



# Planning Council Bylaws

# Agenda



- Review the Planning Council Bylaws
- Discuss each article within the Bylaws

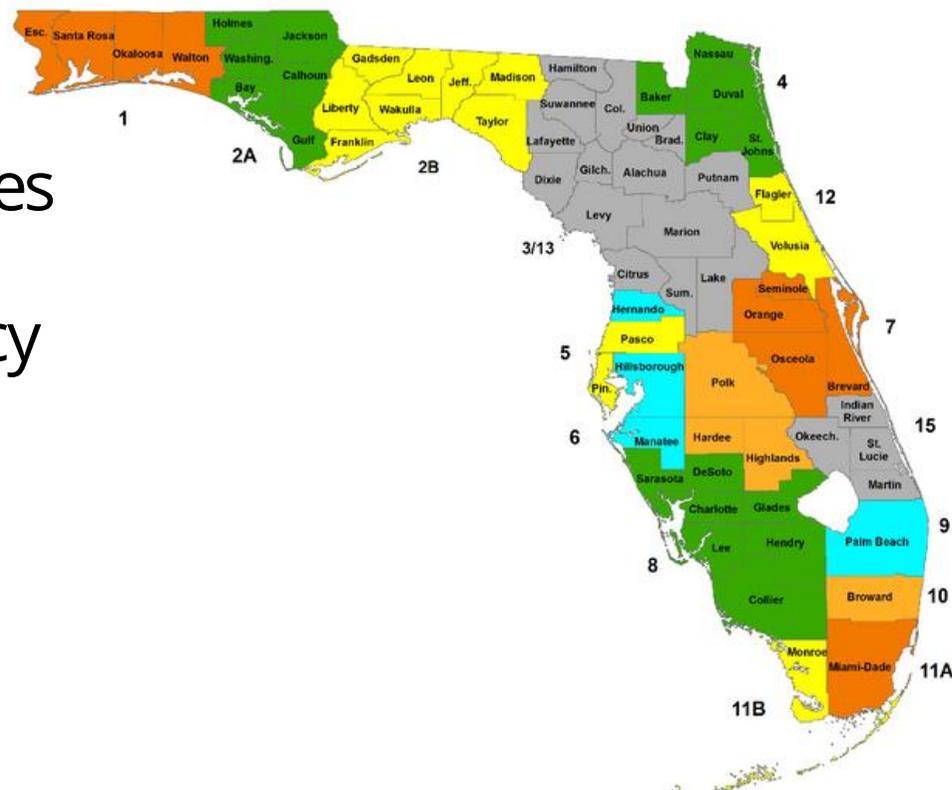


# ARTICLE I

## *Identification*



- Planning Council geographical area:
  - Brevard, Lake, Orange, Osceola, and Seminole counties (OSA)
- RWHAP Part A Recipient
  - Orange County Mayor
  - Orange County Health Services Department
- RWHAP Part B & GR Lead Agency
  - Heart of Florida United Way

