

(Name) District Coordinating Council for Public Health
Bylaws
March 12, 2012

Comment [O1]: Overall recommendation – for SCC/DCC review process - add a comment for each section that explains background on the rationale behind that section

Article I. Legislative Purpose and Mission

Comment [O2]: How to handle districts with existing missions already written? (Is there any value in all districts establishing a mission? Or just use the legislative purpose?)

The District Coordinating Council for Public Health, established under Title 22 MRS §412, is a representative district body of public health stakeholders for collaborative public health planning and coordination.

Comment [O3]: Rework this section so that it doesn't appear that all 3 bullets are pulled from the law – describe #3 differently, since it is something the SCC needs DCCs to help with- i.e. add something about role of DCC reps maintaining 2-way communication between the SCC and the DCC – does that belong

The District Coordinating Council for Public Health shall:

- (1) Participate as appropriate in district-level activities to help ensure the state public health system in each district is ready and maintained for accreditation; and
- (2) Ensure that the essential public health services and resources are provided for in each district in the most efficient, effective, and evidence-based manner possible.
- (3) Assist the MaineCenter for Disease Control and Prevention in planning for the essential public health services and resources to be provided in each district and across the State in the most efficient, effective, and evidence-based manner possible.

Comment [O4]: This is named in the law as an SCC role

Comment [5]: = 22MRS §412 [2011, c. 90, Pt. J, §7 (AMD).]

Comment [O6]: #3 is also in the law as an

Comment [7]: = SCC

Article II. Role and Structure of the District Coordinating Council

Section 1. District Coordinating Council Role

The District Coordinating Council is responsible (at a minimum?) for providing overarching guidance and setting policy regarding activities that support to carry out the legislative purpose mission. In addition, the Council:

Comment [O8]: Make sure the bullets under this section align with the bullets under Article 1 – so that the DCC's minimum activities are sufficient to accomplish the purpose above.

- a. elects Leadership Executive Board members
- b. develops, approves, and implements the work plan and District Public Health Improvement Plan
- c. votes on changes to bylaws as needed
- d. approves creation of ad-hoc and standing committees
- e. provides advice and feedback to the Statewide Coordinating Council for Public Health and the Maine Center for Disease Control and Prevention

Comment [O9]: Executive Board = Steering Committee = Executive Committee = Leadership Team?
Can each district call it by its own name? Or is there a value for the SCC in being able to use the same name?

Comment [O10]: Might need to be a little more active participation at some point in order to accomplish bullet 1 about accreditation? i.e. documenting membership and meetings?

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40 |
41 | **Section 2. Council Size**
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43 | ~~The Council is comprised of not more than twenty five (25) members.~~

Comment [O11]: Ceiling of 40 – if in a particular district a lower ceiling is appropriate, may set ceiling lower?

Require membership committee to kick into gear if filled slots fall below 75% of ceiling?

46 | **Section 32. Council Membership**

47 | ~~The Council is comprised of between twenty-five (25) and forty voting members.~~
48 | Membership in the Council is sector-based, with an assurance of geographic
49 | representation. ~~With the exception of the members listed below,~~ Council membership
50 | shall be drawn from but not limited to the following sectors:
51 |

Comment [O12]: Fold several of the following sections in to a single membership section?

Comment [O13]: Ceiling of 40 – if in a particular district a lower ceiling is appropriate, may set ceiling lower?

Require membership committee to kick into gear if filled slots fall below 75% of ceiling?

- 52 |
53 | a. MaineCenter for Disease Control and Prevention
54 | b. county governments
55 | c. municipal governments
56 | d. tribal governments/health departments
57 | e. city health departments
58 | f. local health officers
59 | g. hospitals
60 | h. health systems
61 | i. emergency management agencies
62 | j. emergency medical services
63 | k. Healthy Maine Partnerships
64 | l. school districts
65 | m. institutions of higher education
66 | n. physicians and other health care providers
67 | o. clinics and community health centers
68 | p. voluntary health organizations;
69 | q. family planning organizations
70 | r. area agencies on aging
71 | s. mental health services
72 | t. substance abuse services
73 | u. organizations seeking to improve environmental health
74 | v. other community-based organizations

Comment [A14]: Language from Cumberland DCC's original by-laws. Does not make sense in this context.

