

NEVADA DEPARTMENT OF ~~HEALTH AND~~ HUMAN SERVICES
GRANTS MANAGEMENT ADVISORY COMMITTEE

BYLAWS

FIRST ADOPTED AND APPROVED OCTOBER 21, 2009

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STATE OF NEVADA DEPARTMENT OF ~~HEALTH AND~~ HUMAN SERVICES
GRANTS MANAGEMENT ADVISORY COMMITTEE
AMENDED AND RESTATED BYLAWS

ARTICLE I – NAME

Section 1.1 Name *Identification*.

The name of this Advisory Committee shall be the DEPARTMENT OF ~~HEALTH AND~~ HUMAN SERVICES GRANTS MANAGEMENT ADVISORY COMMITTEE, *as established by the Nevada Department of Human Services according to the provisions of Sections 383-387 of Chapter 232 of Nevada Revised Statutes, and exercising the powers and assuming the duties granted to it under said statutes.*

ARTICLE II – PURPOSE AND ROLE

Section 2.1 Purpose.

The purpose of this Advisory Committee, created under ~~NRS Chapter 232~~ *Nevada Revised Statutes (NRS) 232.383-387*, shall be to advise and assist the Department of ~~Health and~~ Human Services, hereinafter referred to as the Department, in the administration of the following programs and/or funding sources:

- a. Children's Trust ~~Fund Account NRS 432.131-133~~;
- b. ~~Contingency Fund to Support Account for~~ Victims of Human Trafficking ~~NRS 217.500-545~~;
- c. Family Resource Centers *NRS Chapter 430A*;
- d. ~~Social Services Block Grants (Title XX, Social Security Act) non-state grants~~ *Grief Support Trust Account NRS 439.5132-5134 and NRS 232.385*;
- e. Fund for a Healthy Nevada *NRS 439.620-630*; and
- f. Other programs or funding sources as requested by the Department Director, hereinafter referred to as the Director.

Section 2.2 Role of Committee.

The role of this Advisory Committee shall be to support the Department ~~Mission~~ *mission*, as established by the Director:

- a. The Department of ~~Health and~~ Human Services promotes the health and well-being of Nevadans through the delivery or facilitation of essential services to ensure families are strengthened, public health is protected and individuals achieve their highest level of self-sufficiency.

Section 2.3 Role of Committee Members.

~~The role of Advisory Committee members will be to represent the best interests of the Advisory Committee ahead of individual interests in all public communications and refer any communications regarding Department programs to Department staff. Official statements regarding Department programs must be approved by the Director prior to statements being made.~~

ARTICLE III – DUTIES

Section 3.1 Duties.

As indicated by NRS 232.383, The the Advisory Committee shall:

- a. Adopt rules for its own management and government;
- b. Review requests received by the Department for awards of money to provide services to persons served by the programs administered by the Department;
- c. Conduct public hearings to accept public testimony regarding the funds administered;
- d. Submit recommendations to the Director concerning each request for an award of money that the Advisory Committee believes should be granted;
- e. Adopt policies setting forth criteria to determine which agencies, organizations and institutions to recommend for an award of money;
- f. Monitor awards of money granted by the Department;
- g. Assist Department staff in determining the needs of local communities and in setting priorities for funding programs;
- h. Evaluate and make suggestions regarding performance indicators, accountability measures, and program policies; and
- i. Consider funding strategies for the Department, including, without limitation, seeking ways to avoid unnecessary duplication of the services for which awards of money are granted, and make recommendations concerning funding strategies to the Director.

The meaning ascribed to this passage is as follows: "The Advisory Committee will assist in identifying potential opportunities for collaboration among State agencies and with external partners to coordinate similar programs and maximize available funding."

Pursuant to the Grief Support Trust Account, as indicated by NRS 232.383 and NRS 439.5134, the Advisory Committee shall:

- a. *Establish a list of nonprofit community organizations eligible to receive awards of money from the Grief Support Trust Account.*
- b. *Annually review requests for awards from the Grief Support Trust Account.*

Pursuant to the Fund for a Healthy Nevada, as indicated by NRS 439.630, also requires the Advisory Committee to:

- a. *On or before June 30 of each even-numbered year, submit to the Director a report that includes, without limitation, recommendations regarding community needs and priorities.*

Section 3.2 Additional Responsibilities.