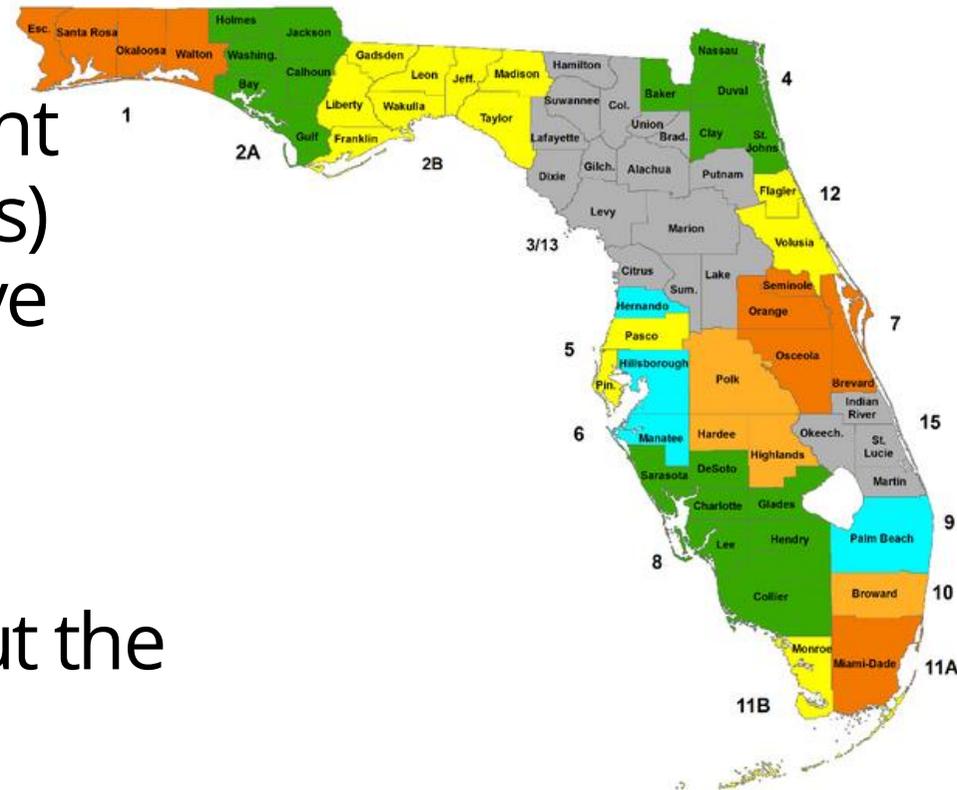


# ARTICLE I

## *Identification, continued*



- RWHAP Part A Recipient Representative:
  - Claudia Yabrudy, Assistant Manager, Health Services)
- Lead Agency Representative
  - Yasmin Andre, AVP Compliance & Risk Management
- Planning occurs throughout the year

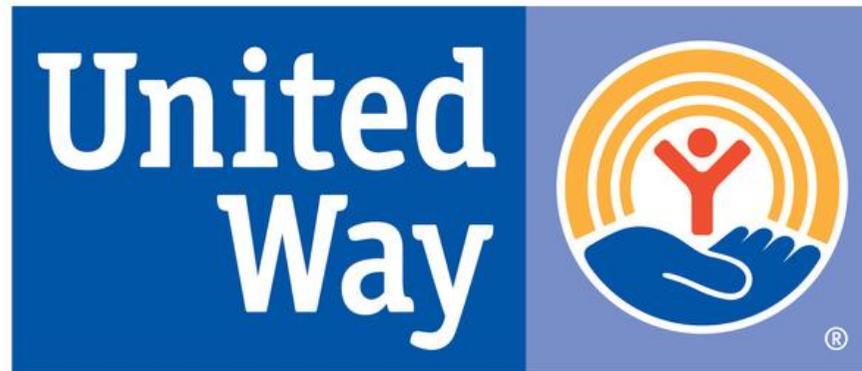


# ARTICLE I

## *Identification, continued*



- **Planning Council Principal Office:**
  - Planning Council Support
  - HFUW – 1940 Cannery Way.
    - Orlando, FL 32804



**Heart of Florida United Way**

# ARTICLE II

## *Statement of Purpose*



- **Vision**

- A quality continuum of care for all individuals and families with, affected by, and at risk for HIV.



# ARTICLE II

## *Statement of Purpose*



### • **Mission**

To improve the quality of life of individuals with HIV by responding to their existing and emerging needs, and to provide educational and behavioral strategies to reduce and prevent the spread of HIV.



# ARTICLE II

## *Statement of Purpose*



- **Core Values**

- Empowerment
- Commitment
- Quality
- Integrity



# ARTICLE II

## *Purpose & Duties*



- **Role of the Planning Council**

- Advise the CEO & Lead Agency on issues related to HIV and perform other duties assigned by the CEO & Lead Agency
- Assess the Orlando Service Area's HIV/AIDS service needs and gaps
- Establish priorities for the allocation of funds
- Develop a Comprehensive Plan for the organization and delivery of HIV services that is compatible with existing State and local plans
  - Assess the efficiency of the Administrative Mechanism

# ARTICLE III

## *Members*



- All members are appointed by the Chief Elected Official (CEO)
- 2 types of members:
  - Regular Members
  - Associate Members

# ARTICLE III

## *Members*

- **Regular Members**
- Selected in accordance with:
  - Federal requirements
  - The Bylaws
  - Any applicable policies and procedures that are adopted by the Planning Council
  - The PC has no less than 15 and no more than 35 Regular Members



# ARTICLE III

## *Members, continued*

### • **Regular Members**

- The PC must reflect the diversity of:
  - The affected populations, demographically and geographically
  - As well as HIV-related institutional and community-based health and support service providers
- Membership must demonstrate Parity, Inclusion & Representation (PIR)
- 1/3 of Regular Members must be unaligned PWH and must also reflect the epidemiology in the EMA