Comment [O15]: How to ensure a DCC doesn't end up weighted with too many voting members from the same organization? In Cumberland, an organization only gets additional voting members if they are filling different sector representation

Have participation requirements so that in order to maintain membership, members must attend regularly?

Comment [16]: Ask OMH & Tribes how they want to be represented

75 | Members shall demonstrate an interest in and commitment to public health, have the
76 | capacity for district-level decision-making, and the ability to share critical information
77 | with their sector peers.

79 | **Section 43. Alternate Members**

80 |
81 | Each Council member ~~is encouraged to~~ shall have an alternate to serve with full voting

Comment [A17]: Some DCCs may struggle with acquiring large enough of people to cover alternatives. Also additional paper work and tracking may be liked or disliked depending on the DCC.

Comment [A18]: Changed language from requirement to optional.

privileges and to ensure that the Council is able to reach quorum if the primary Council member is unable to attend meetings, participate in voting, or otherwise carry out their membership responsibilities.

Section 54. Interested Parties and Stakeholders

Stakeholders and interested parties are encouraged to attend and participate in all Council meetings, but do not have voting privileges.

Section 65. Selection of Council Members and Alternate Members

A documented membership process shall be established to develop nominees for regular membership of the Council. Nominees should be geographically representative of the district.

Nominees shall be approved at the first meeting of each year by a simple majority vote. The Council may vote on vacancies that occur between annual meetings.

~~Names of nominees shall be submitted to Council Executive Board. The Leadership Executive Board shall submit the slate of nominees to the State Coordinating Council for Public Health Chair and the Director of the Maine Center for Disease Control and Prevention for approval, and a joint letter of appointment shall be sent with the Council Chair to confirmation of the appointment. If concerns arise, the State Coordinating Council for Public Health Chair will notify the District Liaison and Leadership Board of the DCC.~~

Section 76. Council Membership Terms

~~A~~ The membership term of office of each member is three (3) years. The Council may renew the membership term. A member may serve an unlimited number of terms. All vacancies must be filled for the balance of the unexpired term in the same manner as the original appointment.

A Council member may resign from the Council by written notice to the Executive Board who will forward the resignation to the State Coordinating Council for Public Health Chair and the Director of the Maine Center for Disease Control and Prevention.

A Council member may be removed at the discretion of ~~for cause by a~~ two-thirds (2/3) ~~vote of of the voting~~ members present at a Council meeting.

Section 78. Council Membership Responsibilities

Members shall regularly attend meetings of the Council, and meetings of the Executive Board and/or committees to which they are appointed. If unable to attend, members are encouraged to ~~shall~~ send their alternate.

As the sector representative to the Council, each Council member shall routinely communicate decisions, discussions, and business of the Council to the member's

Comment [A19]: Concerns about removal of local control of the DCC's. Not the intent but there is a need for transparency.

Comment [A20]: Added to ensure transparency of having a membership process.

Comment [A21]: Text was confusing. Removed to clarify the process.

Comment [A22]: There is no additional staffing to tackle this additional work.

Comment [A23]: There were concerns around the turnaround time for this confirmation process.

Comment [A24]: Adds specificity.

Comment [A25]: There were concerns about limiting Membership terms. Added language about renewing terms and not limiting the number of terms that can be served.

Comment [A26]: Term "for cause" was too ambiguous. Changed to "at the discretion of".

Comment [A27]: Concerns that this may drive good members away.

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sector/geography, and likewise communicate sector/geography information back to the Council.

Comment [A28]: Concerned expressed about the members' inability to act as a representative for their sector.

