

**PRINCE WILLIAM COUNTY
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL DISABILITY AND
SUBSTANCE ABUSE SERVICES BOARD
BY-LAWS**

ARTICLE I - NAME

The name of this Board shall be the Prince William County Community Mental Health, Developmental Disability and Substance Abuse Services Board, hereinafter referred to as the "Community Services Board". This name shall be reflected in the Community Services Board meeting minutes.

ARTICLE II - PURPOSE

The purpose of the Community Services Board shall be to act as the agent of Prince William County, Virginia, City of Manassas, Virginia and City of Manassas Park, Virginia, in the establishment and operation of community mental health, developmental disability and substance abuse programs as provided in Title 37.2 of the Code of Virginia, relating to the Virginia Department of Behavioral Health and Developmental Services.

ARTICLE III - MEMBERSHIP

Section 1. The membership of the Community Services Board shall consist of not less than six (6) nor more than eighteen (18) persons, approved and appointed by the Board of County Supervisors of Prince William County and shall include representatives from each of the cities of Manassas and Manassas Park. The membership shall be broadly representative of the community, but no such members shall be employees of the Virginia Department of Behavioral Health and Developmental Services (hereinafter referred to as the "Department") or members of the board of directors of contracting agencies or employees of such agencies. One-third of the appointments to the board shall be identified consumers or former consumers or family members of consumers or former consumers, at least one of whom shall be a consumer receiving services as defined by 12VAC35-105-20. Members shall be appointed in accordance with Code of Virginia 37.2-501, Community Services Board; appointment; membership; duties of fiscal agent.

Section 2. The Board of County Supervisors, in conformance with 37.2-501, will determine the specific number of members that shall constitute the Prince William County Community Services Board within the parameters stated in the Code.

Section 3. Members of the Community Services Board shall be appointed for a term that shall coincide with the term of the Board of County Supervisors.

Section 4. Whenever vacancies occur, the new term of appointment for such vacant position or expired term shall coincide with the remaining term of the appointing County Supervisor.

Section 5. All new members appointed to the Board shall receive an orientation from the CSB

executive director within one month of their appointment. The orientation shall include information about the legal, fiduciary, policy, and programmatic powers and responsibilities of the Board; the Board's committee structure and bylaws; Title 37.2 of the Code of Virginia that governs the operation of the Board and CSB and the provision of mental health, developmental, and substance use disorder services; the Virginia Freedom of Information Act; the State and Local Government Conflict of Interests Act; the Virginia Department of Behavioral Health and Developmental Services and the state hospitals and training centers that it operates.

Section 6. No person shall be eligible to serve more than three successive terms. However, persons appointed to fill member vacancies on the Board may, in addition to serving the remainder of the term of such vacancy, serve three additional successive terms.

ARTICLE IV - POWERS AND DUTIES

The Community Services Board, as a direct agent of the governmental entities that have established it, shall be subject to the laws and regulations relating to such agencies of those governments and shall have the general powers, duties, and responsibilities of a Board as outlined in Title 37.2-504, Code of Virginia. As set forth in the Code of Virginia, these are:

1. Review and evaluate public and private community mental health, developmental disability, and substance abuse services and facilities that receive funds from it and advise the governing body of each city or county that established it as to its findings.
2. Submit to the governing body of each city or county that established it an annual Department of Behavioral Health and Developmental Services State Performance Contract (hereinafter referred to as the "State Performance Contract") for community mental health, developmental disability, and substance abuse services for its approval prior to submission of the State Performance Contract to the Department.
3. Within amounts appropriated for this purpose, provide services authorized under the State Performance Contract.
4. In accordance with its approved performance contract, enter into contracts with other providers for the delivery of services or operation of facilities.
5. Make policies or regulations concerning the delivery of services and operation of facilities under its direction or supervision, subject to applicable policies and regulations adopted by the State Board of Behavioral Health and Developmental Services of the Virginia Department of Behavioral Health and Developmental Services (hereinafter referred to as the "State Board").
6. Participate with local government in the appointment and annual performance evaluation of an executive director of community mental health, developmental disability, and substance abuse services, who meets the minimum qualifications established by the Virginia Department of Behavioral Health and Developmental Services. The compensation of the executive director

shall be fixed by local government in consultation with the Community Services Board within the amounts made available by appropriation for this purpose.

