

**PRINCE WILLIAM COUNTY  
COMMUNITY MENTAL HEALTH, MENTAL RETARDATION  
AND SUBSTANCE ABUSE SERVICES BOARD**

**BY-LAWS**

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**ARTICLE I – NAME**

The name of this Board shall be the Prince William County Community Mental Health, Mental Retardation and Substance Abuse Services Board, hereinafter referred to as the “Community Services Board”.

**ARTICLE II – PURPOSE**

The purpose of the Community Services Board shall be to act as the agent of Prince William County, Virginia, City of Manassas, Virginia and City of Manassas Park, Virginia, in the establishment and operation of community mental health, mental retardation and substance abuse programs as provided in Title 37.2 of the Code of Virginia, relating to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.

**ARTICLE III - MEMBERSHIP**

Section 1. The membership of the Community Services Board shall consist of not less than six (6) nor more than eighteen (18) persons, approved and appointed by the Board of County Supervisors of Prince William County and shall include representatives from each of the cities of Manassas and Manassas Park. The membership shall be broadly representative of the community but no such members shall be employees of the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (hereinafter referred to as the “Department”) or members of the board of directors of contracting agencies or employees of such agencies. One-third of the appointments to the board shall be identified consumers or former consumers or family members of consumers or former consumers, at least one of whom shall be a consumer receiving services. Members shall be appointed in accordance with Code of Virginia 37.2-501, Community Services Board; appointment; membership; duties of fiscal agent.

Section 2. The Board of County Supervisors, in conformance with 37.2-501, will determine the number of members which shall constitute the Community Services Board.

Section 3. Members of the Community Services Board shall be appointed for a term which shall coincide with the term of the Board of County Supervisors.

Section 4. Whenever vacancies occur, the new term of appointment for such unfulfilled or expired term shall coincide with the remaining term of the sitting Board of County

Supervisors.

Section 5. No person shall be eligible to serve more than three successive terms; provided that persons heretofore or hereafter appointed to fill vacancies may serve the additional successive terms.

#### **ARTICLE IV – POWERS AND DUTIES**

The Community Services Board, as a direct agent of the governmental entities which have established it, shall be subject to the laws and regulations relating to such agencies of those governments and shall have the general powers, duties, and responsibilities of a Board as outlined in Title 37.2-504, Code of Virginia. As set forth in the Code of Virginia, these are:

1. Review and evaluate public and private community mental health, mental retardation, and substance abuse services and facilities that receive funds from it and advise the governing body of each city or county that established it as to its findings.
2. Submit to the governing body of each city or county that established it an annual Department of Mental Health, Mental Retardation and Substance Abuse State Performance Contract (hereinafter referred to as the “State Performance Contract”) for community mental health, mental retardation, and substance abuse services for its approval prior to submission of the State Performance Contract to the Department.
3. Within amounts appropriated for this purpose, provide services authorized under the State Performance Contract.
4. In accordance with its approved performance contract, enter into contracts with other providers for the delivery of services or operation of facilities.
5. Make policies or regulations concerning the delivery of services and operation of facilities under its direction or supervision, subject to applicable policies and regulations adopted by the State Board of Mental Health, Mental Retardation and Substance Abuse Services of the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (hereinafter referred to as the “State Board”).
6. Participate with local government in the appointment and annual performance evaluation of an executive director of community mental health, mental retardation, and substance abuse services, who meets the minimum qualifications established by the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services and prescribe duties. The compensation of the executive director shall be fixed by local government in consultation with the Community Services Board within the amounts made available by appropriation for this purpose.
7. Prescribe a reasonable schedule of fees for services provided by personnel or

facilities under the jurisdiction or supervision of the board and establish procedures for the collection of those fees. All fees collected shall be included in the State Performance Contract submitted to the local governing body or bodies pursuant to subdivision 2 of the section and 37.2-508 and shall be used only for community mental health, mental retardation, and substance abuse purposes. The board shall institute a reimbursement system to maximize the collection of fees from persons receiving services under its jurisdiction or supervision, consistent with the provisions of 37.2-511, and from responsible third party payors. No attempt shall be made to bill or collect fees for time spent participating in commitment hearings for involuntary admissions pursuant to Article 5 (37.2-814 et seq.) of Chapter 8.

