

**The Nebraska Department of Health and Human Services,**  
**Division of Behavioral Health, Office of Consumer Affairs (OCA)**  
**People's Council - Charter**

**Name**

The name of this group shall be the Division of Behavioral Health (DBH), Office of Consumer Affairs (OCA), People's Council (PC).

**Mission and Vision**

The Division of Behavioral Health, through the Office of Consumer Affairs, facilitates consumer involvement in planning, service development and delivery.

Our mission is to provide leadership and resources for systems of care that promote and facilitate resilience and recovery for Nebraskans.

**Purpose**

1. The PC provides recommendations to the DBH and OCA.
2. The PC provides state, regional and local consumer perspective, utilizing personal lived experience, on the DBH/OCA programs and policies affecting consumers.
3. The PC advocates for systems transformation and a Recovery Oriented System of Care.
4. The PC serves to provide input and feedback to DBH/OCA relating to the development, implementation, and provision of behavioral health services.
5. The PC serves to support and advocate for adults, children and their families with behavioral health conditions (mental illness, substance use disorders, serious emotional disturbances and co-occurring disorders) in the journey of healing, recovery, resiliency and personal transformation from behavioral health conditions.
6. The PC serves to support formal and strategic system links with other key stakeholders in order to expand consumer involvement in service planning and delivery in Nebraska.

**Responsibility of Members**

1. To attend and be active participants in PC meetings.
2. Selected members attend the State Mental Health and Substance Use Advisory Committee meetings and report to the PC on these meetings. *(Joint Advisory Committee (JAC) members)*. Note: *Dual members are those individuals who have two separate appointments 1) by the DBH to the PC and 2) by the Governor to the JAC.*
3. To provide input to the DBH and OCA on the needs, concerns, and desires of consumers in Nebraska.
4. To provide reports as requested by the DBH/OCA.

Citation: *Consumer involvement is a priority in all aspects of service planning and delivery (§ 71-803) and the Office of Consumer Affairs People's Council provides an avenue for key stakeholders with personal lived experience to support this priority.*

Note: *For the purposes of this council, personal lived experience shall be defined by the individual and shall be considered as experience as a former or current recipient of behavioral health services, or a caregiver/family member of a person receiving services in which the experience has significantly impacted their lives.* For all other definitions, please refer to 206 NAC 2 [http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title-206/Chapter-02.pdf](http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health%20and%20Human%20Services%20System/Title-206/Chapter-02.pdf)

## **Membership of Council**

### **Section 1: Appointments and Applications**

**1. Appointments:** The PC shall consist of fourteen (14) voting members appointed by the Director of the DBH or their designee. Members shall have personal lived experience of behavioral health challenge and who can provide behavioral health expertise, perspective and reflect diverse communities.

The following appointments shall be filled with respect to the above requirements.

- Six (6) Regional Representatives; preference is given to the Regional Consumer Specialist (RCS) from each region. If an RCS has not been appointed by the Regional Behavioral Health Authority (RBHA), then a member shall serve in an interim position until an RCS has been hired by the RBHA
- Two (2) Caregiver/Family Representatives
- Two (2) Transition Age Youth/Young Adult Representatives
- One (1) Representative from an Integrated Healthcare Organization
- One (1) Representative of Regional Center System
- Two (2) Representatives at large (Adult, Youth, or Family/Caregiver- not represented in above membership.)

**2. Application to be appointed:** Candidates shall seek appointment by formally applying to the DBH/OCA Office.

**3. Application Review Process:** Once information has been collected and reviewed, the DBH Director, Deputy Director and OCA Administrator will then make appointments.

### **Section 2: Length of Term**

1. The term of services for PC members is two (2) years.
2. At the end of the term, a member will have the option to reapply for continued membership. Continued membership is contingent on approval of the DBH Director, Deputy Director and OCA Administrator.
3. There is no formal limit to the number of terms a member can serve.
4. Vacating members shall be replaced with an individual chosen by the DBH Director, Deputy Director and OCA Administrator.

### **Section 3: Attendance**

1. A voting member who has two consecutive absences without prior notification shall be contacted by the Administrator of the OCA or other DBH staff regarding his/her intentions for future participation in the Council. If the person indicates he/she is not able to participate, the Administrator of the OCA can request he/she formally resigns from the Council. Formal resignation shall be in writing and is to be submitted to the Office of Consumer Affairs Administrator and the Director of the Division of Behavioral Health. Resignation is effective when the notice is delivered.
2. The OCA staff will maintain attendance and submit to Chairperson upon request.

