

BY-LAWS
for
Advisory Committee on Services to Persons with Developmental Disabilities
for the Department of Behavior Health and Developmental Disabilities

ARTICLE I

NAME

The name of this advisory committee shall be the Advisory Committee on Services to Persons with Developmental Disabilities, hereafter referred to as the Committee.

Hereafter, the Department of Behavior Health and Developmental Disabilities shall be referred to as the Department and the Division of Developmental Disabilities shall be referred to as the Division

ARTICLE II

AUTHORITY AND PURPOSE

The Committee and its authority is created by the Board of Behavioral Health and Developmental Disabilities pursuant to that Board's by-laws.

The purpose of the Committee shall be to advise the Department on matters relating to the care and service of people with developmental disabilities served by the Department. These purposes shall be:

1. To assist the Division in assuring the Department's services to people with developmental disabilities reflect adherence to the standard of "best practice."
2. To assist the Division in assuring the Department's programs for people with developmental disabilities provide quality services in a cost effective manner.
3. To recommend improvements to the Division for existing programs serving people with developmental disabilities.
4. To recommend development and implementation of additional programs for people with developmental disabilities in Georgia.
5. To review the Department's policy, policy revisions, and make recommendations regarding the adherence to the Department's mission and the cost of proposed policies and amendments.
6. To facilitate communication among Department staff, providers of services, service recipients, parents/guardians/advocates of people with developmental disabilities, and other public and private entities involved in delivering services to people with developmental disabilities.

ARTICLE III

OFFICERS

1. Officers of the committee shall be Chairperson, Vice-Chairperson, and Secretary.
2. The Chairperson shall be appointed by the Commissioner of the Department.
3. The Vice-Chairperson and Secretary shall be elected annually by the committee membership at its last meeting of the calendar year and shall serve for one year.
4. Members may serve in one officer position for a maximum of two consecutive one-year terms.
5. The Chairperson shall preside at all regular and special meetings and will confer with the Assistant Commissioner for the Division in preparing an agenda; setting dates of meetings; appointing members of sub-committees and serve as ex-officio member of all sub-committees.
6. The Chairperson shall serve as the spokesperson for the advisory committee with the Department and the Division.
7. The Vice-Chairperson shall serve as acting chairperson in the event of the Chairperson's absence and perform other duties deemed appropriate by the Chairperson.
8. The Secretary shall call the roll and take vote counts with the assistance of Division staff assigned to the committee as necessary.
9. If the office of Chairperson becomes vacant, the Commissioner of the Department shall appoint a new Chairperson within one (1) month of when the vacancy arises.
10. If the office of Vice-Chairperson or Secretary becomes vacant, the committee membership shall elect a new Vice-Chairperson or Secretary at the next scheduled meeting immediately following the creation of the vacancy.

ARTICLE IV

MEMBERSHIP

The Committee will be comprised of no more than 13 members. Committee members shall be appointed by the Chairperson who will ensure that the Committee membership reasonably represents the stakeholders in the state.

Up to four members of the Committee must be persons receiving developmental disability services, family members, legal representative of persons with developmental disabilities or self-advocates.

Up to three members must represent advocacy organizations focused on developmental disabilities.

Up to six members must represent Georgia public or private providers of developmental disability services.

Appointments for Committee members will be for two (2) years. Members can be reappointed to additional terms.

Any Committee member who misses three unexcused, consecutive meetings may be requested to resign his/her appointment.

No member of the Committee shall cast a vote in any matter which would provide direct financial benefit to that member or otherwise give the appearance of a conflict of interest.

The Chairperson shall appoint a new Committee member to fill any member vacancy. The vacancy shall be filled within three (3) months of when the vacancy arises.

ARTICLE V

MEETINGS

1. Meetings shall be held at least four times a year. Special meetings will be called as the Chairperson deems necessary.
2. Copies of all materials to be reviewed as well as minutes of the last meeting shall be provided to each committee member prior to the next regularly scheduled meeting. Once approved, the minutes shall be distributed to Committee members, the Board of Directors for the Department and the Assistant Commissioner for the Division.
3. A quorum necessary to conduct business shall consist of a simple majority of the appointed membership of the Committee.
4. Reasonable notice of each special meeting shall be given to committee members.
5. The meetings will be open and accessible to the general public. A time for public comments will be provided during each meeting of the advisory committee as announced by the committee Chairperson.
6. Executive sessions may be held as determined by the Chairperson or Vice-Chairperson.

ARTICLE VI

SUB-COMMITTEES

The Advisory Committee may form ad-hoc sub-committees as needed. Due to the technical nature of the sub-committee's mission, subject-matter experts may be recruited to serve in addition to the official membership.

ARTICLE VII

DUTIES OF THE DEPARTMENT AND STAFF

The Department agrees that for the advisory committee to operate and perform necessary

functions, the Division will provide the following staff support and cooperation. The Assistant Commissioner for the Division shall serve as the liaison between the Department and the committee. The Assistant Commissioner for the Division will:

1. Provide sufficient staff support and assistance to assure efficient and effective functioning of the committee. The Assistant Commissioner for the Division will assign additional staff when requested by the Chairperson or when additional support functions are necessary. Meeting minutes and all other official documents and actions of the committee shall be made available to the Assistant Commissioner for the Division and the Department.
2. Require that program managers coordinate with the committee to establish an annual calendar for policy review and revision, with recommendations for public forums, and procedures for providing an expedited review of policies requiring amendment due to regulatory changes or other emergencies.
3. Institute a process to hold public forums regarding major program and policy initiatives or revisions affecting service recipients when directed by the committee. The Department program staff shall present summaries of comments received at these public forums to committee members during meetings. Representative committee members shall be present at any public forum.
4. Provide orientation and training to committee members as requested by the chairperson of the Committee.

ARTICLE VIII

USE OF FUNDS BY THE COMMITTEE

The Committee may use funds under this part to conduct public meetings and forums.

Reimburse members of the Committee for reasonable and necessary expenses, as per approved State of Georgia reimbursement policy, for attending Committee meetings and performing Committee duties.

Committee members shall serve without compensation.

ARTICLE IX

AMENDMENTS TO BYLAWS

The Department approves the bylaws and amendments of the Committee. Amendments of these bylaws at any meeting shall require a vote of at least two-thirds of the membership present provided that at least 21 days notice stating the proposed amendment has been submitted in writing to the committee members. In addition, the Chairperson shall notify the Department in writing of the proposed amendment(s) no less than 15 days prior to committee action regarding such amendment(s) for comment and for determination whether the proposed amendment(s) are consistent with applicable laws, regulations, or policy determinations. Amendment(s) in conflict with laws, regulations, or policy shall be null and void.