termination of Committees

Work groups will terminate when their duties and goals have been accomplished, or upon the majority vote of the Council.

ARTICLE IX. REPRESENTATION ON OTHER BODIES

In addition to work groups of the Council, members may be appointed to represent the Council on other bodies, boards or task forces.

ARTICLE X - MEETINGS

Section 1. The Council shall meet monthly at the discretion of the Chair and the ratification of the members. Special meetings of the Council may be called by the Chair.

Section 2. Notice

The call for regular or special meetings of the Council shall be published by mailing an agenda to all of the members at least seven days prior, but not more than 60 days prior, to the meeting date.

Section 3. Quorum

A quorum of the Council shall exist if 50% or more of the total members as of the day prior to the meeting are present.

Section 4. Open Meetings

All meetings of the Council shall be open to the public. Members of the public shall be permitted to participate in the meeting at the discretion of the Chair.

Section 5. Alternates; Voting

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.

Section 6. Rules of Order

In all procedural matters not governed by these Bylaws, the Council shall be bound by the provisions of Robert's Rules of Order, Newly Revised (1990). The Council may, by the vote of two-thirds of the Council and present at a meeting of the Council temporarily suspend any provision of Robert's Rules.

ARTICLE XI - CONFLICT OF INTEREST

A member of the Council or Children's Subcommittee shall abstain from voting on motions in situations where the member has a conflict of interest. A member of the Council or Children's Subcommittee who is an employee of the State shall abstain from voting on issues affecting State departments.

ARTICLE XII - POLICIES

The Council and Subcommittee shall have the power to establish policies for operation, guidelines for meetings, conference scholarships and other activities, provided they are not superseded by these bylaws.

ARTICLE XIII - ANTI-DISCRIMINATION

The Council and Subcommittee shall not discriminate in any regard with respect to race, creed, color, sex, sexual orientation, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child or physical or mental disability.

ARTICLE XIV - BYLAWS REVISION

Revisions to the Bylaws may be made by the Council and Subcommittee through the following process:

- (1) Proposed revision shall be placed on agenda for scheduled meetings of the Subcommittee (if applicable) and the Council.
- (2) Revision shall be discussed by the Subcommittee (if applicable) and Council and passed by three fourths of those members present.

Approved by the Minnesota State Advisory Council on Mental Health: All Articles other than Article XI, March 7, 2002; Article XI: May 2, 2002.

Approved by the Subcommittee on Children's Mental Health: February 7, 2002.