7. Prescribe a reasonable schedule of fees for services provided by personnel or facilities under the jurisdiction or supervision of the board and establish procedures for the collection of those fees. All fees collected shall be included in the State Performance Contract submitted to the local governing body or bodies pursuant to subdivision 2 of the section and 37.2-508 and shall be used only for community mental health, developmental disability, and substance abuse purposes. The board shall institute a reimbursement system to maximize the collection of fees from persons receiving services under its jurisdiction or supervision, consistent with the provisions of 37.2-511, and from responsible third-party payers. No attempt shall be made to bill or collect fees for time spent participating in commitment hearings for involuntary admissions pursuant to Article 5 (37.2-814 et seq.) of Chapter 8.

8. Accept or refuse gifts, donations, bequests, or grants of money or property from any source and utilize them as authorized by the governing body of each city or county that established it.

9. Seek and accept funds through federal grants. In accepting federal grants, the board shall not bind the governing body of any city or county that established it to any expenditures or conditions of acceptance without the prior approval of the respective governing body.

10. Notwithstanding any provision of law to the contrary, disburse funds appropriated to it in accordance with such regulations as may be established by the governing body of each city or county that established it.

11. Apply for and accept loans as authorized by the governing body of each city or county that established it.

12. Develop joint written agreements, consistent with policies adopted by the State Board, with local school divisions; health departments; boards of social services; housing agencies, where they exist; courts; sheriffs; area agencies on aging; and regional Department of Rehabilitative Services offices. The agreements shall specify the services to be provided to consumers. All participating agencies shall develop and implement the agreements and shall review the agreements annually.

13. Develop and submit to the Department the necessary information for the preparation of the Comprehensive State Plan for mental health, developmental disability, and substance abuse services pursuant to 37.2-315.

14. Take all necessary and appropriate actions to maximize the involvement and participation of consumers and family members of consumers in policy formulation and services planning, delivery, and evaluation.

15. Institute a dispute resolution mechanism, singly or in combination with other community services boards or behavioral health authorities, that is approved by the Department and enables consumers and family members of consumers to resolve concerns, issues, or disagreements about services without adversely affecting their access to or receipt of appropriate types and amounts of current or future services from the Community Services Board.

16. Notwithstanding the provisions of 37.2-400 or any regulations adopted thereunder, release data and information about individual consumers to the Department so long as the Department implements procedures to protect the confidentiality of that data and information.

17. These bylaws shall not diminish or circumscribe the Board's statutory authority, duties, or powers, and any conflict between provisions of these bylaws and the Code of Virginia shall be resolved in favor of the statute.

18. Carry out other duties and responsibilities as assigned by the governing body of each city or county that established it.

ARTICLE V - OFFICERS AND MEMBERS OF THE BOARD AND THEIR DUTIES

Section 1. The officers of the Community Services Board shall consist of a Chairman, Vice-Chairman, and Secretary who shall be elected by the Community Services Board and serve at the pleasure of the Community Services Board.

Section 2. The Duties of the Chairman shall be:

- a. To preside at all meetings of the Community Services Board and Executive Committee.
- b. To appoint all committees deemed necessary for operation of the Community Services Board.
- c. To work closely with the Executive Director of the Community Services Board.
- d. To perform any other duties determined by the Community Services Board in furtherance of Community Services.
- e. To keep the Department of Behavioral Health and Developmental Services informed of the activities of the Community Services Board.
- f. To serve as ex officio member of all committees except the Executive Committee and Nominating Committee. The Chairman shall have no authority over the committees in which the Chairman is attending as an ex officio member.

