

**Adoption of the Mental Health Commission Bylaw Amendments**

The Mental Health Commission (Commission) was established as the local mental health board for Los Angeles County (County) pursuant to Welfare and Institutions Code (WIC) section 5604 and Los Angeles County Code section 2.87. The purpose of the Commission is to advise the Board and the Director of Mental Health on various aspects of local mental health programs, including the Mental Health Services Act. In March 2024, California voters passed Proposition 1 which introduced dynamic and foundational changes to the behavioral health system. Included in these changes was a requirement that counties transition their local mental health board to a behavioral health board.

The County has demonstrated a long-standing commitment to expanding access to behavioral health services and ensuring that the voices of all clients and communities are heard. The Mental Health Commission has long been the cornerstone for mental health advocacy and representation, creating a platform that elevates voices of all communities to increase access to services. It has also been a place where clients and loved ones can come to better understand the life-saving services available to them. This commitment must be protected as the commission transitions to the Behavioral Health Commission and expands to include and lift-up the voices and perspectives of those with co-occurring disorder and substance use disorder. It will be essential that the Board continue to appoint representatives committed to elevating the entire behavioral health system. Mental health and substance use disorder services are the foundation of many of the County’s most pressing challenges, and this commission will be a vehicle for exploring those challenges and identifying solutions.

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MOTION

SOLIS	_____
MITCHELL	_____
HORVATH	_____
HAHN	_____
BARGER	_____

MOTION BY SUPERVISOR KATHRYN BARGER

December 17, 2024

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To be in compliance with the integration requirements established by CA Proposition 1, and to reflect the priorities to elevate substance abuse and prevention services and the mental health system, it is imperative to amend the Commission bylaws to: change the name of the Commission from Mental Health Commission to Behavioral Health Commission to align the name of the Commission consistent with changes to California Welfare and Institutions Code section 5604 et seq., and section 8346 effective January 1, 2025; to revise the Bylaws to adjust the Commission composition to meet the requirements established by Proposition 1, and revise the Bylaws to allow the Board of Supervisors member of the Commission to designate a representative to attend Commission meetings, count towards quorum and vote on the Board of Supervisors member's behalf; and to correct unintentional typos.

**I, THEREFORE, MOVED** that the Board of Supervisors:

1. Approve the Bylaws with the recommended amendments in the attached "Mental Health Commission (MHC) Bylaws Proposed Amendments";
2. Direct the Commission to adopt and implement the amendments to the Bylaws to comply with the requirements of Proposition 1, as set forth in the attached "MHC Bylaws Proposed Amendments"; and
3. Authorize the Commission to adopt and implement the amendments to the Bylaws to allow the Board of Supervisors member of the Commission to designate a representative to attend Commission meetings, count towards quorum and vote on the Board of Supervisors member's behalf, as set forth in the attached "MHC Bylaws Proposed Amendments".

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**I. Purpose of the Los Angeles County ~~Mental Behavioral~~ Health Commission**

The Los Angeles County ~~Mental Behavioral~~ Health Commission ("Commission") has been established as the local mental health board for Los Angeles County ("County") pursuant to [Welfare and Institutions Code \("WIC"\) section 5604](#) and Los Angeles County Code section 2.87.

**II. Commission Duties**

The duties of the Commission shall include the duties prescribed by [WIC section 5604.2](#), including:

1. Reviewing and evaluating the community's ~~mental behavioral~~ health needs, services, facilities, and special problems;
2. Reviewing any County agreements entered into pursuant to [WIC section 5650](#);
3. Advising the Los Angeles County Board of Supervisors ('Board') and the local mental health director as to any aspect of the local ~~mental behavioral~~ health program;
4. Reviewing and approving the procedures used to ensure citizen and professional involvement at all stages of the planning process;
5. Submitting an annual report to the Board on the needs and performance of the County's ~~mental behavioral~~ health system;
6. Reviewing and making recommendations on applicants for the appointment of a local director of mental health services;
7. Reviewing and commenting on the County's performance outcome data and communicating the Commissions' findings to the California ~~Mental Behavioral~~ Health Planning Council; and
8. Assessing the impact of the realignment of services from the state to the county, on services delivered to clients and on the local community.

