



Office of Addiction
Services and Supports

Office of
Mental Health

New York State
**New York State Behavioral Health Services
Advisory Council**
Guidelines for Public Participation

The New York State Behavioral Services Advisory Council (Council) welcomes interested observers at its meetings and the meetings of its committees. The meetings are open to the public in accordance with the Open Meeting Law. To make these meetings as productive as possible, however, the Council has established certain guidelines as it pertains to public participation. The Council is an advisory body to the Commissioners of the Office of Mental Health (OMH) and the Office of Addiction Services and Supports (OASAS).

Council and Committee Meeting Guidelines

1. Discussion and Public Presentations

A. Council: Discussion during the meeting of the full Council is limited to Council members and staff. Public presentations will be limited to the time allotted on the agenda.

B. Committees: Discussion during Committee meetings is limited to Council members (who may request information or reports from staff to the Council). The Committee members may request clarifying information from a PAR or certification applicant in attendance at the meeting. Participation and the amount of time for public presentation are at the sole discretion of the Committee Chair.

C. Presentations:

1. Those who wish to participate shall identify themselves to a staff person prior to the meeting and indicate the agenda item they would like to support, oppose or comment on.¹ Handouts are not allowed.

2. Except as otherwise provided in these Guidelines or at the discretion of the Chair, there will be a limit of three minutes for oral presentations. In the interest of having the meeting progress in a timely manner, one representative of an organization or facility shall be appointed as a spokesperson for that group. Also, it is requested that all members of the public, whether an individual or a representative of a group or facility, present only new views or ideas on an agenda item, rather than reiterate a thought or position similar to a previous presenter.

¹ *The Regulations Committee requests that proposed participants advise staff, in writing, of their reasons for support or opposition to a regulation and offer specific recommendations they may have.

2. Written Materials: Written materials relevant to the agenda of the Council or a particular Committee must be sent, preferably by electronic transmission, to the Executive Secretary 5 business days prior to the meeting:

Patricia Bowes
Director of Intergovernmental Relations
New York State Office of Mental Health
44 Holland Avenue
Albany, NY 12229

The Executive Secretary will share communications with the Council Chair or the Committee Chair, who in turn will verbally summarize the material for the Council or Committee members. If the material is not submitted in advance, but is brought to a meeting, it will **not be distributed but will instead** be considered for a future meeting.

3. Press Inquiries: All Press inquiries concerning Council or Department activities should be directed to the Director of Public Affairs at either OASAS or OMH, as appropriate, and in the Director's absence, to the Executive Secretary.
4. Observers will be accommodated within the physical limitations of the meeting room and in accordance with the number allowed by the building's fire safety code.
5. Project Review Committee Meeting Guidelines

In addition to the general guidelines contained herein, specific protocols for speaker presentations at the Project Review Committee meetings are outlined below:

- (a) The Chair shall have the responsibility for the allocation of time for each project or series of projects. Time management is vitally important to this Committee. At each meeting, the Committee reviews numerous complex projects that require time for analysis and discussion. Each project is important, especially so in the eyes of the applicant, and to other parties interested in the undertaking. As such, the Chair must manage the meeting with utmost efficiency and fairness.
- (b) The Project Review Committee participants must sign in on the "Speaker's List."
- (c) Presentations by applicants shall be limited to those cases where the sponsor has been invited to present by OMH or OASAS or cases where there is interest or opposition by other parties who have made their interest known to OMH or OASAS in advance of the meeting.
- (d) Presentations by applicants shall be organized and managed by the applicant, who shall have the option of presenting before or after presentations by other interested parties. Applicant presentations shall generally be limited to ten minutes.
- (e) Presentations by other interested parties shall be organized and managed by a "spokesperson" for the parties, if appropriate. The number and time allotted speakers shall be at the sole discretion of the Chair. Generally, the number of

speakers shall be limited to no more than four and the total time for presentations shall not exceed ten minutes.

- (f) The applicant will be afforded two minutes for final comments prior to Committee discussions.
- (g) As a point of emphasis, for both applicants and other interested parties, handouts or other written materials will not be accepted at the meeting.

Videoconferencing

Videoconferencing is authorized for the Council pursuant to the New York Public Officers Law (POL) § 103-a and outlined in the Council's bylaws. Videoconferencing is authorized where a minimum number of members are present to fulfill the quorum requirement in the same physical location or locations where the public can attend. It should be noted that BHSAC members shall be physically present at scheduled meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. These requirements are not applicable during a state disaster emergency declared under the Executive Law.

Public participation is authorized as follows:

- A. Where videoconferencing is used to conduct a meeting of the Council, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted and shall identify the physical location(s) for the meeting where the public can attend.
- B. Where videoconferencing is used to conduct a meeting, the Council shall provide the opportunity for members of the public to view the meeting via video and to participate in proceedings via videoconferencing in real time provided public comment or participation is authorized. Furthermore, videoconferencing shall be authorized for the same public participation or testimony as in-person participation or testimony.
- C. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Council's website within five business days following the meeting.
- D. Minutes of meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public within two weeks of the date of the meeting.

For additional information, including the Bylaws and Public Officers Law:

https://omh.ny.gov/omhweb/bh_services_council/

<https://opengovernment.ny.gov/open-meetings-law>