# ARTICLE III

## *Members, continued*



**Members shall also reflect representation from the following categories (mandated seats):**

- Health care providers, including federally qualified health centers;
- Community-based organizations serving affected populations and AIDS service organizations;
- Social service providers, including providers of housing and homeless services;
- Mental health and substance use providers [considered two separate categories];
- Local public health agencies;
- Hospital planning agencies or health care planning agencies;
- Affected communities, including people with HIV/AIDS, members of a Federally recognized Indian tribe as represented in the population, individuals co-infected with hepatitis B or C, and historically underserved groups and subpopulations;

# ARTICLE III

## *Members, continued*



**Members shall also reflect representation from the following categories (mandated seats):**

- Non-elected community Leaders;
- State government (including the State Medicaid agency and the agency administering the program under Part B) [considered two separate categories];
- Recipients under subpart II of Part C;
- Recipients under section 2671 [Part D], or, if none are operating in the area, representatives of organizations with a history of serving children, youth, women, and families living with HIV and operating in the area;
- Recipients of other Federal HIV programs, including but not limited to providers of HIV prevention services; and,
- Representatives of individuals who formerly were Federal, State, or local prisoners, were released from the custody of the penal system during the preceding 3 years, and had HIV/AIDS as of the date on which the individuals were so released

# ARTICLE III

## *Members, continued*

- A person who is registered or is required to register as a lobbyist or who is employed by a person registered or required to register as a lobbyist, **is not eligible to serve** on the Planning Council until three (3) years after the date that they are required to register.



# ARTICLE III

## *Members, continued*



**Following approval by the CEO, a person becomes eligible to serve on the Planning Council when they have:**

- Completed orientation
- Signed a written acknowledgement that they:
  - Received a copy of and agree to comply with the lobbyist section, if applicable
  - Agree to comply with the County's ethics and personal responsibility guidelines
  - Agree to complete training regarding the Florida Sunshine Laws

# ARTICLE III

## *Members, continued*



### **Associate Members:**

- The Planning Council may create an Associate Member category and provide for the details of such category in the Policies & Procedures of the Planning Council
- An Associate Member shall have **no vote** in the meetings of the Planning Council but shall have full rights in committee meetings



# ARTICLE III

## *Members, continued*



- Each member of the HIV Planning Council shall be assigned to a specific committee and perform the following mandates as prescribed in the Ryan White Act.
- **Members shall:**
  - Establish operations that facilitate planning tasks functions;
  - Assess the HIV/AIDS service needs in the Orlando Service Area;
  - Establish priorities for the allocation of funds;
  - Allocate resources;
  - Develop a Comprehensive Plan for the organization and delivery of HIV services that is compatible with existing state and local plans; and,
  - Assess the efficiency of the Administrative Mechanism.

# ARTICLE III

## *Members, continued*



- **Terms:**
- A term shall be three (3) years
- An individual may not serve than two consecutive terms without a break in membership of at least twelve consecutive months



# ARTICLE III

## *Members, continued*



- **Attendance**

- All members shall be punctual and remain for the duration of the entire meeting.
- Members shall be required to be present physically or via teleconference for a majority of all scheduled meetings;
- A Policy & Procedure shall govern the number of teleconferencing allowed in a year
- Members who have two (2) consecutive unexcused absences from any meeting shall:
  - Be contacted by PCS and be instructed to attend the next meeting or resign from the Planning Council.
  - The third consecutive unexcused absence, shall at the outset of that third meeting, be considered a resignation and shall automatically remove the member from the Planning Council.

# ARTICLE III

## *Members, continued*



- **Termination of Membership**

- Members serve at the discretion of the CEO
- The CEO may terminate membership of a Planning Council member with or without the recommendation or approval of the Planning Council
  - Conduct or behavior that the Planning Council deems to interfere with the business of the Planning Council or have a negative impact on the community's confidence in the Planning Council shall be grounds for termination of membership
  - A two-thirds (2/3) vote by the Planning Council shall be required to recommend termination of membership

# ARTICLE IV

## *Officer Duties & Responsibilities*



### • **Officers of the Planning Council:**

- Sr. Co-Chair
- Jr. Co-Chair
- Patient Client Representative
- Prevention Client Representative
- PCPG & PPG reps



# ARTICLE IV

## *Officer Duties & Responsibilities*

- In **odd** calendar years
  - The Council shall elect a Representative and an alternate to the Patient Care Planning Group (PCPG) and the prevention planning group (PPG) of the Florida Comprehensive Planning Network (FCPN)
  - DOH employees shall not be eligible for nomination
  - Officers of the Planning Council are eligible for nomination providing that they are able to serve a two-year term