The duties prescribed by [WIC section 5848](#), including:

1. Conducting a public hearing on the draft three-year program, expenditure plan and annual updates created pursuant to [section 5848](#); and
2. Reviewing the adopted plan or update and making recommendations to the County ~~Department of~~ Mental Health ~~Department~~ for revisions.

Any other duties set forth in state laws or regulations.

The duties prescribed by County Ordinance or by specific request of the Board.

The Commission shall also participate in the joint state-county decision making process described in [WIC section 4060](#). [Section 4060](#) states that the State Department of Health Care Services "shall, in order to implement [section 4050](#), utilize a meaningful decision- making process that includes local mental health directors and representatives of local mental health boards as well as other stakeholders as determined by the department. The purpose of this collaboration shall be to promote effective and efficient quality mental health services to the residents of the state under the realigned mental health system".

### **III. Organization and Structure of the Commission**

#### **a. Commission Composition**

Members of the Commission shall be appointed by the Board of Supervisors in accord with [WIC section 5604](#) and Los Angeles County Code, Chapter 2.87. The Commission shall consist of ~~15~~ 18 members and one member of the Board of Supervisors (Board) for a total of ~~16~~ 19 members. Each Supervisorial District shall nominate three Commission members. ~~Subject to the qualifications set forth in paragraph b. below, of their appointees, each Supervisor must appoint one member who is a consumer or parent, spouse, sibling, or adult child of a consumer who has received mental health services, or who have experience with, and knowledge of, the mental health system. Also of their appointees, each Supervisor must appoint one member who is a consumer or parent, spouse, sibling, or adult child of a consumer who has received substance use disorder services, or who has experience with, and knowledge of, the substance use disorder system. Members may include employees of a contracted agency that provides mental health and/or substance use disorder services if such members are consumers of mental health or substance use disorder services, and the members do not have an interest, influence, or authority over a financial or contractual matter concerning their employer (in compliance with WIC section 5604). The Commission shall have three at-large members, recommended by the Executive Committee and referred to the Board of Supervisors by the Commission for appointment: one veteran advocate, one employee of a local education agency, and one youth representative 25 years of age or younger. Of the at-large members, at least one should have experience with mental health services, as defined above, and one should have experience with substance use disorder services, as defined above. Commission members shall be appointed by a majority of the Board. The Chair of the Board shall~~ ~~nominate the~~ serve as the Board member annually.

#### **b. Qualifications**

As specified in [WIC section 5604](#), ~~50 percent of Commission membership shall be consumers or the parents, spouses, siblings, or adult children of consumers who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers~~

- Fifty percent (50%) of the Commission membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services. At least one (1) of these members shall be an individual who is 25 years of age or younger.

- At least twenty percent (20%) of the total Commission membership shall be consumers, and at least twenty percent (20%) shall be families of consumers.
- At least one (1) member of the Commission shall be a veteran or veteran advocate. A “veteran advocate” as defined in WIC section 5604 means either a parent, spouse, or adult child of a veteran, or an individual who is part of a veterans organization, including the Veterans of Foreign Wars or the American Legion.
- At least one (1) member of the Commission shall be an employee of a local education agency.
- At least one member (1) member of the Commission shall be a consumer or parent, spouse, sibling, or adult child of a consumer who has received mental health or substance use disorder treatment services.

The Commission shall make every effort to ensure that the composition of the Commission represents the demographics of the County as a whole and reflects the ethnic diversity of the client population in Los Angeles County.