DRAFT

135 | **Article III. Leadership~~Executive~~ Board**

136 |
137 | **Section 1. Leadership~~Executive~~ Board Role**

138 |
139 | The Leadership Board refers to the DCC's established steering/ executive committee.
140 | (title of committee to be determined at the discretion of the district). For the purpose of
141 | this document, it will be referred to as the Leadership Board. ~~The Leadership~~~~Executive~~
142 | Board will provide leadership for the Council, provide continuity and make decisions on
143 | Council activities, appoint committee chairs, and investigate complaints regarding
144 | activities of the Council or its members in the course of their role on the Council.
145 |

Comment [A29]: Each DCC has a different name for their leadership committee. To reflect this Executive has been changed to Leadership, which the group felt was more encompassing for all Districts.

Comment [A30]: Added language allowing for the DCC to call their Leadership board whatever they choose.

146 | **Section 2. Leadership~~Executive~~ Board Members**

147 |
148 | The Leadership~~Executive~~ Board is composed of the Council officers, the alternate
149 | representative to the State Coordinating Council and members elected to this body from
150 | the full Council and the Maine Center for Disease Control and Prevention District Liaison.
151 |

152 | **Section 3. Officers**

153 |
154 | At a minimum t~~The Council shall elect a Chair, Vice Chair, -a representative to the State~~
155 | Coordinating Council for Public Health, and two other Council Members. Additional
156 | officer positions can be created at the discretion of the Council. ~~The Leadership~~
157 | ~~Executive~~ Board, through the Chair, will convene regularly scheduled Council meetings. |

Comment [A31]: Added language about the minimum require officers and ability to have additional officer positions per the discretion of the Council.

158 |
159 | The Chair shall preside at Council meetings. The Chair shall provide leadership in
160 | preparing agendas for Council meetings and for provide guidance and support to
161 | appointed committees. The Chair shall also serve as the Alternate Representative to the
162 | State Coordinating Council for Public Health.
163 |

Comment [A32]: Removed requirement because the alternative is not the chair in all Districts.

164 | The Vice Chair shall convene regularly scheduled Council meetings and preside at
165 | Council meetings in the absence, or at the request, of the Chair. The Vice Chair shall
166 | also chair special ad hoc committees as designated by the Chair.
167 |

168 | The Representative to the State Coordinating Council for Public Health shall ensure the
169 | district is represented at the State Coordinating Council, report to the State Coordinating
170 | Council on district matters, and report back to the ~~Leadership~~~~Executive~~ Board and
171 | Council on State Coordinating Council proceedings. The Chair shall serve as the An
172 | Alternate Representative to the State Coordinating Council shall be designated and carry
173 | out these duties if the State Coordinating Council Representative is unable to do so. |

Comment [A33]: Added language that an alternative SCC rep has to be appointed.

174 | ~~Two other Council members shall be elected to the Executive Board~~
175 |

Comment [A34]: Removed for consistency with first paragraph of section.

176 |
177 | The ~~Executive Board~~Leadership Board members shall, if circumstances warrant, issue a
178 | finance report to the Council at each regular meeting, and shall work with the Council's
179 | fiscal agent(s) to remain abreast of financial activities.
180 |

181 | ~~The Executive Board~~Leadership Board members shall identify a member to ensure that
182 | accurate records are maintained of Council actions, ~~ensure that~~ adequate notice is sent

183 regarding Council meetings, and maintain records of active membership for purposes of
184 establishing quorum.

Comment [A35]: Concern about the wording driving members away.

187 | **Section 4. ~~LeadershipExecutive~~ Board Size**

188
189 | The size of the ~~LeadershipExecutive~~ Board is comprised of at least five members as
190 described in Article III, Sections 2 and 3 above.

Comment [A36]: Concerns about limiting the Leadership board to five people. Hard to get them all scheduled for a single meeting. Additionally, it conflicts with changes made in the above section. Larger councils may want larger #s on leadership

192 **Section 5. Election of Officers**

193
194 | The membership process established (Article II, Section 56) shall develop a list of
195 nominees for Council officers. Nominees shall be approved at the first Council meeting
196 of the year by a simple majority vote. The Council may vote on vacancies that occur
197 between meetings.

