

County of Sacramento
In-Home Supportive Services Advisory Committee
Bylaws

ARTICLE I

Name and Authority

- 1.1 Name The name of this advisory committee shall be the Sacramento County In-Home Supportive Services Advisory Committee (IHSSAC).
- 1.2 Authority The IHSSAC has been established as an independent advisory committee by the County Board of Supervisors by Resolution No.2000-0197, dated February 22, 2000, adding Chapter 2.97 to Title 2 of the Sacramento County Code ("the Ordinance"), under the statutory authority of the Welfare and Institutions Code 12301.6, to create an advisory committee for In-Home Supportive Services (IHSS) within the County.

ARTICLE II

Purpose

- 2.1 Purpose The purpose of the IHSSAC is to improve In-Home Supportive Services (IHSS) through examination of IHSS consumer and provider concerns, consideration of the current IHSS delivery system, and submission of recommendations concerning IHSS in Sacramento County to the Board of Supervisors, the Public Authority, and/or the Department of Health and Human Services.
- 2.2 Interaction with Statute and Ordinance To the extent these Bylaws are in any manner inconsistent with the Statute and/or the Ordinance, the Statute and/or Ordinance shall govern.

ARTICLE III

Membership

- 3.1 Members The IHSSAC shall consist of no more than eleven members, each of whom is duly appointed by the County Board of Supervisors pursuant to the appointment process set forth in the Ordinance. Members shall be residents of, or employed in, Sacramento at the time of appointment and shall include knowledgeable community representatives. No less than fifty percent of the IHSSAC shall be individuals who are current or past users of personal care assistance services paid through public or private funds or as IHSS recipients. The remaining members shall be appointed from the following areas of interest: medical services, senior advocates, IHSS providers, community-based organizations serving the disabled, and the Adult and Aging Commission.
- 3.2 Term of Appointment Following the initial staggering of members' terms set forth in the Ordinance, each IHSSAC member shall hold office for three years commencing from the date of appointment by the County Board of Supervisors and shall continue to discharge the duties of the office until his /her successor has qualified. A new appointee shall not be an IHSSAC member until, following appointment, he/she executes all documents of appointment required by the County Board of Supervisors.
- 3.3 Membership Leave of Absence The IHSSAC Chair may grant a member a leave of absence, not to exceed four consecutive regular monthly IHSSAC meetings. To grant such a leave, the Chair shall announce it at a regular monthly meeting. The leave may become effective at the meeting at which it is announced. Nothing shall prevent an IHSSAC member from resuming regular participation or appointed duties and terminating early such extended leave.
- 3.4 End of Term An IHSSAC member shall cease to be a member during his/her term upon the earliest to occur of:
- (1) the effective date of the member's resignation, as shown in a written notice of resignation delivered to the IHSSAC; or
 - (2) the effective date of the member's removal by the Board of Supervisors; or
 - (3) the member has failed to attend three consecutive IHSSAC meetings without a leave of absence within a calendar year; or
 - (4) the member attends fewer than 50% of the IHSSAC meetings held in a calendar year without justification or excuse; or
 - (5) the member dies.

- 3.5 Recommendations for Officers When They Can No Longer Serve Four (4) months prior to the expiration of the term of an officer, or immediately upon the officer's death, resignation date, or removal, the IHSSAC shall appoint a Nominating Committee. The Nominating Committee shall make recommendations to the full committee on the replacement of the officer.
- 3.6 Recommendation for Replacement of Members The IHSSAC, by an affirmative vote of two-thirds of the members constituting IHSSAC, may recommend to the Board of Supervisors replacement of an IHSSAC member if he /she:
- (1) Has been neglectful or has been persistently disruptive in carrying out duties including, but not limited to, failure to attend three consecutive IHSSAC meetings without a leave of absence within a year, or he/she attends fewer than 50% of the meetings held in a calendar year without justification or excuse.
 - (2) No longer satisfies the requirements necessary to represent the constituency he/she was appointed to serve as set forth in the Ordinance.
- 3.7 Removal of Members Each member of the IHSSAC shall serve at the pleasure of the Board of Supervisors and may be removed during the member's term at the will of the Board.
- 3.8 Reimbursement of Member's Expenses IHSSAC and subcommittee members shall not receive compensation for their voluntary services. However, this section shall not be construed to preclude any IHSSAC member from receiving reimbursement for travel costs to meetings or other expenses incurred in conformity with the IHSSAC or subcommittee policies and procedures, contingent upon available funding.