No member of the Commission or his or her spouse shall be full-time or part-time ~~County~~ employee of a County mental ~~health or substance use disorder health~~ service, an employee of the State Department of ~~Mental~~ Health Care Services, or an employee of, or paid member of the governing body of, a ~~Bronzan-McCorquodale~~ mental health or substance use disorder contract agency; except that a consumer of ~~mental~~ behavioral health services who has obtained employment with a County mental ~~health or substance use disorder health~~ service, the State Department of ~~Mental~~ Health Care Services, or a ~~Bronzan-McCorquodale~~ mental health or substance use disorder contract agency, 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 his or her employer, may be appointed to the Commission. The member shall abstain from voting on any financial or contractual issue concerning his or her employer that may come before the Commission.

If it is not possible to secure membership as specified from among persons who reside in Los Angeles County, the Board may substitute representatives of the public interest in ~~behavioral health~~ who are not full-time or part-time employees of a County ~~mental~~ behavioral health service, the State Department of ~~Mental~~ Health Care Services, or on the staff of, or a paid member of the governing body of a ~~Bronzan-McCorquodale~~ behavioral health contract agency.

c. Vacancies

A position on the Commission shall become vacant upon a members’ death, resignation, or removal by the Board. In the case of a vacancy, the Board shall appoint a successor to fill the unexpired term. The Commission may recommend appointees to the Board who have experience and knowledge of the ~~mental~~ behavioral health system.

d. Term of Service

All members, except the Board member, shall serve a three-year term commencing upon the date of appointment. The Board shall equitably stagger the appointments so that approximately one-third of the appointments expire each year. The Board member's term shall expire annually.

No member may serve more than two consecutive three-year terms. The Board may by order, extend the length of service or waive the limit for individuals or the Commission as a whole.

e. Removal of Commission Members

All Commission members serve at the pleasure of the Board and may be removed by the Board at any time with or without cause.

#### **IV. Conflict of Interest**

Commission members shall keep their personal interests separate from their Commission duties and responsibilities, and avoid conflicts of **interest**. A conflict of interest occurs if Commission members allow their personal relationships, money (or the promise of money), or other outside factors to influence how they perform their Commission duties and responsibilities. A conflict of interest also exists if Commission members use information acquired in their capacity as Commission members for personal gain.

To avoid potential conflicts, Commission members must not vote in matters in which they have a financial interest as defined in [Government Code section 87103](#).

Commission members shall not accept gifts from lobbyists or anyone doing business with the County or who may come before the Commission.

Before commencing their duties, Commission members must sign appropriate conflict of interest documentation required by the Executive Office of the Board. If Commission members have any questions about a potential conflict of interest, they are urged to contact County Counsel as soon as possible and before they participate in the Commission's consideration or discussion of the matter in question.

#### **V. Code of Conduct**

The Commission and its members will conduct themselves lawfully, with integrity and high ethical standards, in order to model the behaviors expected of staff and to build public confidence and credibility. The Commission will conduct its official business in a way that encourages public trust.

Each Commissioner member expected to do the following:

1. Attend meetings and other appointments or give advance notice of absence and engaging in discussions and decision-making processes.
  - a. Excused absences require advance notice of missing a meeting.
  - b. Unexcused absences are recorded when there is no prior notification of a missed meeting.
2. Prepare fully for meetings and all work for the organization. This includes reading papers, seeking clarification of unclear or difficult matters, thinking through issues and completing any tasks assigned prior to meetings.
3. Actively engage in respectful discussion, debate and voting in meetings — contributing positively, listening carefully, challenging sensitively and avoiding conflict.
4. Accept majority decisions of the Commission; i.e., making decisions collectively and standing

by them. The Commission may only act by majority vote.

5. Not act individually or claim to be speaking or acting on behalf of the Commission unless specifically authorized to do so.
6. Work collaboratively, politely, and respectfully with all — respecting diversity, different roles and boundaries, and avoiding giving offence.
7. Focus on issues rather than personalities.
8. Exercise honesty in all written and interpersonal interaction, never intentionally misleading or misinforming each other.
9. Respect organizational and individual confidentiality, while never using confidentiality as an excuse not to disclose matters that should be transparent and open.
10. Not attempt to assume personal responsibility for resolving operational problems or complaints.