199 | **Section 6. ~~LeadershipExecutive~~ Board Terms**

200
201 Council Officer terms are two (2) years and may be renewed by Council vote; however,
202 no Council Officer shall serve more than three (3) consecutive terms, with the exception
203 of the MaineCenter for Disease Control and Prevention District Public Health Liaison.
204 The MaineCenter for Disease Control and Prevention District Liaison is a permanent
205 member of the ~~LeadershipExecutive~~ Board.

Comment [HCCA37]: If the Council wants to have a different length of term for officers they may. Example 3 year terms instead of two year terms.

206
207 During the first year, Council terms will be staggered by one and two years. The Council
208 Chair and one Board member shall be the odd terms (1 year). The Vice Chair, second
209 Board member, and Representative to the State Coordinating Council shall be the even
210 terms (2 years). In the event that an officer is no longer associated with the member
211 organization they represent, the officer shall be removed from the office and the Council
212 and a new officer shall be elected by the Council.

Comment [HCCA38]: This is one example of how to stagger terms. Other methods are acceptable.

214 | **Section 7. ~~LeadershipExecutive~~ Board Responsibilities**

215
216 | Members shall regularly attend meetings of the Council and meetings of the
217 ~~LeadershipExecutive~~ Board.

Comment [O39]: Add details about responsibilities of Rep to the SCC?

218
219 | ~~Leadership Board members will. At least one member of the LeadershipExecutive Board~~
220 ~~member will serve on each of the~~ Council's committees and committee chairs will serve
221 on the Leadership Board for workgroups.

222
223 In cooperation with the Council Chair, the Maine Center for Disease Control and
224 Prevention District Liaison shall be responsible for Council communications. Any public
225 comment shall be coordinated with the Chair with respect for potential conflicts. ~~In the~~
226 ~~event of advocacy activities that conflict with the District Liaison's role at the Maine~~
227 ~~Center for Disease Control and Prevention, the Chair will assign another Board member~~
228 ~~to be the communications conduit.~~ The ~~Executive Leadership~~ Board, in cooperation with
229 the State Coordinating Council for Public Health, shall develop policies regarding public
230 communication.

Comment [HCCA40]: Concerns over if this refers to general communications or advocacy related communications? If referring to advocacy then it should be in a different section. See Article VI.

231
232 | **Section 8. ~~Leadership~~Executive Board Meetings**
233
234 | ~~Executive-The Leadership~~ Board ~~Leadership and Maine Center for Disease Control and~~
235 | ~~Prevention District Liaison~~ shall convene ~~the LeadershipExecutive Board~~ meetings. ~~The~~
236 | ~~Executive Leadership Board shall meet~~ on a regular schedule that it deems necessary
237 | and appropriate in order to fulfill its responsibilities as set forth in the Bylaws. Notice of
238 | all regular ~~Executive Leadership~~ Board meetings shall be communicated ~~via electronic~~
239 | ~~mail~~ to all members of the Board at least five days prior to the meeting.
240
241 | Special or emergency meetings of the ~~Executive Leadership~~ Board may be called as
242 | needed by the ~~Executive Leadership~~ Board Leadership ~~and Maine Center for Disease~~
243 | ~~Control and Prevention District Liaison or by Aa majority~~ vote of ~~the~~
244 | ~~Executive Leadershipthe BoardLeadership Board that for a special or emergency~~
245 | ~~meeting~~ may be conducted electronically. Notice of special or emergency meetings shall
246 | be ~~sent via electronic mail with~~ communicated with as much notice as possible.

Comment [HCCA41]: The DL is already identified as a member, so does not need to be listed again.

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248
249 | **Article IV. Council Meetings**

250
251 | **Section 1. Time and Place of Meetings**

252
253 | The Council will meet, at a minimum, quarterly. The ~~Executive Leadership~~ Board shall
254 | determine meeting times and locations of all Council meetings.