# ARTICLE IV

## *Officer Duties & Responsibilities*

- **Nomination of Officers:**

- Opens June 1st
- Closes at the August meeting
  - Nominees must have served as a member of the Planning Council for one full year to be eligible for Co-Chair positions
  - Nominees for Co-Chair must be approved by the CEO prior to elections
  - Only PWH members of the Planning Council shall be eligible to serve in the office of Patient Care Client. The Prevention Client Representatives does not have to be a PWH

# ARTICLE IV

## *Officer Duties & Responsibilities*



- **Election of Officers:**

- All officers shall be elected by a majority vote by signed ballot at the annual meeting in September

- **Ascent to Office:**

- At the end of the term of the Sr. Co-Chair of the Planning Council the Jr. Co-Chair shall become the Sr. Co-Chair for a full term
  - Except when the Sr. Co-Chair has been elected for a 2<sup>nd</sup> term
- Upon any vacancy in the office of the Sr. Co-Chair of the Planning Council before the expiration of the term, the Jr. Co-Chair shall automatically become Sr. Co-Chair for the remainder of the term
- **Term of Office:** all officers are elected for a 2-year term or until their successor is elected

# ARTICLE V

## *Membership Responsibilities*



### ◦ **Committee Assignments**

- Members are required to serve on at least one standing committee;
- Members are recommended for appointment to a committee by the Membership Committee;
- The Executive Committee shall appoint all committees; and
- Members may elect to join one other standing committee

### ◦ **Rules of Conduct**

- Members shall abide by the current approved Rules of Conduct.

### ◦ **Discipline of Members**

- Members in violation of the Rules of Conduct may be recommended for reprimand, censure, suspension or removal, as defined in the Policy and Procedure for rules of Conduct.



# ARTICLE VI

## *Meetings*

- **Planning Council Meetings**
- There shall be an annual meeting of the Planning Council in September. Officers shall be elected.
- The Planning Council shall meet at least 10 times per year and may meet more frequently if necessary.
- Meetings shall include regularly scheduled Planning Council meetings and trainings as well as Annual Data Presentation, Annual Priority Setting and Annual Resource Allocation meetings.



# ARTICLE VI

## *Meetings, continued*

- **Planning Council Meetings**
- The meetings shall be open to the public and shall be held only after adequate notice to the public;
- The records, reports, transcripts, minutes, and agenda and other documents, which were made available to or prepared for or by the Planning Council, shall be available for public inspection and copying at the offices of Planning Council Support; and,
- Minutes of each meeting of the Planning Council and its committees shall be kept. The accuracy of all minutes shall be certified by the Chair of the Planning Council or the committees within seven days of their approval.

# ARTICLE VI

## *Meetings, continued*



- **Planning Council Meetings**

- Each Planning Council meeting shall include an open public comment period at the beginning of each meeting
- Action items on the Planning Council agenda shall be distributed to Planning Council Members for comment prior to the vote being taken at the Planning Council meeting
- A quorum is the presence of a majority (50%+1) of the Planning Council members at any Planning Council Meeting, including Annual Data Presentation, Annual Priority Setting and Annual Resource Allocation. If quorum is not established, the only action that can legally be taken is to fix the time for adjournment, adjourn, recess, or to take measures to obtain a quorum
- In the absence of both the Planning Council Co-Chairs from a regularly scheduled Planning Council meeting, the membership committee chair shall call the meeting to order as chair pro tem
- If all three officers are absent, the meeting shall not be called to order



# ARTICLE VI

## *Meetings, continued*

- **Special Meetings:**

- A special meeting (or called meeting) is a separate session of the PC held at a time different from that of any regular meeting and convened only to consider one or more items of business specified in the call of the meeting.

- **Notification of Meetings:**

- Notification of Meeting shall be in accordance with Florida Sunshine Law.
- Planning Council Support staff shall provide at least ten business days' notice of the date, time and location of Planning Council and Committee meetings.
- Special meetings require a notice of at least five full business days.
- Members shall receive notification in accordance with policy.