#### **VI. Compensation**

Commission members do not receive compensation.

#### **VII. Commission Reimbursement Plan**

Annually, the Commission, working with the Director of Mental Health, will develop as part of the Department's budgetary process, a plan for Commission expenditures. Budgetary needs of the Commission will be covered by the Department of Mental Health as approved by the Board of Supervisors.

#### **VIII. Quorum**

A quorum shall be defined as one person more than one-half of the appointed members including the Board of Supervisors member or his or her designed representative. In the absence of the Board of Supervisors member, his or her designated representative shall be authorized to vote on his or her behalf. Appointed members shall not include unfilled positions, those positions vacant due to resignation or removal. A quorum shall be required for any Commission action.

#### **IX. Public Meetings**

All meetings of the Commission and Commission committees shall be held in accordance with the Brown Act.

##### **a. Full Commission Meetings**

Meetings of the full Commission shall be held at least once a month in accordance with the [Brown](#)



[Act](#). The Commission should have eight (8) full Commission Meetings in a 12- month period.

b. Special Meetings

Special meetings may be called, consistent with the Brown Act, by the Chair or by a quorum of the Commission.

c. Other Meetings

The Commission may hold meetings in the various Mental Health Service Areas to provide an opportunity for community members and stakeholders to present on service gaps, support needed to acquire resources and accomplishments.

d. Cancellation of Meetings

The Chair may cancel any meeting at which a quorum is not met.

**X. Development of Agendas for Meetings of the Full Commission**

A. Agenda approval process:

1. Agendas for meetings of the full Commission shall be approved by the Executive Committee.
2. The agenda will be developed at the Commission's Executive Committee meeting preceding the full Commission meeting.
3. Any Commission member wishing to recommend an item for the agenda shall contact the Chair, Executive Assistant or Second Vice Chair at or prior to the Executive Committee meeting.
4. If the Executive Committee does not meet in a particular month, Commission members wishing to recommend an agenda item for the next meeting of the full Commission shall contact the Chair, ~~MHC~~Commission Executive Assistant or Second Vice Chair ten (10) working days prior to the next Commission meeting.
5. Commission members wishing to propose motions are encouraged to present the draft motions to the Executive Assistant or the Second Vice Chair at least 10 (ten) working days prior to the ~~MHC~~Commission meeting so that they can be sent to Commission members with the call to the meeting for individual review.

B. Agenda Distribution Requirement:

1. Agendas shall be distributed, with requisite informational material, to each Commission member no later than the weekend preceding the meeting at which the items on the agenda are to be discussed.

2. The agenda will be posted 72 hours before the meeting in a location freely accessible to members of the public.

## **XI. Officers & Executive Committee**

### **a. Commission Officers**

The officers of the Commission shall be as follows:

#### **1. Chair Duties:**

- a. Preside at meetings of the Commission, and shall perform other duties ordinarily performed by Chair;
- b. Establish and approve the agenda for Commission meetings;
- c. ~~Be R~~esponsible for seeing that all actions of the Commission are implemented;
- d. Establish committees and appoint membership on such committees. The Commission shall, by majority vote, ratify committees and committee membership;
- e. The Executive Assistant of the Commission, and support staff shall perform their duties under the general direction of the Chair or under such direction as the Chair may prescribe;
- f. Give general direction to the Commission's Executive Assistant and be responsible, in collaboration with the Executive Committee for securing from any available source staffing required for efficient and responsible functioning of Commission members;
- g. Be in consultation with the local Mental ~~or Behavioral~~ Health Director;
- h. Oversee the attendance record of all Commission members and work with Commission staff in reporting to the Board ~~of Supervisors~~ of any Commission vacancies pursuant to County Ordinance #4099;
- i. Report to the Board ~~of Supervisors~~ as needed on any unfilled positions on the Commission.