### **Section 4: Conflicts of Interest**

**Conflicts of Interest:** A conflict of interest is created through the existence of circumstances where the actions of a member may have an effect of direct financial benefit or detriment to the member, a member of his/her family, employer, business associate, or a business in which the member owns a substantial interest. As soon as the member is aware of a potential conflict of interest (or should reasonably be so aware), the member shall immediately notify the Office of Consumer Affairs Administrator. A member shall disclose any potential conflict to the Council and abstain from voting on issues on which there is a conflict. Meeting minutes shall record the name of a member(s), who abstains from voting.

## **Meetings and Voting**

### **Section 1: Meeting Time and Place and Notice**

There will be one meeting per quarter if there is an adequate all-day agenda. Face to Face meetings are the preferred method of meeting. The option to attend by electronic means shall be made available for all four quarterly meetings by the Division.

In the event of scheduling conflicts, weather, or other events necessitating the postponement of a scheduled council meeting, the meeting shall be rescheduled within the same quarter (January – March, April – June, July – September, or October – December).

1. The dates of quarterly meetings for the next calendar year shall be scheduled during the regular meeting held in the fall of each year.
2. Notification by the DBH OCA staff of the date, time, and location of the next meeting shall be sent within one week prior to a scheduled quarterly meeting to all members.

### **Section 2: Voting**

1. Quorum: A quorum shall consist of one member more than half of the current voting members of the Council. Once established, a quorum is required for voting items.
  - The continued presence of a quorum shall be established before taking any vote or stating the question on any motion. All Council business shall be conducted by a simple majority vote of members present at a meeting in which a quorum is established.
2. All motions and recommendations passed shall be by majority vote of those voting members present at the PC meeting.

## **Executive Council**

### **Section 1: Executive Council**

The Executive Council shall be the Chair, the Vice-Chair and the Secretary.

### **Section 2: Nomination of Officers**

Members of the PC have the responsibility to make nominations for the slate of officers.

### **Section 3: Election of Officers Section 2: Officer Election**

1. The PC voting membership shall elect officers at the fall meeting of the PC.
2. The members shall vote in person or by attending via videoconference or teleconference.
3. Each member is entitled to one vote.
4. Proxy voting is not allowed.

### **Section 4: Terms of Executive Council**

1. The term of office for all Executive Council members shall be one (1) year.
2. The term begins January 1 through December 31.

### **Section 5: Resignation**

An Executive Council member may resign from their office by written notice and is to be submitted to the Office of Consumer Affairs Administrator and the Director of the Division of Behavioral Health. Resignation is effective when the notice is delivered unless the notice specifies a later effective date.

**Section 6: Vacancy**

The vacancy of an office shall be filled by a majority vote of the membership at the next scheduled meeting.

**Section 7: Duties of the Executive Council**

**Chairperson**

- Develop meeting agenda with Division staff.
- Preside at all meetings of PC and Executive Council.
- Maintain order, explain and decide all questions of the order.
- Perform any other duties designated by the Division.

**Vice-Chairperson**

- Attend all PC and Executive Council meetings.
- Assist the Chair in managing the meetings.
- Act for the Chairperson in the absence of the Chair.
- Perform such duties as necessary for, and as requested by, the Division.

**Secretary**

- Attend all PC and Executive Council meetings.
- Act for the Chairperson and Vice-Chairperson in the event both are absent.
- Perform other duties as designated by the Division.
- Review meeting minutes prior to distribution to PC members.

**Section 8: Conduct**

Although meetings are not held in accordance with the requirements of the Nebraska Public Meetings Law, every attempt will be made to honor the spirit of transparency.

Public attendance is encouraged. In the event of time constraints to conduct official business, specific time will be set aside for public comment and announced at the beginning of the meeting or when the time constraint is identified.

Business shall be conducted according to Roberts Rules of Order with respect to the idea of flexibility and openness to negotiate modifications to foster discussion and participation.

**Section 9: DHHS Staffing and Roles**

1. Shall provide an orientation to each new Council member.
2. Maintain attendance records.
3. Maintain membership term records and approve membership applications.
4. Provide meeting minutes to the PC Secretary for review prior to distribution to membership.

There shall be a review of the charter a minimum of every year.

By signature, the Executive Committee of the Nebraska OCA People's Council hereby formally adopts the above charter.

**Council Chairperson:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Council Vice-Chairperson:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Council Secretary:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**OCA Administrator:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DBH Deputy Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DBH Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_