Section 3. The Duties of the Vice-Chairman shall be:

- a. In the absence of the Chairman, perform the duties of the Chairman asset out in Article V, Section 2 of these By-Laws.
- b. Perform any other duties as determined by the Community Services Board in furtherance of Community Services.

Section 4. The Duties of the Secretary shall be:

- a. Responsibility for the provision of accurate records of all meetings of the Community ServicesBoard and Executive Committee.
- b. In the absence of the Chairman and Vice-Chairman at a scheduled meeting of the board, preside at the meeting.
- c. Perform any other duties as determined by the Community Services Board in furtherance of Community Services.

Section 5. It is the Duty of all Board Members to:

- a. Recuse themselves from cases in which they have a conflict of interest.
- b. Attend monthly and special meetings on a consistent basis.
- c. Perform other duties as determined by the Community Services Board in furtherance of Community Services.

ARTICLE VI - NOMINATIONS, ELECTIONS, VACANCIES, AND TERMS OF OFFICERS

Section 1. The Community Services Board shall elect its officers in accordance with the Nominating Committee procedures as specified in Article IX, Section I of these By-Laws.

Section 2. The term of office shall be for one year. No officer may serve more than three consecutive terms in the same office. The election shall be by ballot if there is more than one nominee for the same office. A quorum must be present and voting in order to constitute an election.

Section 3. A vacancy occurring among the officers of the board shall be filled as follows: If the Chairman's office becomes vacant, the Vice-Chairman will become the Chairman. A vacancy of the Vice-Chairman or Secretary will be replaced by the Community Services Board in accordance with the Nominating Committee procedures specified in Article IX, Section I of these By-Laws.

ARTICLE VII - MEETINGS

Section 1. Regular meetings shall be held at a time to be determined by the Community Services Board.

Section 2. Special meetings of the Community Services Board may be called by the Chairman or upon written request of three members.

Section 3. The quorum of all Community Services Board meetings shall be a simple majority of its duly appointed members. In the absence of all elected officers, a Chairman and Secretary pro tem will be elected from the members in attendance.

Section 4. The Executive Committee shall meet at the discretion of the Chairman or upon request of at least two board members.

Section 5. In circumstances where the Board is required to authorize actions of the Executive Director under time constraints specified by Department of Behavioral Health and Developmental Services licensing and human rights procedures, and when such time constraints preclude a meeting of the full Board, the Chairman may call the Executive Committee to meet, and the Executive Committee may, after notice is posted of when and where, meet and determine whether to authorize the Executive Director to take action, for ratification by the full Board at its next scheduled meeting.

Section 6. The quorum of all Executive Committee meetings shall be a majority of the Committee.

ARTICLE VIII - COMMITTEES

There shall be the following Committees:

Section I. Executive Committee

- a. The elected officers of the Community Services Board shall constitute the Executive Committee. The elected Chairman, Vice Chairman, and Secretary of the board shall serve in their respective capacities on the Executive Committee.
- b. It shall be the duty of this Committee to conduct the necessary business in between meetings of the Community Services Board. All action taken to be brought to the next regular meeting of the Community Services Board and those items requiring ratification shall be so considered for same.
- c. It shall be the duty of this Committee to review and make recommendations or take action on all matters that relate to the Board's Administration.

Section 2. Nominating Committee.

- a. This Committee shall consist of at least two members.
- b. Committee members shall be appointed by the Community Services Board in September.
- c. The Nominating Committee's slate of officers shall be presented to the Board at the Board's October meeting. Other nominations for officers shall be accepted from the floor at the October meeting.
- d. Election of officers shall be held at the November meeting.
- e. Officers elected at the November meeting shall take office on January 1 of the new calendar year.

Section 3. By-Laws Committee.

- a. This Committee shall consist of at least two members.
- b. Committee members shall be appointed by the Community Services Board in October.
- c. The By-Laws Committee shall review the By-Laws annually and make recommended amendments as appropriate.
- d. The By-Laws Committee shall submit for acceptance and approval a report on their review of the By-Laws, with recommended changes as appropriate, to the Community Services Board no later than the month of January following their appointment.