#### **2. First Vice-Chair**

Duties:

- a. In the absence of the Chair (or when the Chair is unable to act) perform all of the responsibilities of the Chair;

- b. Perform additional responsibilities as directed by the Chair;
- c. Assist Chair with keeping a record of and tracking public comments and other such records; **and**
- d. Cause to be issued notices of regular full, special and of annual meetings of the Commission.

### 3. Second Vice Chair

Duties:

In the absence of both the Chair and First Vice Chair, the Second Vice Chair shall carry out the duties of the Chair and First Vice Chair.

### 4. Members-At-Large

Duties:

In the absence of the Chair, First Vice Chair and Second Vice Chair, a Member at Large will carry out the duties as outlined for the Chair.

### 5. Chair Pro-Temp Duties

At any meeting the Commission shall, in the absence of the Chair, First Vice Chair, Second Vice Chair and the Members-At Large, elect a Chair Pro-Temp.

#### b. Election of Officers

The Commission shall elect the following (whose duties are specific above) to serve one year from date of election or until their successor have been duly elected:

Chair

First Vice Chair

Second Vice Chair

Members-At-Large

Two Commission members elected At-Large and additional Commission Members-At- Large may be appointed at the discretion of the Chair.

The nomination of Officers and Members At-Large shall be held as follows:

March

Chair will distribute an "Interest Survey" to determine if Commissioners are willing to serve on the Nomination Committee. **The Interest** Survey will include statement that nominations will be accepted from the floor in June.

April

At the Executive Committee meeting, the Chair shall appoint the Nomination Committee and report at the following regular meeting of the full Commission; and, the Commission shall ratify the Nomination Committee at that meeting. The Nomination Committee will be composed of no less than two Commission members.

May

The Nomination Committee shall make a report of its recommendations for each Officer position and the Members-At-Large. At the same meeting, further nominations will be accepted from the floor.

June

The Commission shall vote on the Officer positions and the Members-At-Large in accordance with the Brown Act.

July

The Officers and Members At-Large elected at the June meeting will take their respective offices on July 1st.

c. Executive Committee

The Executive Committee comprising the Officers, the immediate past Chair (provided that he or she is a current member of the Commission), and the two other Members-At-Large elected (in accordance with section XI-B above shall):

1. Carry out any responsibilities delegated to it by the Commission;
2. Shall act in emergencies in any way it deems necessary when there is not time for the entire Commission to act. Any such action will be taken consistent with the Brown Act;
3. After three absences of any Commission member during a calendar year, the Executive Committee will review the reasons for the absences. The Executive Committee may notify the appointing power of the absences if it deems this action appropriate;
4. In the event there is a vacancy of a Commission officer position caused by death, resignation, removal, disqualification, or otherwise, the Chair may appoint a Commissioner to temporarily fill that vacancy. This temporary appointment shall be considered at the next regular meeting of the full Commission which shall elect a successor for the unexpired term; and;
5. No member of the Commission shall serve more than two (2) consecutive terms in the same Commission officer position.
6. Review and select at-large Commission members, and propose for approval to the Behavioral Health Commission, to then be recommended to the Board of Supervisors for appointment.

**XII. Other Committee & Individual Assignments**

Unless the Commission chooses to elect ~~C~~committees or individual members to carry out specifically defined responsibilities, the Chair shall, with agreement of the members concerned, allocate to committees or individual members specific responsibilities.

### **XIII. Rules of Order**

Except when state laws or regulations, County ordinances, or these Bylaws apply procedures of the Commission shall be governed by [Robert's Rules of Order](#).

### **XIV. Amendments**

These Bylaws may be amended by majority vote at any full Commission meeting, subject to the provisions of WIC 5604.5 relating to Board approval of Commission bylaws. Notice of any proposed changes in these bylaws will be given in advance of a full Commission meeting.