The Director may request that the Advisory Committee assume additional responsibilities concerning specific programs.

ARTICLE IV – MEMBERSHIP AND TERMS

Section 4.1 Composition of Committee.

The Advisory Committee shall be composed of fifteen (15) members appointed by the Director to reflect the ethnic and geographical diversity of this state *as indicated by NRS 232.383.*

~~a. A superintendent of a county school district, or designee;~~

- ~~b. A director of a local agency providing services for abused or neglected children, or designee;~~
- ~~c. A member who possesses knowledge, skill and experience in the provision of services to children;~~
- ~~d. A representative of a department of juvenile justice services;~~
- ~~e. A member who possesses knowledge, skill and experience in the provision of services to senior citizens;~~
- ~~f. Two members who possess knowledge, skill and experience in finance or in business generally;~~
- ~~g. A representative of the Nevada Association of Counties;~~
- ~~h. A member who possesses knowledge, skill and experience in building partnerships between the public sector and the private sector;~~
- ~~i. Two members of the public who possess knowledge of or experience in the provision of services to persons or families who are disadvantaged or at-risk;~~
- ~~j. A member who possesses knowledge, skill and experience in the provision of services to persons with disabilities;~~
- ~~k. A member who possesses knowledge, skill and experience in the provision of services relating to the cessation of the use of tobacco;~~
- ~~l. A member who possesses knowledge, skill and experience in the provision of health services to children; and~~
- ~~m. A representative who is a member of the Nevada Commission on Aging, created by NRS 427A.032, who must not be a Legislator.~~

Section 4.2 Member Terms.

Each member of the Advisory Committee serves for a term of two (2) years. No member may serve more than ~~twelve (12)~~six (6) consecutive **years terms**. Each member of the Advisory Committee continues in office until his successor is appointed.

Section 4.3 Participation.

Each member is expected to participate in a majority of the meetings and activities. *A member must notify administrative support staff at least forty-eight (48) hours in advance of an anticipated excused absence. The Advisory Committee may, after discussion, invite a member to resign due to absences.*

- a. 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.*

Section 4.4 Vacancies.

Upon the occurrence of any vacancy, the Advisory Committee may make recommendations to the Director to appoint a new member. Consideration shall be given to retaining the demographic, geographic, and ethnic balance of the Committee. When a member is appointed to fill an unfinished term, they shall complete the unfinished term and will be eligible to be reappointed for five (5) additional terms.

Section 4.5 ~~Grant Eligibility. Member Removal.~~

~~Any entity that employs a member of the Advisory Committee is not eligible to receive a grant. This section does not prohibit an entity that serves solely as the fiscal agent for a recipient of a grant from employing a member of the Advisory Committee.~~

Any member of the Advisory Committee may be removed by the Director or their designee for appropriate causes such as:

- a. Repeated failure to meet the participation requirements;***
- b. Malfeasance, wrongdoing, or misconduct that discredits the Advisory Committee, compromises its work effectiveness and efficiency, or creates disharmony; or***
- c. Intentionally violating the conflict of interest policy.***

ARTICLE V – OFFICERS

Section 5.1 Election of Officers.

At its first meeting ***of the new fiscal year*** and annually thereafter, the Advisory Committee shall elect a Chair and Vice Chair from among its members.

- a. The nominee receiving the highest number of votes for each of the two positions shall serve in the respective office.
- b. The officers shall not be from the same geographic area.
- c. ***Geographic areas are divided into three regions: Washoe, Clark, and Rural.***

Section 5.2 Terms of Office.

Officers shall begin their term of office immediately upon election. There are no limits set on the number of terms an officer may serve.

Section 5.3 Duties of Officers.

The Chair shall preside at all meetings and generally supervise the affairs of the Advisory Committee. The Vice Chair shall assist and assume the duties of the Chair in case of ***his*** ***their*** absence.

ARTICLE VI – MEETINGS

Section 6.1 Meetings and Designated Annual Meeting.

