

# **ADVISORY COMMITTEE FOR A RESILIENT NEVADA**

## **BY-LAWS**

### **ARTICLE I – NAME**

#### **Section 1. Name.**

The Advisory Committee for a Resilient Nevada, herein after referred to as the Committee.

### **ARTICLE II – CREATION & PURPOSE**

#### **Section 1. Creation.**

The Committee was established in compliance with the passage of Senate Bill (SB) 390 to be codified in Nevada Revised Statute (NRS) 433 by the 2021 State Legislature 81<sup>st</sup> session to obtain advice and council from persons and entities who possess knowledge and experience related to the prevention of opioid misuse, opioid related-deaths, and injury, as well as addiction and opioid use disorders within the State of Nevada. The goal is to effectively address risks, impacts, and harms of the opioid crisis in the State through the Fund for a Resilient Nevada.

#### **Section 2. Purpose.**

The Committee will provide feedback and best practice reviews on the data-based content and use information from “opioid litigation damages report” to establish the data driven needs assessment and the development of an integrated state plan. The state plan will include an analysis of the impacts of opioid use and opioid use disorder based on quantitative and qualitative data to determine priorities for programming to be supported by the Fund for a Resilient Nevada. The state plan will prioritize overdose prevention strategies, youth substance use prevention, and focus on health equity and identifying disparities across all racial and ethnic populations, geographic regions and special populations, which includes, without limitation to: veterans, persons who are pregnant, parents of dependent children, youth, persons who are lesbian, gay, bisexual, transgender and questioning, and persons and families involved in the criminal justice system, juvenile justice system and child welfare systems.

### **ARTICLE III – ROLES & RESPONSIBILITIES**

#### **Section 1. Responsibilities.**

SB 390 includes the Committee’s responsibilities which shall include:

- A. The Committee shall provide recommendations on the development of the statewide plan. Input to the Committee may include, without limitation, representatives of federal, state, and local agencies, providers of services, religious organizations, persons involved in the providing or receiving substance use disorder services and member of the public.
- B. The Committee must hold at least one public meeting to solicit comments from the public concerning the recommendations and make any revisions to the recommendations determined, as a result of the public comment received, before finalizing the report of recommendations to the Director.

#### **Section 2. Committee Support.**

The Committee is authorized to collaborate with and request the assistance of providers of services or any person or entity with expertise in issues related to opioid use or the impacts of opioid use, including,

without limitation, employees of federal, state, and local agencies and advocacy groups for those with Opioid Use Disorder (OUD), to assist the Committee in carrying out its duties.

**Section 3. Public Collaboration.**

Legislation requires state and local agencies to collaborate with and provide information to the Committee, upon request by the Committee, to such extent it is consistent with their lawful duties.

**Section 4. Reporting to the Director.**

On or before June 30 of each even-numbered year, the Committee shall submit to the Director of the Department of Health and Human Services a report of recommendations concerning the statewide needs assessment, and the statewide priority list for funding recommendations.

**Section 5. Department Responsibilities for Reporting.**

On or before January 31 of each year, the Department shall transmit a report concerning all findings and recommendations made, and money expended pursuant to the Fund for a Resilient Nevada State Plan to:

- A. The Governor.
- B. The Director the Legislative Counsel Bureau.
- C. The Committee Chair and members.
- D. Each Regional Behavioral Health Policy Board.
- E. The Office of the Attorney General.
- F. Any other commissions or committees the Director deems appropriate.

**ARTICLE IV – MEMBERSHIP & TERMS**

**Section 1. Members.**

As established in SB 390, the Committee consists of seventeen members; membership shall include:

<b>Attorney General</b>
One member who possesses knowledge, skills and experience working with youth in the juvenile justice system
One member who possesses knowledge, skills and experience working with youth in the criminal justice system
One member who possesses knowledge, skills and experience working with youth in the surveillance of overdoses
One member who residence in a county other than Clark or Washoe County and has experience having a substance use disorder or having a family member who has a substance use disorder

