



Residential Treatment Facility Admissions Advisory Board Bylaws

Article I – Name

Section I:

This Board shall be known as the Residential Treatment Facilities Admissions Advisory Board (the Advisory Board or the Board).

Article II – Authority

Section I:

The Advisory Board is established and empowered pursuant to Section 9.51(c) of the New York Mental Hygiene Law. Per Section 9.51(c): “the commissioner shall consult with the executive director of the council on children and families regarding the establishment of an advisory board.”

Article III – Membership and Composition

Section I:

1. The Advisory Board shall be co-chaired by the commissioner of mental health (Commissioner) and the executive director of the council on children and families (Executive Director).
2. The Advisory Board shall include, as deemed appropriate by the commissioner and the executive director, representatives of the members of the council on children and families as specified in section four hundred eighty-three of the social services law, local agency representatives under the jurisdiction of a member agency of the council on children and families, family representatives with lived experience with residential treatment facility services, medical directors from residential treatment facilities, and representatives from hospitals with pediatric inpatient psychiatric beds that are not operated by the state office of mental health.
3. Members of the Board (Board Members) shall be representative of the racial, ethnic, and geographic diversity of the state.

Section II:

1. Board Members shall serve for a term of three years. Each Board member shall have the right to resign at any time with written notice to the Board Co-Chairs.

- a. For representatives of families and young people with lived experience, unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof, and the acceptance of such resignation shall not be necessary to make it effective. The Co-Chairs will select new family and young people representatives by contacting current and past families served by RTFs.
 - b. For representatives from member CCF agencies, local governments, hospitals, and RTF psychiatrists, a resignation notice must provide 45 days notices and identify a proposed replacement.
2. A Board Member may be removed by the Commissioner in consultation with the Executive Director for cause after notice and an opportunity for the Board Member to respond in writing.
 - a. A Board member who is absent from three consecutive regular meetings of the Board is encouraged to re-evaluate with the Board Co-Chairs their commitment to the RTF Admissions Advisory Board. The Board may deem a Board member who has missed three consecutive meetings without such a re-evaluation with the Co-Chair as having resigned from the Board. If said member is representing a CCF agency, local government, hospital, and RTF, they must identify a replacement.

Article IV – Meetings

1. The Advisory Board shall meet as often as deemed necessary by the commissioner in consultation with the executive director in order to prepare the statutorily mandated Annual Report. At a minimum, the Board shall meet one time per year. Designated Office of Mental Health and Council on Children and Families staff members will be in attendance to support the Board as needed.
2. Board requests to RTF(s) for specific clinical record(s) determined to be necessary to prepare the statutorily mandated Annual Report will require consent by the Co-Chairs. Clinical records shall be shared via encrypted electronic mail. The Board shall be bound by the confidentiality requirements of Section 33.13 of the Mental Hygiene Law.
3. The Co-chairs shall determine if visits to RTFs by the Board to obtain specific information is necessary for the Board to prepare the statutorily mandated Annual Report.

Article V – Procedure of Meetings

1. The Co-Chairs shall alternate presiding at all meetings. If neither Co-Chair can attend a meeting, another Board Member to serve in such capacity shall be designated by one or both of the Co-Chairs.
2. Meetings of the Board will be conducted according to Robert's Rules of Order.

3. A quorum of the Board shall be a majority of the total membership of the Board. A vote by a quorum of the Board shall be necessary for all actions of the Board, unless otherwise stated in these Bylaws.

Article VI – Reports

The Board shall report to the governor, the speaker of the assembly, and the temporary president of the senate as required by Mental Hygiene Law section 9.51(c).

Article VII – Amending Bylaws

These Bylaws may be amended at any meeting of the Board upon consent by a majority of the total membership of the Board, provided that the Board Members are notified in writing at least ten (10) days in advance of such meeting regarding the proposed amendments.