

ATTACHMENT B

BY-LAWS OF THE IN-HOME SUPPORTIVE SERVICES/PUBLIC AUTHORITY ADVISORY COMMITTEE OF THE COUNTY OF SAN DIEGO

Article 1 - Definitions

- A. IHSS refers to the In-Home Supportive Services Program.
- B. Public Authority or PA refers to the County of San Diego In-Home Supportive Services Public Authority
- C. IHSS/PA Advisory Committee refers to the IHSS/Public Authority Advisory Committee of San Diego County.
- D. Board of Supervisors refers to the Board of Supervisors of the County of San Diego.
- E. Governing Body refers to the County of San Diego IHSS Public Authority Governing Body
- F. AIS refers to the Aging & Independence Services division of the County of San Diego's Health and Human Services Agency.
- G. Employer of Record refers to and is used to designate the employer in a formal employer/employee relationship. It is the entity that interacts with the IHSS provider workforce and is the entity identified in California Welfare and Institutions Code section 12301.

Article 2 – Purpose and Authority

- A. Authority: California Welfare and Institutions Code section 12301.3 provides that each County may appoint an IHSS Advisory Committee. The Board of Supervisors approved, on May 16, 2000 (6), the proposed composition of the IHSS Advisory Committee and directed the County of San Diego's Chief Administrative Officer to appoint the committee.
- B. The IHSS/PA Advisory Committee, pursuant to County Administrative Code section 82.205 and WIC 12301.6 (b)(3)(C), shall serve as the Advisory Committee for the County of San Diego In-Home Supportive Services Public Authority.
- C. Purpose: The IHSS/PA Advisory Committee shall provide advice and recommendations to the County Board of Supervisors/Public Authority Governing Body and other entities related to the delivery of the IHSS and PA services.
- D. IHSS/PA Advisory Committee Apolitical: The IHSS/PA Advisory Committee is a non-partisan, non-sectarian, non-profit making organization. It does not take part officially in, nor does it lend its influence to, any political issues.
- E. Non-Binding Authority: The IHSS/PA Advisory Committee is advisory to the Board of Supervisors the County of San Diego Health and Human Services

Agency, AIS, the PA, and to the Governing Body and administrative agency of the Public Authority, as well as to any contractor or County employees that perform IHSS. The IHSS/PA Advisory Committee is not empowered by ordinance, establishing authority or policy to render a decision of any kind on behalf of the County of San Diego or its appointed or elected officials.

Article 3 - Membership and Term of Office

- A. IHSS/PA Advisory Committee Composition: Pursuant to California Welfare and Institutions Code section 12301.6, and the County Administrative Code Section 82.205.
- B. The IHSS/PA Advisory Committee shall be limited to eleven (11) voting members. Not less than fifty-one percent (51%) of the membership of the IHSS/PA Advisory Committee shall be individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of IHSS. The IHSS/PA Advisory Committee's composition is as follows: six (6) current or past personal assistance services consumers, three (3) current or past IHSS providers, one (1) AIS Advisory Council member, and one (1) individual from the community with an interest in and involvement in the IHSS/PA programs and who may be a member of the AIS Advisory Council if no interested community members are identified. Special efforts shall be made to include as the IHSS consumer representatives to the IHSS/PA Advisory Committee three (3) IHSS consumers who are severely impaired and who are under the age of 65 years and three (3) IHSS consumers who are non-severely impaired and are at or over the age of 65 years. Members will be designated by AIS and the PA and appointed by the County's Chief Administrative Officer. The IHSS/PA Advisory Committee may recommend to AIS, the PA, and the County's Chief Administrative Officer individuals for appointment.
- C. Term: The term of office for IHSS/PA Advisory Committee members shall be two (2) years. Service on the Committee is limited to two consecutive terms. After serving two consecutive full terms, a member is ineligible to serve another term until that individual has been off the committee for one full term. After a hiatus of at least one full term, an individual will be eligible for nomination.
- D. Vacancies: The committee shall establish a Nominating Committee to identify and interview potential new members. The committee shall include at least one IHSS or PA staff liaison. Candidates approved by the Nominating Committee will come before the full committee and must be approved by a two-thirds majority vote of the committee. Member terms may be extended on a month-by-month basis when new members have not been identified to fill any vacating seat on the committee.
- E. Standard of Conduct: Standard of Conduct: Members shall conduct themselves in a professional and courteous manner at all times during a

Committee Meeting. This includes, but is not limited to, restraining from making inappropriate, sarcastic, rude and disruptive comments and statements about or directed to other Committee Members and towards anyone in attendance at Committee Meetings. Members shall abide by the Chair's decisions as the presiding officer over meetings. Members shall not interrupt the Chair, other Committee members or members of the public while they are speaking after being recognized by the Chair. Repeated failure to follow this standard of conduct may result in a two-thirds majority (not counting the vote of the affected member) of the Committee voting to recommend to the County of San Diego Chief Administrative Officer (CAO) that a Committee member be removed from the Committee. Any recommendation to remove a Committee member shall be placed on the Committee's agenda and the member being recommended for removal shall be permitted to address the removal recommendation. Should a member have more than three unexcused absences in a calendar year (an unexcused absence is one where the member fails to contact staff or the Chair to request the absence), a two-thirds majority of the committee may vote to recommend removal of that member. All removal actions must receive the approval of the County of San Diego Chief Administrative Officer (CAO).