<b>The Office of Minority Health and Equity</b>
One member that resides in Clark County and has experience having a substance use disorder or having a family member who has a substance use disorder
One member who possesses knowledge, skills, and experience in public health
One member who is the director of an agency which provides child welfare services or his or her designee
One member who represents a program that specializes in prevention of substance use by youth
One member who represents a faith-based organization that specializes in recovery from substance use disorder
One member that represents a program for substance use disorders that is operated by a nonprofit organization and certified pursuant to NRS 458.025

Director, Health and Human Services
One member that resides in Washoe County and has experience having a substance use disorder or having a family member who has a substance use disorder
One member that is a board-certified physician in field of addiction medicine by the American Board of Addiction Medicine
One member who represents a nonprofit, community-oriented organizations that specialized in peer-led recovery from substance use disorder
One member who has survived an opioid overdose
One member who represents a program to prevent overdoses or otherwise reduce the harm caused by the use of substances
One member who represents an organization that specializes in housing
One member who possesses knowledge, skills, and experience with education in pupils in kindergarten through 12 <sup>th</sup> grade.

**Section 2. Term.**

The term of each member of the Committee is two (2) years. A member may be reappointed for an additional term of two (2) years in the same manner as the original appointment. The term begins on the date of appointment.

**Section 3. Compensation.**

Should funds be allocated by the legislature, and in compliance with the State Administrative Manual, each member of the Committee who is not an officer or employee of the State or political subdivision may receive a salary of not more than \$80, as fixed by the Department, for each day spent on the official business of the Committee as well as per diem allowance and travel expenses.

**Section 4. Vacancies.**

Vacancies among the Committee must be filled in the same manner as the original. The initial term shall be for the remaining length of the vacated term.

**Section 5. Resignation.**

A member who resigns from the Committee must provide written notification to the Chair of the Committee and to the head of the agency or organization he or she was representing.

**Section 6. Removal.**

The Chair shall forward recommendations for a Committee member’s removal to the Director, Attorney or Office of Minority Health and Equity based on inactivity, defined as missing three or more meetings in a calendar year, or a conflict of interest.

**Section 7. Administrative Support.**

The Department of Health and Human Services, Grants Management Unit (GMU) shall provide such administrative support to the Committee as is necessary to carry out the duties of the Committee.

## **ARTICLE V – MEETINGS**

### **Section 1. Open Meeting Law.**

All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting law (N.R.S. 241.010 through 241.040, inclusive).

### **Section 2. Quorum.**

A simple majority, nine Committee members, shall constitute a quorum for the transaction of business.

### **Section 3. Regular Meetings.**

The regular meetings of the Committee shall be not less than twice annually, and as called by the Chair.

### **Section 4. Officers.**

The officers of the Committee shall be a Committee Chair, Committee Vice Chair and Secretary. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Committee.

- A. Committee Chair. The Committee shall elect from its member the Committee Chair at the first meeting of each calendar year. The Committee Chair:
  - 1. Shall develop the agenda, with input from the Committee membership and the Grants Management Unit;
  - 2. Shall conduct the Committee meetings in accordance with state laws;
  - 3. Shall oversee public hearings and ensure public comment;
  - 4. Shall convene special meetings, as necessary; and
  - 5. Shall prepare reports as required.
- B. Committee Vice Chair. Serves in the absence of the Chair and monitors Committee record keeping.
- C. Committee Secretary.
  - 1. Shall be responsible for standing Committee reports; and
  - 2. Shall ensure minutes are approved timely.
- D. Committee members. May nominate themselves or others for Vice Chair or Secretary. At the first meeting of each calendar year the Committee will elect these officers from its members.
- E. Notification. Officer election(s) shall be posted as a business item on the agenda of a regularly scheduled meeting.

### **Section 5. Committee Participation.**

- A. Notification. Committee members shall, to the extent practicable: Inform administrative support staff at least forty-eight (48) hours in advance of an anticipated excused absence.
- B. Participation. Committee members must participate in at least 75 percent of meetings. Any absence without sufficient or overriding reason will be considered unexcused absences and may constitute grounds for the Committee recommending the members removal from the Committee to the respective Department or agency.