ARTICLE IV

Officers

- 4.1 Officers The officers of IHSSAC shall be a Chair and a Vice-Chair.
- 4.2 Election of Officers The IHSSAC shall annually, at its regular meeting each June, elect officers from among its members, each of whom shall have the authority to perform duties consistent with the Statute and the Ordinance as set forth in the Bylaws. Each officer shall serve for a term of one year or until his/her successor is selected. Elected officer annual terms begin on July 1 of each year and expire on June 30 of the following year. Officers may be re-elected to the same office for an additional year of service without interruption of service, following the normal process for

nomination of officers. No member shall hold more than one office at one time.

- 4.3 Term Limits of Officers No officer shall be eligible to serve more than two consecutive terms in the same office.
- 4.4 Nominations for Officer Positions An ad-hoc Nominating Committee will be formed at the regular IHSSAC meeting in April, and meet in May of each year to prepare a slate of IHSSAC member nominations for officer positions to be presented to the full IHSSAC at their regular meeting in June. At the June meeting, additional nominations for IHSSAC officer positions will be taken from the floor, and added to the slate of candidates.
- 4.5 When Officers can no longer serve Four (4) months prior to the expiration of the officer's term as an IHSSAC member, or immediately upon the officer's death, resignation date, or removal, the IHSSAC shall appoint a Nominating Committee. The Nominating Committee shall make recommendations for replacement of the officer to the full committee at the next regular committee meeting, for a vote by a quorum of the members of the IHSSAC.
- 4.6 Removal of Officers Any officer may be removed without cause at any IHSSAC meeting by the vote of a majority of the members constituting IHSSAC acting upon a properly noticed motion. An officer shall immediately cease to be an officer if he/she ceases to be a member of IHSSAC.
- 4.7 Chair The Chair shall preside at meetings of IHSSAC and shall have such other powers and perform such other duties as may be prescribed from time to time by IHSSAC.
- 4.8 Vice-Chair In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair, and when so acting, shall have all the powers of, and be subject to all restrictions upon the Chair. The Vice Chair shall have such other powers and perform such other duties as may be prescribed from time to time by IHSSAC.

ARTICLE V

IHSSAC Meeting Procedures

- 5.1 Brown Act The IHSSAC meetings, meeting notices, agendas, and procedures shall comply with the Ralph M. Brown Act ("the Brown Act") (Government Code §54950, et seq.) In the event of any inconsistency between these Bylaws and the Brown Act, the Brown Act shall govern.

- 5.2 Robert's Rules of Order All meetings of IHSSAC and its subcommittees shall be conducted according to Robert's Rules of Order, 1999 Webster' New World edition, ISBN: 0-02-862749-0, except as may be amended by a majority vote of the members at a regular meeting at IHSSAC.
- 5.3 Parliamentarian The Chair may appoint someone to act as a parliamentarian with the vote of approval of the full IHSSAC membership. The parliamentarian shall ensure adherence to Robert's Rules of Order at regular committee meetings and meetings of the Executive Committee, should the IHSSAC Chair choose to establish one.
- 5.4 Meetings Regular meetings of IHSSAC shall be held on such days as the IHSSAC may determine from time to time with notice to the public, and shall be held at an accessible location to be agreed upon by a majority of the IHSSAC members. Special IHSSAC meetings may be called by the Chair or by a majority of the members constituting the IHSSAC, and may be held at any accessible location within the county at a time that has been designated in the notice of the meeting. The IHSSAC shall meet no less than quarterly each year.

If, at any time, the Public Authority has concerns about an action of the Advisory Committee, the Public Authority will make its concerns known to the current Chair, and the Chair will call a meeting of the Executive Committee in accordance with the bylaws in order to address the issue.

