

BY-LAWS
THE ARKANSAS MINORITY HEALTH COMMISSION

ARTICLE I

PURPOSES AND POWERS

Section 1: The purposes and objectives, according to Act 912 of 1991, mandates that the Arkansas Minority Health Commission shall:

1. Study issues relating to the delivery of and access to health services for minorities in this state;
2. Identify any gaps in the health service delivery system that particularly affect minorities;
3. Make recommendations to the relevant agencies and to the legislature for improving the delivery of an access to health services for minorities; and
4. Study and make recommendations as to whether adequate services are available to insure future minority health needs will be met.

Section 2: The Commission may request any information relating to health issues for minorities from any state agency, state supported hospital, or state medical school. The only exception shall be names, addresses, telephone numbers or any other identifying information.

ARTICLE II

MISSION AND VISION

Section 1: The Mission of the Arkansas Minority Health Commission is to assure all minority Arkansans access to health care that is equal to the care provided to the other citizens of the state and to seek ways to provide the education, address, treat and prevent diseases and conditions that are prevalent among minority populations.

Section 2: Vision. The vision of the Minority Health Commission is equal access to health care and preventive well care for underserved communities of color *within the state of Arkansas*.

ARTICLE III

MEMBERSHIP (All italicized is found in the code- newly added to the bylaws)

Section 1: Authority. According to Arkansas Code 20-2-102, The Arkansas Minority Health Commission shall consist of twelve (12) members to be appointed as follows:

1. Four (4) of the general public to be appointed by the Governor, with each of the four (4) congressional districts represented;
2. Two (2) members to be appointed by the President Pro Tempore of the Senate;

3. Two (2) members to be appointed by the Speaker of the House of Representatives;
4. The Director of the *Office of Alcohol and Drug Abuse Prevention* of the Arkansas Department of Human Services or his or her designee;
5. The Director of the Division of Aging and Adult Services of the Department of Human Services or his or her designee; and
6. The Director of the Arkansas Department of Health or his or her designee;
7. *The Director of the Division of Behavioral Health of the Department of Human Services or his or her designee.*

All persons appointed to the commission shall be persons who have actively participated in health issues for minorities or have special knowledge or experience with minority health issues.

Section 2: Terms of appointment.

1. All members of the general public appointed by the Governor, and those appointed by the President Pro Tem of the Senate and the Speaker of the House of Representatives shall serve staggered two-year terms. (Pursuant to 20-2-102 of the Arkansas Code)
2. All members serving as Directors of designated state agencies, or their designee's, shall serve at the discretion of the designated State Agency director(s). A change in State Agency Directors will necessitate that the new director must submit a letter indicating his or her representative to the Minority Health Commission as soon as possible after his or her appointment.

Section 3. Attendance. Pursuant to Ark Code 25-16-804, within any 30 calendar days after each regular board or commission meeting, the secretary of the board or commission shall notify the Governor in writing of any board member who has been absent from 3 successive regular meetings without attending any intermediary called special meetings.

Section 4. Resignations. Any member of the commission may resign at any time by giving written notice to the Governor of the State of Arkansas. The resignation of any member shall take effect upon receipt of notice thereof or at such later time as shall be specified in such notice; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5: Vacancies. Any vacancy in the membership that shall occur in the Commission by reason of death, resignation, disqualification or removal or any cause whatever shall be filled by the Governor as provided by law.

Section 6. Quorum and Manner of Acting. Unless otherwise provided by law, the presence of a majority of the Commission shall be necessary to constitute a quorum for the transaction of business. In the absence of a quorum, a majority of the Commission present may adjourn the meeting from time to time until a quorum shall be present. At all meetings of the Commission, a quorum being present, all matters shall be decided by

affirmative vote of a majority of the members present and voting, except as otherwise required by the laws of the State of Arkansas.

Section 7: Compensation. Members shall receive no compensation for their services as members of the Arkansas Minority Health Commission. However, nothing herein contained shall be construed to preclude any member from serving the Arkansas Minority Health Commission in any other capacity and receiving compensation therefore or preclude per diem expense allowance or automobile mileage cost reimbursement as provided by the Arkansas Statute Annotated 82-105.

ARTICLE IV

MEETINGS OF MEMBERS

Section 1: Office and Place of Meetings. Meetings of the Commission may be held at such place or places, within or without the State of Arkansas, as shall be fixed by the Commission and stated in the notice thereof.

Section 2: Regular Meetings. The Commission shall meet and conduct its regular meetings on the months of January, April, July, and October of each year. Notice of regular meetings shall be given by the Director to each member of the board during the month of January and again ten (10) days before each meeting is to be held.

Section 3: Special Meetings. Special meetings of the Commission, for any purposes or purposes, may be called by the Chairperson *or* a majority of the Commission members. The meeting requested by a majority shall be called by the chairperson upon receipt of a written request from the majority stating the purpose or purposes for which such meeting is to be called.

Section 4: Notice of Special Meetings. Notice of the special meeting shall be given to all members prior to the scheduled meeting date. Notice may be given by telephone, delivery of the notice personally, or by mailing the notice in postage prepaid envelope directed to the member at the member's address as it appears on the books of the Commission.

Section 5: Quorum and Manner of Acting. Unless otherwise provided by law, the presence of a majority of the Commission shall be necessary to constitute a quorum for the transaction of business. In the absence of a quorum, a majority of the Commission present may adjourn the meeting from time to time unless a quorum shall be present. At all meetings of the Commission, a quorum being present, all matters shall be decided by the affirmative vote of a majority of the members present and voting, except as otherwise required by the laws of the State of Arkansas.

Section 6: Commission Designee. A designee may represent a member during a regular or special meeting; however, that designee may not vote on issues brought before the commission unless that designee has been named as a permanent designee for the director

of a state office serving on the commission by legislation. This designee must be named in writing in a letter to the commission.

