

The State Consumer Advisory Council
on Personal Assistance
Organizational Bylaws

The State Consumer Advisory Council Bylaws

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(3)

New Jersey Personal Assistance Services Act

Consumer Advisory Council

Article 1

Organization and Responsibilities

The Personal Assistance Services Program (PASP) under the supervision of the New Jersey Department of Human Services, Division of Disability Services, is required by law (N.J.S.A.30:4G-21) to have a State Consumer Advisory Council on Personal Assistance (hereinafter referred to as the Council). The Council provides a means for consumers to express opinions and views that will affect the quality of personal assistance services in New Jersey. The Council is designed to review and evaluate the effectiveness of the Program and to make recommendations to improve the overall program statewide.

Responsibilities:

- (A) The Council shall gather input from consumers, make recommendations to create better services, further empower consumers and improve the Personal Assistance Services Program.
- (B) The Council shall make recommendations to the Commissioner for new members.
- (C) The Council shall create subcommittees as necessary.

Article 2

Purpose/Mission

...to be the consumer driven voice that maintains the self-directed integrity of the program and advocates for its successful implementation.

It shall be the responsibility of the Council to:

- (A) Advise the Commissioner on matters pertaining to personal assistance services and the development of the Personal Assistance Services Program, upon the Commissioner's request.

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- (B) Review the rules adopted for the Personal Assistance Service Program and make recommendations to the Commissioner thereon.
- (C) Evaluate the effectiveness of the Personal Assistance Services Program in meeting its objectives and share that evaluation with the Commissioner.
- (D) Actively explore innovative service delivery models to enhance the consumer driven nature of the Personal Assistance Services Program.

Article 3
Membership

Section 1
Requirements

- (A) The Council shall consist of 19 members appointed by the Commissioner.
 - 1. At least 75% shall be consumers of personal assistance services.
 - 2. Fifteen members shall represent consumers in three geographical regions.
 - a. No less than five of the members shall be residents of Central Jersey (Burlington, Hunterdon, Mercer, Middlesex, Monmouth, Somerset, and Warren).
 - b. No less than five of the members shall be residents of North Jersey (Bergen, Essex, Hudson, Morris, Passaic, Sussex, and Union).
 - c. No less than five of the members shall be residents of South Jersey (Atlantic, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem).
 - 3. One member shall represent the fiscal intermediary (FI) service vendor.
 - 4. One member shall represent a training vendor.
 - 5. One member shall represent a vendor agency that provides personal care services.
 - 6. The State shall be represented by the Commissioner of Human Services (DHS) or his/her designee.

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Section 2

Membership Duties and Responsibilities.

(A) Responsibilities

1. Stay informed on issues concerning PASP.
2. Represent their geographical regions, the aforementioned vendors and the Commissioner or his/her designee.
3. Attend and participate in scheduled meetings.
4. Follow meeting protocol.
5. Approve, modify, or reject the work of the ad hoc subcommittees.

(B) Dismissal Process for Advisory Council Members

1. The Council may remove a member for just cause (such as non-attendance, Breaching of confidentiality, not disclosing a conflict of interest where the individual may benefit, or behavior inappropriate or unbecoming of a member).
2. The Executive Committee will review reasons for dismissal and determine a course of action which shall include communicating with the member in question.
3. The member has a right to appeal the decision of the Executive Committee and may request a vote of Council. If a dismissal is recommended, the results will be forwarded to the Commissioner for action.

(C) Council terms are three years. A member may be eligible for reappointment at the discretion of the Commissioner.

(D) A member may stay on the Council if not reappointed, until a successor is determined. The stay is not valid if the member is removed for just cause.

(E) Each member, including the Chairperson, shall have one vote in all matters before the Council.

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Section 3

Compensation

- (A) Council Members will serve without compensation, but can be reimbursed for travel and meeting expenses. Assistance services cannot overlap with other State run assistance services.
- (B) Non-meeting expenses must be pre-approved by the State.
- (C) Council members whose only program activity is volunteering for the Council will forfeit their compensation for a personal assistant.

Article 4

Meetings of the Advisory Council

- (A) The Council meeting schedule shall begin in May of each calendar year.
- (B) The Council shall meet a minimum of four times per year, or at the request of the Executive Committee. The Advisory Council members shall also have the right to call a meeting by a majority request.
- (C) Quorum shall consist of 51% of the membership, not including vacancies.
- (D) The Council can request clerical, administrative, or professional support from the Division.

Article 5

Election of Officers

Section 1

Election Requirements

- (A) The Council shall elect officers from among those representing the consumers from the three geographic regions, who then will serve a term of two years. The Officers shall include a Chairperson, a Vice-Chairperson, and a Secretary.
- (B) If no Council member is available, the Secretary may be a non Council member. The non member secretary would not have any voting rights.

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- (C) Every two years, nominations of new Officers shall be opened at the September meeting and closed at the November meeting. Nominations may come from the floor or via email to the Membership liaison before the November meeting. The nominees will be announced at the November meeting and must be seconded before being officially placed on the ballot. At the March meeting, each nominee must be present at the elections and will have an opportunity to present themselves to the Council. New Officers shall begin duty at the May meeting.
- (D) The Council member must accept the nomination before it is official.
- (E) The official ballot will be created by the Membership Liaison. The Membership Liaison is responsible to count the votes. If the Membership Liaison is running for office he/she may designate another member to count the votes.
- (F) Voting by proxy shall not be permitted. A quorum must be met to have an election.