- 5.5 Open Meetings The IHSSAC meetings shall be open to the public. Public participation in meetings shall be allowed as follows:
- (1) the public shall be provided with an opportunity directly to address the IHSSAC regarding any item on the public meeting agenda that is of interest to the public before action is taken. Notwithstanding the foregoing, the failure of the IHSSAC to provide an opportunity for public participation shall not invalidate any action taken or any resolution adopted by the IHSSAC except to the extent required by law.
 - (2) each agenda shall provide an opportunity at each regular meeting for communication by members of the public on items not included in the agenda that are within the subject matter jurisdiction of the IHSSAC.
 - (3) the Chair may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and may establish reasonable limits on the total time allotted for communication referred to in Subsection (2) above. When further discussion is required, the IHSSAC may vote to extend the time for comment during the meeting or continue the matter to a subsequent meeting.

- 5.6 Adjournment A majority of the IHSSAC members present, whether or not constituting a quorum for the transaction of business, may adjourn any meeting or continue any meeting to another time or place.
- 5.7 Quorum A majority of the non-vacant member positions constituting the IHSSAC shall constitute a quorum for the transaction of business. A meeting at which a quorum is initially present may continue to discuss business notwithstanding the withdrawal of members as long as any action taken meets the requirements of § 5.8 (1) below.
- 5.8 Notice of Adjournment Notice of the time and an accessible location of a continued meeting shall be given if the meeting is adjourned for more than twenty-four hours.
- 5.9 Voting
- (1) Actions All official acts of the IHSSAC that are on the meeting agenda shall be made according to the Brown Act and Robert's Rules of Order and requires the affirmative vote of a majority of the members present at a meeting at which a quorum is present. The required vote shall exclude the vote of any member, who excuses him/herself from voting on the matter pursuant to Article X. If a quorum is not present, the Committee may not take action. All official acts of the IHSSAC shall be made either by resolution or motion, duly made, seconded, and adopted by vote as provided above. No action of the Committee is valid or binding unless a majority concurs in that action. A motion is lost on a tie vote.
- (2) Absentee Voting Absent IHSSAC members may not vote, whether by proxy, teleconference, written ballot, or with or by telephone. A person must be physically present to vote.
- 5.10 Minutes The minutes shall be an accurate summary of the IHSSAC's consideration of each item in the agenda and an accurate record of each action taken by IHSSAC. Once approved by the IHSSAC, the Chair shall sign the minutes and keep them with the proceedings of the IHSSAC.

ARTICLE VI

Executive Committee

- 6.1 Establishment of Executive Committee The IHSSAC Chair may establish an Executive Committee with a full vote and approval of the IHSSAC membership. Officers of the IHSSAC and Chairs of standing committees of the IHSSAC shall constitute the Executive Committee.

- 6.2 Executive Committee Duties The function of the Executive Committee is to make decisions in emergency situations. The executive committee shall have general supervision of the affairs of the IHSSAC between its business meetings, fix the hour and date of meetings, and perform such other duties as are specified in these bylaws. It is subject to the orders of the IHSSAC and none of its acts shall conflict with action taken by the IHSSAC.
- 6.3 Executive Committee Meetings The Chair shall have the authority to convene regular periodic meetings of any established Executive Committee, as needed, to conduct duties of the IHSSAC. Actions taken by the Executive Committee are subject to ratification of the full IHSSAC.