As indicated by NRS 232.383, The the The Advisory Committee shall:

- a. Meet at the call of the Director, the Chair, or a majority of its members as necessary, within the budget of the Advisory Committee, but not to exceed six meetings per year; and
- b. Conduct the annual election of officers at its Annual Meeting, which shall be designated as the first regularly scheduled meeting following July 1, the beginning of the new State Fiscal Year.

Section 6.2 Quorums.

A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Advisory Committee.

- a. If the Advisory Committee is fully seated (15 members), the quorum necessary to transact business is eight (8). A majority of the quorum depends on the number of the 15 members actually present at a meeting. If the minimum quorum of eight (8) is present, the majority for official action is five (5).
- b. If the Advisory Committee is not fully seated, the quorum and majority changes. For example, if the Advisory Committee has four (4) vacancies and eleven (11) members, the quorum necessary to transact business is six (6). A majority of the quorum depends on the number of the eleven (11) members actually present at a meeting. If the minimum quorum of six (6) is present, the majority for official action is four (4).

Section 6.3 Compliance with Open Meeting Law.

All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting Law (NRS 241.010-241.040 inclusive).

ARTICLE VII – SUBCOMMITTEES

Section 7.1 Formation and Composition.

The Chair of the Advisory Committee may appoint Subcommittees composed of members of the Advisory Committee, former members of the Advisory Committee and members of the public who have relevant experience or knowledge.

Section 7.2 Quorums.

Subcommittees may take action with a majority of members present.

Section 7.3 Duties.

Subcommittees may review needs assessments, develop preliminary recommendations for funding priorities and strategies, and evaluate and make suggestions regarding performance indicators and accountability measures.

Section 7.4 Limitations.

All recommendations approved by Subcommittees will be forwarded to the Advisory Committee for further action.

Section 7.5 Open Meeting Law.

Subcommittees are subject to the Nevada Open Meeting Law.

ARTICLE VIII – EXPENSES

Section 8.1 Compensation.

Provided funds are available, each member of the Advisory Committee who is not an officer or employee of this State or a political subdivision of this State is entitled to receive a salary of not more than \$80 per day, fixed by the Director, while engaged in the business of the Advisory Committee.

Section 8.2 Per Diem and Travel Expenses.

While engaged in the business of the Advisory Committee, each member of the Advisory Committee is entitled to receive the per diem allowance and travel expenses provided for State officers and employees generally.

Section 8.3 Allowances for Officers or Employees of the State.

A member of the Advisory Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his duties without loss of his regular compensation so that he may prepare for and attend meetings of the Advisory Committee and perform any work necessary to carry out the duties of the Advisory Committee in the most timely manner practicable. A State agency or political subdivision of this State shall not require an officer or employee who is a member of the Advisory Committee to:

- a. Make up the time he is absent from work to carry out his duties as a member of the Advisory Committee; or
- b. Take annual leave or compensatory time for the absence.

ARTICLE IX – CONFLICT OF INTEREST

Section 9.1 Annual Disclosure Statement.

The Department will survey its Advisory Committee members annually to collect information regarding their affiliations outside of the Department. If a member's personal or employment circumstances change before 12 months have elapsed, it is the member's responsibility to update the Disclosure Statement and submit it to the Department.

Section 9.2 Grant Eligibility.

Any entity that employs a member of the Advisory Committee is not eligible to receive a grant that is administered by the Advisory Committee. This section does not prohibit an entity that serves solely as the fiscal agent for a recipient of a grant from employing a member of the Advisory Committee.

Section 9.23 Declaration of Conflict Prior to Discussion.

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.

Section 9.34 Abstaining from Voting Process.

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 discussion.

Section 9.45 Declaration of Conflict by Chair or Majority Vote.

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

ARTICLE X – AMENDMENTS

Section 10.1 Amendments.

These Bylaws may be altered, amended, or repealed by a majority of the Advisory Committee members at any of its regularly scheduled meetings, subject to affirmation by the Director.

THE BYLAWS OF THE GRANTS MANAGEMENT ADVISORY COMMITTEE, ADOPTED AND APPROVED OCTOBER 21, 2009, WERE AMENDED AND ADOPTED BY UNANIMOUS CONSENT OF THE MEMBERS AT THEIR REGULARLY SCHEDULED MEETING ON MARCH 13, 2014.

AFFIRMED:

Chair

Vice Chair