8. Accept or refuse gifts, donations, bequests, or grants of money or property from any source and utilize them as authorized by the governing body of each city or county that established it.

9. Seek and accept funds through federal grants. In accepting federal grants, the board shall not bind the governing body of any city or county that established it to any expenditures or conditions of acceptance without the prior approval of the governing body.

10. Notwithstanding any provision of law to the contrary, disburse funds appropriated to it in accordance with such regulations as may be established by the governing body of each city or county that established it.

11. Apply for and accept loans as authorized by the governing body of each city or county that established it.

12. Develop joint written agreements, consistent with policies adopted by the State Board, with local school divisions; health departments; boards of social services; housing agencies, where they exist; courts; sheriffs; area agencies on aging; and regional Department of Rehabilitative Services offices. The agreements shall specify the services to be provided to consumers. All participating agencies shall develop and implement the agreements and shall review the agreements annually.

13. Develop and submit to the Department the necessary information for the preparation of the Comprehensive State Plan for mental health, mental retardation, and substance abuse services pursuant to 37.2-315.

14. Take all necessary and appropriate actions to maximize the involvement and participation of consumers and family members of consumers in policy formulation and services planning, delivery, and evaluation.

15. Institute, singly or in combination with other community services boards or behavioral health authorities, a dispute resolution mechanism that is approved by the Department and enables consumers and family members of consumers to resolve

concerns, issues, or disagreements about services without adversely affecting their access to or receipt of appropriate types and amounts of current or future services from the Community Services Board.

16. Notwithstanding the provisions of 37.2-400 or any regulations adopted thereunder, release data and information about individual consumers to the Department so long as the Department implements procedures to protect the confidentiality of that data and information.

17. Carry out other duties and responsibilities as assigned by the governing body of each city or county that established it.

## **ARTICLE V – OFFICERS OF THE BOARD AND THEIR DUTIES**

Section 1. The officers of the Community Services Board shall consist of a Chairman, Vice-Chairman and Secretary who shall be elected by the Community Services Board and serve at the pleasure of the Community Services Board.

Section 2. The Duties of the Chairman shall be:

- a. To preside at all meetings of the Community Services Board and Executive Committee.
- b. To appoint all committees deemed necessary for operation of the Community Services Board.
- c. To work closely with the Executive Director of the Community Services Board.
- d. To perform any other duties determined by the Community Services Board.
- e. To keep the Department of Mental Health, Mental Retardation and Substance Abuse Services informed of the activities of the Community Services Board.
- f. To serve as ex officio member of all committees except the Executive Committee and Nominating Committee. The Chairman shall have no authority over the committees in which the Chairman is attending as an ex officio member.

Section 3. The Duties of the Vice-Chairman shall be:

- a. In the absence of the Chairman, perform the duties of the Chairman as set out in Article V, Section 2 of these By-Laws.

- b. Perform duties as determined by the Community Services Board.

Section 4. The Duties of the Secretary shall be:

- a. Responsibility for the provision of accurate records of all meetings of the Community Services Board and Executive Committee.
- b. In the absence of the Chairman and Vice-Chairman at a scheduled meeting of the board, preside at the meeting.
- c. Perform any other duties as determined by the Community Services Board.

## **ARTICLE VI – NOMINATIONS, ELECTIONS, VACANCIES, AND TERMS OF OFFICERS**

Section 1. The Community Services Board shall elect its officers in accordance with the Nominating Committee procedures as specified in Article IX, Section I of these By-Laws.

Section 2. The term of office shall be for one year. No officer may serve more than three consecutive terms in the same office. The election shall be by ballot if there is more than one nominee for the same office. A quorum must be present and voting in order to constitute an election.

Section 3. A vacancy occurring among the officers of the board shall be filled as follows: If the Chairman's office becomes vacant the Vice-Chairman will become the Chairman. A vacancy of the Vice-Chairman or Secretary will be replaced by the Community Services Board in accordance with the Nominating Committee procedures specified in Article IX, Section I of these By-Laws.

## **ARTICLE VII – MEETINGS**

Section 1. Regular meetings shall be held at a time to be determined by the Community Services Board.

Section 2. Special meetings of the Community Services Board may be called by the Chairman or upon written request of three members.