ARTICLE VII

Subcommittees and Procedures

- 7.1 Subcommittees The IHSSAC shall establish such subcommittees as it deems necessary. These subcommittees may be standing or ad hoc and shall consist of at least two IHSSAC members. The function of each subcommittee shall be determined by resolution or motion of the IHSSAC. Subcommittee Chair and members shall be appointed by the IHSSAC Chair with the approval of the IHSSAC and shall serve at the pleasure of the IHSSAC Chair with the approval of the IHSSAC. All subcommittees shall only serve in an advisory capacity, enhancing the purpose of the IHSSAC. Standing committees operate under the Brown Act at all times. Ad Hoc committees do not come under the Brown Act provisions unless otherwise determined by law. All designated committees shall act in the public interest concerning all matters under the IHSSAC jurisdiction and purview.
- 7.2 Standing and Ad Hoc Subcommittees The IHSSAC has determined that the following subcommittees are designated as standing committees: Systems and Operations, Finance, Legislation, and Education. The IHSSAC has determined that the following subcommittees are designated as Ad Hoc committees: Bylaws, Nominations, Events, and Quality Assurance. If the IHSSAC Chair chooses to establish an Executive Committee, that committee will operate as an Ad Hoc committee. Notwithstanding the above, any future committees established will be deemed either as a standing or ad hoc committee as determined by the IHSSAC.
- 7.3 Subcommittee Appointments The IHSSAC Chair shall appoint the Chair of each Standing and Ad Hoc Committee, subject to ratification by a vote

of the IHSSAC members at a regular meeting, and subcommittee chairs shall serve at the pleasure of the IHSSAC. Committee members' terms shall be consistent with that of officers from July 1 to June 30 each year.

- 7.4 Process of Committee Member Selection At the regular monthly IHSSAC meeting in May of each year, the Chair or Acting Chair shall request that all IHSSAC members complete an application for committee appointment form, noting their choices for participating on a minimum of two existing or newly created IHSSAC committees. Each member **will** also indicate whether or not they are willing to serve as Chair of the subcommittees they have selected.

IHSSAC members not present at the May meeting **will** be sent an application for committee appointment form to fill out and return to the IHSSAC Chair with their selections. All applications for committee appointment will be given to the newly elected IHSSAC Chair, immediately following the June meeting.

It will be the discretion of the newly elected IHSSAC Chair to appoint chairpersons and committee members to all existing or newly created committees at the regular meeting of the IHSSAC in the month of July in each year. All committee appointments are subject to a vote of approval by the majority of voting IHSSAC members constituting a quorum at the July meeting. Co-Chairs will be assigned to the Systems and Operations, Education, and Legislative Committees due to the fact that they have the greatest attendance, but elected chairs appointed to all other subcommittees may appoint a co-chair from among their respective committee members.

- 7.5 Subcommittee Meetings All meeting and procedures of the IHSSAC's standing subcommittees shall be in conformity with the Brown Act and other applicable laws. Subject to such provisions meetings of any subcommittee shall be held at such times and accessible locations as are determined by IHSSAC or by the subcommittee. All IHSSAC subcommittees shall operate by general consensus of the members present, and all subcommittee recommendations will be presented for a vote by the full IHSSAC. The Chair shall be an ex-officio member of each subcommittee, regardless of any express appointment.

- 7.6 Removal of Subcommittee Chair The removal of a subcommittee chair or co-chair for just cause will be at the discretion of the IHSSAC Chair with the approval of the IHSSAC. Any consideration of removal of a subcommittee chair and/or co-chair will be made on a case-by-case basis considering special circumstances that may warrant such action.

- 7.7 Elimination of Subcommittee The IHSSAC has full discretion to eliminate any subcommittee no longer needed to facilitate the duties of the IHSSAC or to establish any subcommittee necessary to conduct the duties of the committee.
- 7.8 Subcommittee Minutes The chair of each subcommittee or his/her designee shall prepare the minutes of each meeting of such subcommittee. The minutes shall be an accurate summary of the subcommittee's consideration of each item on the agenda and an accurate record of each action recommended by the subcommittee. Once approved by the subcommittee, copies of the minutes shall be forwarded to subcommittee members, IHSSAC members not on the subcommittee, and to the IHSSAC Chair.

ARTICLE VIII

Committee Liaisons

- 8.1 Non-Committee Member Liaisons Non-IHSSAC members may be appointed from time to time to represent the IHSSAC on non-IHSSAC committees, subcommittees, task forces, boards, etc. Appointments of such persons will be primarily because of their unique experience, expertise and/or their service with Sacramento County. Such appointment will generally be considered that of "Liaison." Appointments will be on a year-to-year basis, or as otherwise limited by the IHSSAC. Such liaisons must vote in accordance with any position previously taken by the IHSSAC when serving on the IHSSAC's behalf in a voting capacity. If the IHSSAC has not taken a position on a matter, the Liaison will use his/her own best judgment, and consistent with any existing position taken by the County Board of Supervisors, when casting votes or representing the IHSSAC's position. The Liaison shall also keep the IHSSAC informed of information important to the IHSSAC and of their actions on behalf of the IHSSAC.