Section 7: Commission Proxy. A commissioner may designate another commissioner to vote as a proxy in his or her absence. The proxy vote can only be for items on the published agenda that the absent commissioner designated another commissioner to vote on. A proxy can not vote on additions to the agenda that occur during the commission meeting.

Section 8: Resignation. Any member of the Commission may resign at any time by giving written notice to the Governor of the State of Arkansas. The resignation of any member shall take effect upon receipt of notice thereof or at such later time as shall be specified in such notice; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE V

COMMITTEES OF THE ARKANSAS MINORITY HEALTH COMMISSION

Section 1: Establishing Committees. The commission may establish and create from time to time such committees as it deems necessary to carry out the affairs and further the purposes of the Commission. The standing committees of the Commission shall be: Executive Committee, Legislative Committees, and the Planning and Review Committee.

Section 2: Executive Committee. During the intervals between the meetings of the Commission, the Executive Committee shall meet as frequently as it deems necessary, and shall receive reports, conduct routine business, and take official action on behalf of the Commission only on issues which constitute a bona fide emergency requiring a decision prior to the next regular or special meeting of the Commission. *The Executive Committee shall be comprised of Commission officers and chairs of the standing committees.*

Section 3: Legislative Committee. The Legislative Committee shall consist of four members appointed by the Chairman for a term of *two (2) years*. Commissioners who are interested in the topic and are willing to serve may volunteer to serve on the Legislative Committee. It shall monitor all legislation, both federal and state, which impacts on the Commission and its functions, and shall make recommendations to the Commission regarding appropriate action.

Section 4: Planning and Review Committee. The Planning and Review Committee shall consist of no less than three members who volunteer to serve for a term of *two (2) years*. It shall meet at the request of the Executive Director for planning purposes, to review documents and make program and policy recommendations for submittal to the full commission re; funding requests, reports to be distributed, grants submitted, partnerships, and strategic planning goals and objectives.

ARTICLE VI

OFFICERS

Section 1: Designated Officers: The officers of the Minority Health Commission shall be Chair, Vice Chair and *Secretary*. Pursuant to AR Code 20-2-102, the commission shall elect one (1) of its members to serve as Chair. The Chair shall be selected from the general public membership appointed by either the Governor, President Pro Tem of the Senate, or the Speaker of the House of Representatives. The commission shall elect (1) of its members to serve as Vice Chair *and Secretary*. The Vice Chair *and Secretary* shall be selected from the twelve (12) members of the commission. The Commission may have such other officers as the Commission may deem necessary, each of whom shall hold office for such period, have such authority, and perform such duties as the Commission may from time to time determine.

Section 2: Election and Term of Office. The Chair, Vice Chair *and Secretary* of the Minority Health Commission shall be elected every two years by a majority vote of the Commissioners. Each officer shall maintain their office until the next election and until his or her successor shall have been elected and qualified or until his or her earlier death, resignation or removal.

Section 3: Date of Elections: *Elections will be held, every two years, at the beginning of the state fiscal year beginning July 2008.*

Section 4: Resignation. Any officer may resign from his office at any time by giving written notice to the Executive Director of the Commission; such notice to be immediately made know the to Commissioners. Any such resignation shall take effect immediately upon the date of receipt of such notice or at any later time specified therein and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5: Removal. Any officer may be removed, with cause, at any time, by a vote of a two-thirds (2/3) majority of the members of the Commission present and voting any regular or special meeting of the Commission at which proper notification of such proposed action was made in advance to each member.

Section 5: Vacancies. A vacancy in any office may be filled for the unexpired portion of the term in the manner prescribed in these By-laws for election or appointment to such office for such unexpired term.

ARTICLE VII

DUTIES OF OFFICERS

Section 1: Chair. The Chairperson shall have general supervision and management of the affairs of the commission subject to control of the Commission. He or she may enter into contracts or other instruments in the name and on behalf of the Commission except in cases in which the authority to enter into such contract or execute and deliver such instrument, as the case may be, shall be otherwise expressly delegated. In general, he or she shall perform all duties incident to the office of chairperson as herein detailed and all such other duties as from time to time may be assigned to him by the Commission.

Section 2: Vice-Chair. The Vice Chair shall perform the duties of the Chair in the event of the Chair's absence or inability to serve. The Vice Chair shall perform such other duties as may from time to time be assigned to him or her by the majority vote of the Commission.

Section 3: Secretary. *The Secretary shall review and clarify the official records. Minutes are to be made available to the secretary for review no later than 20 working days after a quarterly meeting, retreat, or special call meeting.*

ARTICLE VIII

EXECUTIVE DIRECTOR

Section 1. Executive Director. The Executive Director, hired by a majority vote of the Commission, shall assume responsibility for the day to day operations of the Commission. The Executive Director of the Commission shall cause an Agenda on the matters to be discussed at the regular or special meeting to be placed in the United States mail to each member of the Commission prior to the regular or special meeting *in consultation with the Chair, or Vice Chair in the absence of the Chair.*

ARTICLE IX

PROCEDURAL RULES

Section 1: Robert's Rule of Order

All meetings and procedural matters of the Commission shall be conducted in accordance with "Robert's Rules of Order" except when in conflict with these By-laws or the laws of the State of Arkansas.

ARTICLE X

AMENDMENTS

Section 1: The By-laws of the Arkansas Minority Health Commission may be altered, amended, or repealed by the affirmative vote of two-thirds (2/3) majority of the members of the Commission at any regular meeting of the members of the Commission, provided notice of the proposed action and the substance of the suggested amendment shall be given to each member of the Commission as provided for herein.

By-laws adopted April 11, 2008