



Delaware Behavioral Health Consortium By-laws

Preamble

The Delaware Behavioral Health Consortium was established on August 16th, 2017 pursuant to Senate Bill 111 of the 149th General Assembly.

Article I - Name

Section I.I: The Name of the Organization shall be the Delaware Behavioral Health Consortium. The Delaware Behavioral Health Consortium may be referred to as BHC and herein the “Consortium”.

Article II - Mission

Section II.I: The Behavioral Health Consortium will foster collaboration amongst individuals, family members, providers, advocates, governmental agencies, first responders and community members to develop measurable solutions that directly and positively impact behavioral health outcomes throughout the State of Delaware.

Article III – Duties

Section III.I: Duties of the Consortium are prescribed in 81 Del. Laws, c. 125, § 5195 and include:

- 1) The Consortium shall provide oversight of the State’s private and public bodies or entities that affect behavioral healthcare and substance use treatment to ensure the delivery of quality care.
- 2) The Consortium shall periodically report to the Governor and General Assembly, on a schedule to be determined by the Consortium, to recommend any potential legislative action that ensures quality delivery and expanded access to behavioral healthcare. The first report is due by March 1, 2018.

Article IV – Membership

Section IV.I: Consortium Membership: as prescribed in 81 Del. Laws, c. 125, § 5196(a) membership shall consist of the following 21 members:

Seven individuals, or their designees, who are members of the Consortium by virtue of their respective positions, as follows:

- a. The Lieutenant Governor of the State of Delaware.
- b. The Chair of the Behavioral and Mental Health Commission.



- c. The Chair of the Delaware Center for Health Innovation.
- d. The Chair of the Delaware Suicide Prevention Association.
- e. The Chair of the Drug Overdose Fatality Review Commission.
- f. The Chair of the Addiction Action Committee.
- g. The Chair of the Police Chiefs Council.

Twelve individuals who are members of the Consortium by appointment by the Governor, as follows:

- a. One representative of a hospital in this State.
- b. Three advocates from statewide or national nonprofit organizations that are dedicated to the improvement of behavioral health in this State.
- c. One practicing or retired individual licensed or previously licensed under Chapter 19 of Title 24 with experience in behavioral health in this State.
- d. One licensed psychiatrist.
- e. One representative of the education community who directly works to improve behavioral health in a Delaware school district.
- f. One advocate who has directly been impacted by behavioral health in this State.
- g. One representative of the insurance industry who directly works to improve behavioral health in this State.
- h. One citizen from each county who has been impacted by behavioral health.

One member of the Senate, appointed by the President Pro Tempore of the Senate, to serve at the pleasure of the President Pro Tempore.

One member of the House of Representatives, appointed by the Speaker of the House, to serve at the pleasure of the Speaker.



Section IV.II: Term, Chairperson, Vacancy, Removal:

A. Terms:

- a. Consistent with the requirements of 81 Del. Laws, c. 125, § 5196(d), members appointed by the Governor shall serve a term of two years, and shall terminate upon the Governor's appointment of a new member to the Consortium

B. Chairperson:

- a. Consistent with the requirements of 81 Del. Laws, c. 125, § 5196(e) the Consortium shall be chaired by an appointment of the Governor from the Consortium membership.
 - i. The Chair is responsible for guiding the administration of the Consortium by, at a minimum, supervising the preparation and distribution of meeting notices, agendas, minutes, correspondence, and reports of the Consortium.
- b. In the event of a vacancy of a Chairperson, the Consortium shall designate, by affirmative vote of a simple majority of all Consortium members, a new Consortium member to become Chairperson.

C. Vacancies:

- a. Vacancies shall be filled at the pleasure of the Governor, with all to consider there shall be no less than 15 members at all times.
- b. As vacancies occur for any reason, the Chairperson shall inform the Office of the Governor.

D. Removal:

- a. If any member fails to attend two consecutive Consortium meetings, without just cause, that member shall be presumed to have resigned. In order to have just cause considered the member:
 - i. must contact the Chairperson or appropriate staff prior to the day of the second scheduled meeting which will be missed; and
 - ii. must inform the Chairperson or appropriate staff they are unable to attend the second scheduled meeting; and
 - iii. ask for consideration to be excused.
- b. The Chairperson shall inform the Governor when a member has resigned for lack of attendance. The Chairperson may also request that the Governor accept the member's resignation and appoint a new member.

All Governor appointments are at the pleasure of the Governor and at any time can be removed or replaced.



Article V – Consortium Business.

Section V.I. Meetings:

- A. Consortium members shall conduct business at scheduled meetings.
- B. The Consortium shall meet at least quarterly.
- C. The appointment of a designee by a Statutory member must be made, or rescinded, in writing to the Chairperson and appropriate staff.
- D. The Designee of each Consortium member appointed by position shall retain the proxy vote of that Consortium member for the duration of his or her designation.
- E. The Consortium shall be responsible for:
 - a. Assess and outline an integrated plan for action to address prevention, treatment, education, recovery of mental health conditions, which includes substance use and co-occurring disorders;
 - b. Devise a plan of action that will include a multi-year strategy dedicated to combating addiction, promoting integration of services, developing a strong workforce pipeline, eliminating the stigma of behavioral health, and restoring or maintaining the behavioral health of Delawareans;
 - c. Streamline the numerous public and non-profit bodies, efforts, initiatives, and commissions that are currently in place, which will form a more comprehensive and strategic approach to access and delivery of comprehensive high quality care in our the State of Delaware.

Section V.I. Quorum:

A. A quorum shall exist when two-thirds (2/3) of the active voting members of the Consortium are present, or their proxies present. Active voting members shall include all appointed members and does not include vacancies.

B. Once a quorum is present to organize the meeting, it shall continue in effect notwithstanding the subsequent withdrawal of any of those present unless the status of a quorum is questioned by a member.

Article VI – Committees

Section VI.I: Committees:

- A. The Consortium shall create committees that are germane and in accordance with the Consortium’s overall strategic plan, by recommendation of Consortium members, by simple majority vote of the Consortium;
- B. The Consortium Chairperson shall designate the Chair of committees;
- C. The Consortium committees Chairperson, in consultation with the Chairperson of the Consortium and appropriate staff, shall:
 - a. Assign all committee meeting dates;
 - b. Provide a status update on potential committee recommendations;



- D. All committee members shall be reflective of the disciplines prescribed by the committee topic;
- E. Committee meetings shall be scheduled by the committee Chairperson, in consultation with the Consortium Chairperson and appropriate staff, as often as needed in order to accomplish deadlines for completion of recommendations and tasks.

Article VII – Amendments

Section VII.I: By-Law Amendments:

- A. These by-laws may be amended at any Consortium meeting by an affirmative vote of two-thirds (2/3) of all active members described in IV.I.