255
256 | **Section 2. Agenda**

257
258 | The Chair or his/her designee shall prepare an agenda of items requiring Council action,
259 | and shall add items of business as may be requested by Council members and/or the
260 | ~~Executive Leadership~~ Board.

261
262 | **Section 3. Notice**

263
264 | Council members shall be sent ~~electronic mail~~ notice of the time and date of the
265 | meetings at least twenty (20) business days before a regular Council meeting. In the
266 | event of an emergency, the ~~Executive Leadership~~ Board may call a meeting with a
267 | simple majority vote of the ~~Executive Leadership~~ Board and shall give as much notice as
268 | possible.

269
270 | **~~Section 4. Rules of Order~~**

271
272 | ~~Robert's Rules of Order shall govern regular Council meetings unless the Council adopts~~
273 | ~~other rules of order. Council meetings are open to all interested parties.~~

Comment [HCCA42]: Removed because it is not necessary. Each Council should establish its own rules of order.

274
275 | **Section ~~4~~5. Council Meeting Minutes**

276
277 | The responsibility of Council minutes rests with the ~~Executive Leadership~~ Board
278 | members. Minutes recording all motions and subsequent action including the number of

yeas, nays, or abstentions shall be recorded. Minutes of all meetings shall be maintained by the Secretary or his/her designee and made available on the Council website.

Section 56. Quorum

A simple majority of the current Council membership shall constitute a quorum. In the absence of a quorum, a Council meeting may continue discussion; however, no formal actions shall be taken, except a vote to adjourn the meeting to a subsequent date. A motion for adjournment must come from the Council Chair.

Section 67. Decision Making Voting

Each Council member shall have one vote, once quorum is established. As the district-wide representative body for collaborative planning and decision-making for public health, the Council/COUNCIL will seek consensus through well-structured and staged processes. If a consensus decision cannot be reached, all business conducted with a simple majority vote of the quorum shall stand as official action of the Council. By formal agreement of the Council, voting may be conducted electronically.

Comment [HCCA43]: Each DCC should decide on how decision making will be accomplished, and articulate clearly

Article V. Committees

Section 1. Creation of Committees

The Council or its Executive Leadership Board shall have the power to create standing and ad-hoc committees and workgroups. Committees created by the Executive Leadership Board between Council meetings shall be voted upon at the next scheduled meeting of the Council. The Council Chair, in coordination with the Executive Leadership Board, shall appoint and charge each committee with its responsibilities and shall appoint the chair of the committee.

Section 2. Committee Membership

Membership on a committee or workgroup, with the exception of the Executive Leadership Board, is not limited to (decision making(voting) members of the Council. The Council, Executive Leadership Board, and other committees may call on non-Council members as advisors without voting rights to provide information and guidance.

Leadership Board members will serve on Council's committees and committee chairs will serve on the Leadership Board.

At least one member of the Executive Leadership Board will serve on each of the Council's committees and workgroups.

Committee Chairs shall bring proposed activities to the Council for discussion and approval. The Council may accept recommendations of committees/workgroups as part of a consent agenda; however, if any Council member finds that he/she has a significant issue with a committee/workgroup recommendation, he/she shall say so at the Council meeting and bring it for further discussion and separate vote at the Council level.

Comment [HCCA44]: Decision making or updates are district specific and should be decide at the District level.

327 **Section 3. Standing Committees**

328
329 Standing committees and workgroups may be established by the Council or its ~~Executive~~
330 Leadership Board.

331
332 **Section 4. Committee Chairs**

333
334 The Committee Chair shall be responsible for scheduling meetings, assigning specific
335 tasks within the mandate of the committee, and reporting to the ~~Executive Leadership~~
336 Board and the Council concerning the work of the committee.

337
338 **ARTICLE VI. Non-partisan Activities**

339
340 The Council shall be non-partisan. No part of the activities of the Council shall consist of
341 the publication or distribution of materials or statements with the purposes of
342 attempting to influence or intervene in any political campaign on behalf of or in
343 opposition to any candidate for public office.