1. At each regularly scheduled meeting, absences, and indications of excused or unexcused will be noted. The Chair will determine if the absences are excused or unexcused at the time of the next scheduled meeting. An excused absence includes, but is not limited to, an unexpected occurrence or emergency with health, family, or employment that would prevent the member from attending the meeting. An unexcused absence includes, but is not limited to, lack of communication (no contact) with the Chair, Vice Chair, or Administrative Staff. When a member has not participated in at least 75 percent of meetings within any twelve-month period, the Chair will send a notification letter to the member that the Committee intends to take action at the next scheduled meeting. At that meeting, the member will have an opportunity to refute the action, or the Committee will proceed with the removal process.

#### **Section 6. Subcommittees.**

The Committee shall have the ability to create no more than two (2) standing committees, to include one for technical assistance for regulation development.

- A. Each standing committee must include a minimum of two voting member(s) of the Committee.
- B. Each standing committee shall have one (1) Chair who is a voting member of the Committee.
- C. The Committee Chair shall appoint the standing committee chairs from the Committee, except for the Communications Chair which will be the Committee Secretary.
- D. Each standing committee, through the standing committee Chair, may appoint additional non-voting members to their committee, as needed based on area of expertise and/or specific projects

#### **Section 7. Special Meetings.**

Special meetings may be called by the Chair. A request for a special meeting can also be made by other Committee members through a written request submitted to the Chair for approval or the Director can call a special meeting.

#### **Section 8. Voting.**

Members participating in a meeting of the Committee by means of a conference call, video conference, or other such means that allow for each participant to hear and be heard by each participant at the same time, shall be deemed to be present at such meeting.

- A. Voting on all matters shall be by voice vote and shall be entered in the minutes of the meeting.
- B. Each Committee member shall have one vote.
- C. The Committee Chair will have a vote on any measure before the Committee.
- D. The Chair may not make or second motions.
- E. There are no substitution voting member(s).

#### **Section 9. Record Keeping.**

The conduct of all meetings and public access thereto, and the maintaining of all records of the Committee shall be governed by Nevada's Open Meeting law and monitored by the Committee Vice Chair.

## **ARTICLE VI - FISCAL SUPPORT**

### **Section 1. Grants and Gifts.**

As established in SB390, the Committee may accept gifts, grants, donations, and appropriations from any source for the support of the Committee in carrying out the provisions of duties. Any fiscal administration shall be overseen by the Nevada Department of Health and Human Services, Grants Management Unit.

### **Section 2. Application support.**

The Department of Health and Human Services may provide a letter of support, with approval of the chair, to the lead state agency submitting a federal grant application specific to opioid use and prevention.

## **ARTICLE VII - CONFLICT OF INTEREST**

### **Section 1. Survey.**

The Department will survey the Committee members annually to collect information regarding their affiliations outside the Department. Each member is responsible for fully disclosing all current affiliations.

- A. Conflicts of interest must be declared by members prior to discussion of any matter that would provide direct financial benefit for that member, or otherwise have the appearance of a conflict of interest. When funding or other decisions are made regarding an organization with which the member has an affiliation, the member shall state his intention to abstain from making specific motions or casting a vote, before participating in related discussions.

### **Section 2. Declaration of Conflict.**

The Chair or a majority of the Committee may also declare a conflict of interest exists for a member and ask that the member be removed from the voting process.

## **ARTICLE VIII - STATEMENT OF NON-DISCRIMINATION**

The Committee is an equal opportunity/ affirmative action entity. Qualified persons are considered for appointment without regard to race, sex, sexual orientation, gender identity or expression, religion, color, national origin, age, genetic information, or disability, as outlined in the state affirmative action plan.

## **ARTICLE IX - REVISION OF BYLAWS**

### **Section 1. Bylaw Review.**

These bylaws will be reviewed at least every four (4) years or sooner as deemed necessary by the Committee. Proposed amendments will be distributed to the Committee members in writing at least one week prior to a regularly scheduled or special meeting. These bylaws may be altered, amended, or repealed by a majority of the Committee members at any regularly scheduled or special meeting called by the Chair or a majority of the Committee members in compliance with Nevada's Open Meeting Law and must be in compliance with the SB 390 legislation as codified in Chapter 433 of Nevada Revised Statutes (NRS).

**Section 2. Bylaw Approval.**

These bylaws were approved and adopted at a regularly scheduled meeting of the Committee on October 5, 2021.

David Sanchez  
Chair, Advisory Committee for a Resilient Nevada

10/14/2021  
Date

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