Section 4. Subcommittees:

- a. On an as-needed basis, the Chairman of the Community Services Board shall establish special subcommittees to support the Community Services Board in accomplishing the Board mission.
- b. Special subcommittees shall meet as determined by the subcommittee members.

ARTICLE IX

Roberts Rules of Order, revised, shall govern the Community Services Board in all cases to which they are applicable and in which they are not inconsistent with these By-Laws.

ARTICLE X

These By-Laws may be amended at any regular meeting of the Community Services Board by two-thirds vote of those present and voting, notice and proposed By-Laws having been submitted in writing two weeks prior to the meeting.

These By-Laws shall be reviewed annually by the By-Laws Committee with amendments made thereto, as appropriate.

Adopted June 5, 1979 at a Regular Meeting of the Community Services Board by a vote of 4 ayes, 0 nays, 0 abstentions, 0 absent from vote, 3 absent.

Amended November 25, 1980 at a Regular Meeting of the Community Services Board by a vote of 4 ayes, 0 nays, 0 abstentions, 0 absent from vote, 3 absent.

Amended June 28, 1983 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 0 absent from vote, 1 absent.

Amended May 5, 1988 at a Regular Meeting of the Community Services Board by a vote of 3 ayes, 0 nays, 1 abstention, 0 absent from vote, 3 absent.

Amended September 20, 1990 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 0 absent from vote, 4 absent.

Amended September 26, 1991 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 0 absent from vote, 3 absent.

Amended May 7, 1992 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 1 absent from vote, 2 absent.

Amended February 15, 1996 at a Regular Meeting of the Community Services Board by a vote of 6 ayes, 0 nays, 0 abstentions, 1 absent from vote, 0 absent.

Amended May 17, 2007 at a Regular Meeting of the Community Services Board by a vote of 6 ayes, 0 nays, 0 abstentions, 0 absent from vote, 3 absent, 1 vacancy.

Amended January 10, 2008 at a Regular Meeting of the Community Services Board by a vote of 7 ayes, 0 nays, 0 abstentions, 0 absent from vote, 2 absent, 1 vacancy.

Amended December 4, 2008 at a Regular Meeting of the Community Services Board by a vote of 8 ayes, 0 nays, 0 abstentions, 0 absent from vote, 1 absent, 1 vacancy.

Amended February 4, 2010 at a Regular Meeting of the Community Services Board by a vote of 8

ayes, 0 nays, 0 abstentions, 0 absent from vote, 2 absent, 0 vacancy.

Amended March 3, 2011 at a Regular Meeting of the Community Services Board by a vote of 8 ayes, 0 nays, 0 abstentions, 1 absent from vote, 0 absent; 1 vacancy.

Amended June 21, 2012 at a Regular Meeting of the Community Services Board by a vote of 7 ayes, 0 nays, 0 abstentions, 0 absent from vote, 3 absent; 0 vacancy.

Amended February 20, 2014 at a Regular Meeting of the Community Services Board by a vote of 10 ayes, 0 nays, 0 abstentions, 0 absent from vote, 0 absent, 0 vacancy.

Amended February 19, 2015 at a Regular Meeting of the Community Services Board by a vote of 7 ayes, 0 nays, 0 abstentions, 1 absent from vote, 2 absent, 0 vacancy.

Amended April 21, 2016 at a Regular Meeting of the Community Services Board by a vote of 10 ayes, 0 nays, 0 abstentions, 0 absent from vote, 0 absent.

Amended March 16, 2017 at a Regular Meeting of the Community Services Board by a vote of 8 ayes, 0 nays, 0 abstentions, 0 absent from vote, 1 absent; 1 vacancy.

Amended June 21, 2018 at a Regular Meeting of the Community Services Board by a vote of 8 ayes, 0 nays, 0 abstentions, 0 absent from vote, 2 absent.

Amended October 17, 2019 at a Regular Meeting of the Community Services Board by a vote of 9 ayes, 0 nays, 0 abstentions, 0 absent from vote, 1 absent.