Section 3. The quorum of all Community Services Board meetings shall be a simple majority of its duly appointed members. In the absence of all elected officers, a Chairman and Secretary pro tem will be elected from the members in attendance.

Section 4. The Executive Committee shall meet at the discretion of the Chairman or

upon request of at least two board members.

Section 5. The quorum of all Executive Committee meetings shall be a majority of the Committee.

### **ARTICLE VIII – EXECUTIVE COMMITTEE**

Section 1. The elected officers of the Community Services Board shall constitute the Executive Committee. The elected Chairman, Vice Chairman and Secretary of the board shall serve in their respective capacities on the Executive Committee.

Section 2. It shall be the duty of this Committee to conduct the necessary business in between meetings of the Community Services Board. All action taken to be brought to the next regular meeting of the Community Services Board and those items requiring ratification shall be so considered for same.

Section 3. It shall be the duty of this Committee to review and make recommendations or take action on all matters that relate to the Board's Administration.

### **ARTICLE IX – COMMITTEES**

There shall be the following Committees:

Section 1. Nominating Committee.

- a. This Committee shall consist of at least two members.
- b. Committee members shall be appointed by the Community Services Board in September.
- c. The Nominating Committee's slate of officers shall be presented to the Board at the Board's October meeting. Other nominations for officers shall be accepted from the floor at the October meeting.
- d. Election of officers shall be held at the November meeting.
- e. Officers elected at the November meeting shall take office on January 1 of the new calendar year.

Section 2. By-Laws Committee.

- a. This Committee shall consist of at least two members.
- b. Committee members shall be appointed by the Community Services

Board in October.

- c. The By-Laws Committee shall review the By-Laws annually and make recommended amendments as appropriate.
- d. The By-Laws Committee shall submit for acceptance and approval a report on their review of the By-Laws, with recommended changes as appropriate, to the Community Services Board no later than the month of January following their appointment.

Section 3. Subcommittees:

- a. On an as-needed basis, the Chairman of the Community Services Board shall establish special subcommittees to aid the Community Services Board in the conduct of its duties and responsibilities.
- b. Special subcommittees shall meet as determined by the subcommittee chairman and its members.

**ARTICLE X**

Roberts Rules of Order, revised, shall govern the Community Services Board in all cases to which they are applicable and in which they are not inconsistent with these By-Laws.

**ARTICLE XI**

These By-Laws may be amended at any regular meeting of the Community Services Board by two-thirds vote of those present and voting, notice and proposed By-Laws having been submitted in writing two weeks prior to the meeting.

These By-Laws shall be reviewed annually by the By-Laws Committee with amendments made thereto, as appropriate.

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Adopted June 5, 1979 at a Regular Meeting of the Community Services Board by a vote of 4 ayes, 0 nays, 0 abstentions, 3 absent.

Amended November 25, 1980 at a Regular Meeting of the Community Services Board by a vote of 4 ayes, 0 nays, 0 abstentions, 3 absent.

Amended June 28, 1983 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 3 absent.

Amended May 5, 1988 at a Regular Meeting of the Community Services Board by a vote of 3 ayes, 0 nays, 1 abstentions, 3 absent.

Amended September 20, 1990 at a Regular Meeting of the Community Services Board by a vote of 5 ayes, 0 nays, 0 abstentions, 4 absent.

Amended September 26, 1991 at a Regular Meeting of the Community Services Board by a vote of 7 ayes, 0 nays, 0 abstentions, 1 absent.

Amended May 7, 1992 at a Regular Meeting of the Community Services Board by a vote of 3 ayes, 0 nays, 1 absent from vote; 1 absent.

Amended February 15, 1996 at a Regular Meeting of the Community Services Board by a vote of 6 ayes, 0 nays, 1 absent from vote.

Amended May 17, 2007 at a Regular Meeting of the Community Services Board by a vote of 6 ayes, 0 nays, 3 absent from vote, 1 vacancy.

Amended January 10, 2008 at a Regular Meeting of the Community Services Board by a vote of 7 ayes, 0 nays, 2 absent from vote, 1 vacancy.

Amended December 4, 2008 at a Regular Meeting of the Community Services Board by a vote of 8 ayes, 0 nays, 1 absent from vote, 1 vacancy.