



## **Joint Recommendation on Changing ADAMH Board Governing Board Size**

In anticipation of the October 3<sup>rd</sup> effective date of the changes to section 340.02 of the Revised Code, that were included in HB 33, that will allow for a determination of the number of members that will be appointed to the governing board of ADAMH Boards, the County Commissioners Association of Ohio (CCAO) and the Ohio Association of County Behavioral Health Authorities (OACBHA) have collaborated and agreed upon recommendations for implementation of the new requirements. The following is a summary of the governing board requirements, both new and unchanged, and the joint CCAO-OACBHA recommendations.

### **Summary of Requirements**

#### *Governing board size:*

- County commissioners are authorized to determine the size of governing boards with options of 9, 12, 14, 15 or 18 members. In a joint-county district, all county commissioners must jointly determine board size. In a joint-county district, the decision among the boards of county commissioners must be unanimous.
- To change the size of an existing governing board, the board(s) of county commissioners must send a representative to a meeting of the governing board to solicit feedback on the change and must consider the feedback received. If the commissioners decide to proceed with a change after considering the feedback received, the board(s) of county commissioners must adopt a resolution specifying the selected board size and notify OhioMHAS of the size that has been selected in order to implement the change.
- A change in board size may not occur more frequently than once every four calendar years.
- When a board size decreases, the reduction in board members must be implemented by not filling vacancies as they occur.
- No action is required of existing 18 and 14 member boards that will stay with the current number of members.

#### *Governing board appointments:*

- 1/3 of members must be appointed by OhioMHAS and 2/3 by the county commissioners.
- The current requirement for the members of a joint-county ADAMH Board's governing board to be appointed by each county in as nearly as possible the same proportion of each county's population to the total population of the ADAMH Board's service district, with at least one member appointed from each county, remains unchanged.

- Also unchanged is the requirement for governing boards to reflect the composition of the population of the ADAMH Board's service district as to race and sex.
- The requirement for certain categories of appointments to be filled by the appointing authorities remains. If a governing board size provides for fewer than 6 appointments by OhioMHAS, the board(s) of county commissioners will also be responsible for ensuring these appointments are made. These categorical appointments are:
  - At least one person who has received or is receiving mental health services;
  - At least one parent or other relative of a person who has received or is receiving mental health services;
  - At least one person who has received or is receiving addiction services;
  - At least one parent or other relative of a person who has received or is received addiction services;
  - At least one clinician with experience in the delivery of mental health services;
  - At least one clinician with experience in the delivery of addiction services;
  - The clinician requirements may be fulfilled by a single board member if that person meets both qualifications.

### **Joint CCAO-OACBHA Recommendations**

In consideration of the questions and considerations that will occur with the implementation of the new requirements, CCAO and OACBHA make the following joint recommendations:

- If an ADAMH Board is currently a 14-member governing board or will change to a 14-member governing board, it is recommended that to comply with the new requirement for 2/3 of members to be appointed by the county commissioners and 1/3 by OhioMHAS, 9 appointments should be board(s) of county commissioners' appointments and 5 should be OhioMHAS appointments. This split provides for county commissioners to appoint 64% of members which is as close to the required 66% as possible.
- If a change will be made to the size of a joint-county ADAMH district's governing board, it is recommended that, prior to deciding which county will appoint new members or lose them through attrition, the entity should determine if the existing board appointments are proportional to county size as currently required. This determination will inform what alterations need to be made with the forthcoming change in board size and allow the entity to factor in any needed re-basing.
- If either a board of county commissioners or an ADAMH Board is interested in a change in the size of the existing governing board, it is recommended they communicate about a potential change prior to engaging in the statutory process required to implement a change.

Please contact your respective Association with any questions about the requirements or these recommendations.