Section 2

Duties, Responsibilities, and Rights of Council Officers

- (A) The Officers of the Council shall perform their duties as described below:

Chairperson / Vice - Chairperson

1. Act as presiding Officer at meetings of the Advisory Council.
2. Open meetings at the appointed time, call the meeting to order, and assure that a quorum is present.
3. State and put to a vote all matters legitimately before the Council and announce the results of the vote.
4. Enforce the rules that relate to debate.
5. Make subcommittee appointments or remove members from subcommittees.
6. Keep membership informed of matters of importance, including status of Member's terms to the Advisory Council.
7. Have the right to meet with members of the Department of Human Services.
8. Speak on behalf of the Council whenever appropriate, including public budget appropriation hearings and other such functions.

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9. Designate others to speak on behalf of the Council.
10. Ensure that reasonable accommodations are made on behalf of all Council members.
11. May participate in all meetings.

Vice Chairperson

1. The Vice Chairperson will assume administrative responsibilities in the absence of the Chairperson.
2. If the Chairperson's position becomes vacant, the Vice Chair will finish the Chair's term. A special election will then be held at the next meeting to choose a member to finish the Vice Chair's term.

Secretary

1. Record the minutes of Advisory Council meetings.
2. Provide the Chairperson with legible minutes for presentation to the Council.
3. Take attendance at each Council meeting and report to the Chair.

Section 3

Composition of Executive Committee

- (A) The Executive Committee must consist of at least the Chairperson, Vice Chairperson, and Secretary.
- (B) The Chairperson can appoint up to two more members to the Executive Committee as he/she desires. The term limit of appointed members is at the discretion of the Chairperson.
- (C) The newly elected Chairperson must decide the make-up of the Executive Committee no later than the September meeting.

(9)

Article 6

Liaisons

Council Liaisons shall be appointed by the Council Chairperson and shall serve at his/her discretion. All liaisons must come from members representing the geographical regions.

Section 1

Program Liaison

The appointed member will be responsible to communicate with the training vendor and report back to the Chairperson. The member should be familiar with the training curriculums and will help to make training a better experience. The liaisons would become the Chair of an Ad hoc Subcommittee should it be needed.

Section 2

Advocacy Liaison

The appointed member is responsible to keep abreast of all Government sponsored activities that relate to the Program and report them to the Chairperson. The appointed member may be designated to represent the Chairperson at official events. The liaison would become the Chairperson of an Ad hoc Subcommittee should it be needed.

Section 3

Membership Liaison

The appointed member is responsible to keep track of new member applications and recruit new members. He/she will then report to the Chairperson. The Liaison would become the Chair of an Ad hoc Subcommittee should it be needed. The Membership Liaison would be responsible to collect nominations, prepare the ballot, and count the votes.

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Section 4

Protocol Liaison

The appointed member is responsible for checking the bylaws whenever a question of compliance is introduced. He/she will then report to the Chairperson. The Liaison would become the Chair of the Bylaws Subcommittee should it be needed.

Article 7

Ad hoc Subcommittees

Requirements

- (A) The Ad hoc Subcommittees will be designated by the Chairperson who will assign their task.
- (B) The Ad hoc Subcommittee's Chairperson and Members will be appointed by the Council's Chairperson.
- (C) The Ad hoc Subcommittee's Chairperson is responsible to create an Action Item to be turned into the Chairperson within a week after the subcommittee's meeting.
- (D) Only members of said Ad hoc subcommittee can vote on issues presented during that Ad hoc subcommittee meeting.

Article 8

Code of Ethics

- (A) Members of the Council shall present themselves as advocates for PASP, its consumers, and all people with disabilities.
- (B) The process and procedure that the Advisory Council uses to discuss and vote on issues shall be respected by all members and guests.

- (C) Members of the Council shall identify and abstain from voting on matters involving potential conflict of interest, real or apparent.
- (D) The Chairperson shall determine whether a potential conflict exists. If the potential conflict involves the Chairperson, the Vice-Chairperson shall determine if there is a potential conflict.

Article 9

Changes to the Bylaws

- (A) Amendments to the Bylaws of the Council may be requested by any Council member (at any time) and must be directed to Council Chairperson. The Chairperson must convene the Ad hoc Bylaws Subcommittee by the following Council meeting, if time allows.
- (B) All requests for amendments to the bylaws directed to the Chairperson must be referred to the Ad hoc Bylaws Subcommittee for review and recommendation.
- (C) The Ad hoc Bylaws Subcommittee will review the requested amendments and recommend to the Council what action should be taken and if necessary, indicate specific revisions to the bylaws for consideration.
- (D) Following a review of recommendations from the Ad hoc Bylaws Subcommittee the Advisory Council may adopt the amendments to the bylaws by a majority of the voting members present.

(revised; 11/12/2012)