- F. In accordance with Government Code 53235, members are required to complete an ethics training course and submit a written certificate of completion to the committee Secretary. This training must be kept current and needs to be renewed every two years as required by state law.

Article 4 – Duties: The primary duty of the Advisory Committee is to provide advice to the Board of Supervisors/PA Governing Body, the IHSS program, and the PA.

Article 5 – Officers

- A. The IHSS/PA Advisory Committee shall annually elect from its members the following officers: Chairperson, Vice-Chairperson (Co-officers may be elected, if deemed necessary), Parliamentarian, and Secretary. The election of officers shall occur annually at the last meeting of the IHSS/PA Advisory Committee during the County's/PA's fiscal year. No officer shall hold more than one office at a time.
- B. If an office is vacated, the Chairperson will temporarily appoint a member of the IHSS/PA Advisory Committee to fill the vacancy until a new officer is elected. Such election shall be held within 30 days of the vacancy.
- C. The Chairperson provides general supervisory guidance to the IHSS/PA Advisory Committee and presides over its meetings. The Chairperson assigns coordinating duties to the Vice-Chairperson as necessary. The Chairperson is the sole official spokesperson for the IHSS/PA Advisory Committee unless this responsibility is delegated in writing.

- D. In the absence of the Chairperson, the Vice-Chairperson assumes the duties and responsibilities of that office.
- E. The Committee Secretary will work closely with the County or Public Authority staff person assigned by the County or Public Authority to assist the committee and record the minutes of all IHSS/PA Advisory Committee meetings and handles committee correspondence. The Secretary and County/PA assistant keeps the roll, certifies the presence of a quorum, maintains a list of all active representatives, and keeps records of actions as they occur at each meeting. The Secretary and County/PA Assistant shall submit a draft of the meeting minutes to the Chairperson within ten (10) business days prior to an IHSS/PA Advisory Committee meeting. The previous meeting's minutes will be on the agenda of each meeting and will be subject to approval by the IHSS/PA Advisory Committee. The Committee Secretary shall also: convene the Nominating Subcommittee; monitor Committee attendance; and monitor the ethics training requirements of members.
- F. It is the responsibility of the County or Public Authority staff assigned to the IHSS/PA Advisory Committee to assure that posting of meeting notices in a publicly accessible place for 72 hours prior to the IHSS/PA Advisory Committee meeting occurs, to keep a record of such posting, and to reproduce and distribute the IHSS/PA Advisory Committee notices and minutes of all meetings.

Article 6 – Subcommittees

- A. The IHSS/PA Advisory Committee may select from its members, subcommittee chairpersons and/or members to direct studies, conduct research or make recommendations on committee activities. Non-members may join subcommittees but shall not be members of standing committees.
- B. The purpose and scope of each subcommittee shall be outlined in writing.
- C. Each subcommittee chairperson shall be responsible for the keeping of records of all actions and reports of the subcommittee, and shall submit these actions and reports to the IHSS/PA Advisory Committee on a regular basis. A subcommittee chairperson shall not act as spokesperson for the IHSS/PA Advisory Committee unless authorized to do so in writing as set forth in Article 5, Section C, of these By-laws.
- D. A coordinating committee comprised of the chairpersons of the subcommittees may be formed to assemble information from each subcommittee for presentation to the IHSS/PA Advisory Committee. The Chairperson or Vice-Chairperson shall act as the chairperson of the coordinating committee.

Article 7 – Organization Procedures

- A. The most current edition of Robert's Rules of Order governs the operation of the IHSS/PA Advisory Committee in all cases not covered by these By-laws. The IHSS/PA Advisory Committee may formulate specific procedural rules of order to govern the conduct of its meetings.
- B. Any group voting is on the basis of one vote per person and no proxy, telephone or absentee voting is permitted.
- C. All meetings of the IHSS/PA Advisory Committee and its subcommittees are open to the public to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places. Notice of all IHSS/PA Advisory Committee meetings shall be posted in a publicly accessible place for a period of 72 hours prior to the meeting (Special meetings require 24 hour notice). In addition, such notice will be mailed on request.
- D. A majority of the members currently appointed shall constitute a quorum. No vote of the IHSS/PA Advisory Committee shall be considered as reflecting an official position of the IHSS/PA Advisory Committee unless passed by a majority of its quorum present at the specific meeting where the vote was taken.

Article 8 – Amendments to By-Laws: These By-Laws may be amended when necessary by a majority vote of the IHSS/PA Advisory Committee. The amendments only become effective when ratified by the Board of Supervisors/PA Governing Body.