# ARTICLE VII

## *Executive and Standing Committees*



- **Convening a Meeting:**
- In the absence of both the Committee Chair and Vice-Chair from a regularly scheduled committee meeting, the Planning Council Co-Chair acting as an ex-officio member may call the meeting to order; otherwise the meeting shall not be convened.
- At the Executive Committee meeting, if the Co-Chairs are both absent, the Membership Committee Chair shall call the meeting to order as Chair pro tem

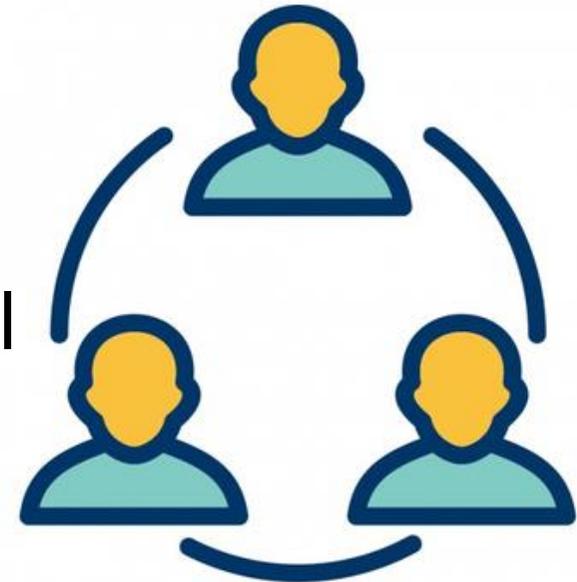


# ARTICLE VII

## *Executive and Standing Committees*

- **Standing Committee Quorum:**

- A quorum at committee meetings is the presence of three committee members, provided that at least one PWH member of the Planning Council is present
- If a quorum is not established, the only action that can legally be taken is to fix the time for adjournment, adjourn, recess, or to take measures to obtain a quorum





# ARTICLE VIII

## *Conflict of Interest*

- Conflict of interest will be discussed in detail later;
- Planning Council Members shall sign a Conflict of Interest Disclosure Form at least annually;
- Each Planning Council member is required to update their Conflict of Interest Disclosure form within 5 business days of acquiring such conflict, and at least annually;
- A conflict of interest shall remain active for a period of six months after the conflict no longer exists;
- Members shall refrain from referring to specific agencies that receive funding at all times;



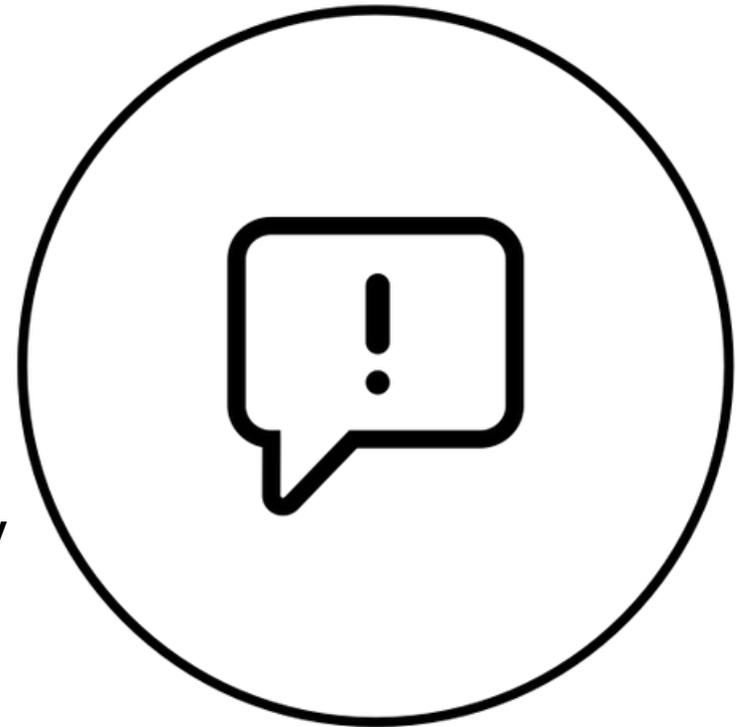
# ARTICLE IX

## *Voting*

- Voting privileges begin after appointment by the CEO and completion of orientation
- Each member of the Planning Council who is eligible to vote shall have the right and responsibility to do so
- Each member must vote yes or no on each issue with which they have no conflict of interest
- The Chair has the same voting rights as any other Planning Council or committee member, however, the Chair may choose not to declare their vote
- To be eligible to vote during the annual Priority Setting and Resource Allocation processes, each member must have attended the Annual Data Presentation and have been present for all roll calls occurring throughout that presentation unless granted an exception as defined in the Policy and Procedure

# ARTICLE X-XII

- Grievances (Art. X)
  - Members have the right to grieve actions taken by the Planning Council and/or its members in accordance with the Grievance Policy and Procedures.
- Parliamentary Authority (Art. XI)
- Amendments (Art. XII)
  - The CEO may amend the bylaws at any time. The Planning Council may recommend amendments to the bylaws at any meeting.





# QUESTIONS