ARTICLE IX

Reports to the Board of Supervisors

- 9.1 Quarterly Reports The IHSSAC shall have quarterly reports prepared for the county and available on request to the Board of Supervisors. Such reports shall be presented or provided to the Board of Supervisors.
- 9.2 Subject Matter Reports When appropriate, reports will be sent to the Board of Supervisors that addresses specific areas of concern or problems for IHSS consumers, providers, or staff.

- 9.3 Processing The Quarterly reports and Subject Matter reports shall be reviewed and approved at a public noticed meeting before they are forwarded to the Board of Supervisors. The IHSSAC reports may be submitted to the Clerk of the Board for placement on the Board of Supervisors' agenda in conformance with County procedures.

ARTICLE X

Policy on Support Requests, Funding Requests, and Mailing Lists

- 10.1 Grant Applications The IHSSAC may support efforts of agencies or individuals seeking to enhance their funding or to fund innovative projects through grant applications to foundations, private corporations, or governmental entities. The request for support shall be presented for consideration and approval at a normally noticed public meeting. Upon approval by the IHSSAC, the Chair shall prepare a letter of support for the requesting agency or individual.
- 10.2 Public Policy Other agencies or boards may ask the IHSSAC to provide its position on a matter of public policy. In these instances, the request must be reviewed and approved by the IHSSAC at a regularly scheduled public meeting. Once approved, the IHSSAC may be listed as supporting the position, or when appropriate, the Chair or the designee may testify before policy boards in support of the position.
- 10.3 Activity/Event/Studies The IHSSAC may endorse, promote, or contribute funds to a program/event/study sponsored by another agency or individual under the following circumstances:
- (a) The sponsoring agency is a public or private/non-profit, or individual associated with one, or
 - (b) The activity will contribute directly to the IHSSAC's stated purpose, goals, objectives, or current approved activities.

Endorsement, promotion or funds contribution will be permitted only after approval of the IHSSAC at a regularly scheduled public meeting.

- 10.4 Sponsorship The IHSSAC may provide sponsorship for activities related to In-Home Supportive Services only when the IHSSAC has a voice in the direction or content of the program in question and/or has substantial responsibility for planning, conducting, and follow-up on the activity/event.
- 10.5 Mailing Lists Under general policy, the IHSSAC's mailing list will not be given out to agencies or individuals requesting this information, in consideration of the privacy of those on the lists. The roster of the

IHSSAC members' names and personal addresses will not be distributed to agencies or individuals requesting this information. Agencies or individuals are encouraged to address mail for the IHSSAC members to the IHSS Public Authority offices, and the Public Authority staff will see that it is distributed.

ARTICLE XI

Conflict of Interest

- 11.1 Conflict of Interest Code The IHSSAC members shall be covered by Category 3 of the Appendix B of the Conflict of Interest Code of the Boards, Committees, Commissions, and Councils of Sacramento County.

ARTICLE XII

Public Records

- 12.1 Public Records All documents and records of the IHSSAC shall be public records under the California Public Records Act (California Government Code § 6250 et seq.). These documents and records will be maintained by the Public Authority, and kept in a designated IHSSAC library for a period of at least seven years.
- 12.2 Inspection Records are open to inspection as per California Government Code § 6250 et seq.
- 12.3 Photo copies Copies of public records will be provided at the 10 cents per page.

Article XIII

Amendment of the Bylaws

- 13.1 Amendment Proposed amendments to the Bylaws shall be presented in writing to the IHSSAC. They will be tabled and reviewed for a minimum of fifteen (15) days before being voted on by the members constituting IHSSAC. No Bylaw can be amended except by two-thirds majority of the members constituting the IHSSAC.

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