344
345 **ARTICLE VII. Conflict of Interest**

346
347 A conflict of interest is defined as any personal or organizational financial or other
348 interest which prevents or appears to prevent an impartial action or decision on the part
349 of a Council member. A conflict occurs when a financial or other interest could:

- 350
351 a. Significantly impair the individual's objectivity.
352 b. Create an unfair competitive advantage for any person or organization.
353 c. Provide a direct or indirect fiduciary interest of financial gain for that individual or
354 organization.

355
356 Should a matter before the Council present a known, or a potential conflict of interest, Council
357 members are required to disclose such potential conflict to the ~~Executive Leadership~~ Board at
358 the earliest point possible. Once a conflict or potential conflict is disclosed, the Chair shall lead
359 the rest of the members in deciding how the member with the conflict or potential conflict may
360 participate in discussions or voting.

361
362 **ARTICLE VIII. Fiscal Agent**

363
364 The Council shall ~~establish a relationship with~~ designate a fiscal agent or agents as
365 necessary. The Council and fiscal agent shall enter into a agreement that is documented
366 and designates the roles and responsibilities of both organizations.

367
368 **ARTICLE IX. Operations and Fiscal Calendar**

369
370 The operations calendar of the Council is the calendar year. The fiscal year of the
371 Council may additionally follow the fiscal year calendar designated in any funding
372 program the Council receives.

Comment [45]: Need to include Advocacy section? See language from SCC in *Additional Language to Consider* addendum.

Comment [HCCA46R45]: Where is the addendum? Did we ever receive it?

Comment [HCCA47]: The DCC should determine their own fiscal and operational years and this reference should be consistent throughout the document.

ARTICLE X. Reporting

The Council will submit quarterly progress reports to the State Coordinating Council for Public Health according to the State Coordinating Council's format. The quarterly reports will be sent to the Council membership and interested parties, and posted on the State Coordinating Council for Public Health website.

ARTICLE XI. Bylaw Amendments

This District Coordinating Council for Public Health bylaw document serves as uniform guidance in all Public Health Districts. To address specific district needs, districts may draft additional addendums in the following areas:

- a. Council mission and vision
- b. Additional membership requirements to:
 - i. have at least one member who is a recognized content expert in each of the essential public health services
 - ii. have representation from populations in the State facing health disparities
- c. Council Standing Committee structure
- d. Policies that help instruct the function of the Council

The Council may amend these bylaws. Before consideration, the amendment must be submitted in writing to the Council and posted on the Council agenda according to the guidelines in Article IV., Section 3 (Notice). Prior to an amendment of the bylaws, the Council may request a recommendation from the ~~Executive Leadership~~ Board. Votes to approve bylaw amendments follow the guidelines set forth in Article IV, Section 6 (Quorum), and Section 7 (Voting).

A bylaws amendment proposed by the Council must be submitted to the Chair of the State Coordinating Council for Public Health and the Director of the Maine Center for Disease Control and Prevention for approval before going to vote at a Council meeting. Any bylaws amendments proposed to the Council by the State Coordinating Council for Public Health must be considered for vote at the next scheduled Council meeting.

It is recommended that the ~~Leadership Executive~~ Board review the Council Bylaws every three (3) years and submit recommendations to the State Coordinating Council for Public Health.

Adopted this ____ day of _____, 20__.

Signed this ____ day of _____, 20__.

District Coordinating Council Chair, acting on behalf of
(Name) District Coordinating Council for Public Health:

Comment [HCCA48]: Concerns around the interpretation of the language (and referenced language in the legislation). Concerns that it interferes with local control/decision making in the Districts.

420 _____

421

422 State Coordinating Council Chair, acting on behalf of

423 State Coordinating Council for Public Health:

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426 _____

427

428 Director, Maine Center for Disease Control and Prevention, acting on behalf of the

429 Maine Center for Disease Control and Prevention

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431

432 _____

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