

Board Member Roles and Responsibilities

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Roles and Responsibilities of Boards

Agenda

- ▶ Board Responsibilities
- ▶ Legal Issues
- ▶ Do's and Don'ts

Board Training Manual

► *Takeaways:*

The Board addresses issues that affect the Center as a whole, policy concerns, items mandated by law, or requests by the Executive Director.

The Executive Director administers the policies and puts the programs into action.

Board Responsibilities:

- ▶ Board primarily advises:
 - ▶ Big picture
 - ▶ Agency mission
- ▶ Executive Director, Center Management primarily manage:
 - ▶ Day to day operations

Board Responsibilities:

▶ Board Training Manual:

- ▶ Focus on the Center's mission
- ▶ Establish policies consistent with DMH policy and procedure
- ▶ Recruit local financial support
- ▶ Assist in hiring Executive Director
- ▶ Evaluation of Center programs

Board Responsibilities:

- ▶ State Law (SC Code 44-15-70):
 - ▶ Review and evaluate the community mental health services program.
 - ▶ Recruit and promote local financial support for the program.
 - ▶ Advise the Executive Director on Center policies to stimulate effective community relations.

Board Responsibilities:

Legal Issues

▶ Duty of Care

- ▶ Attend Meetings
- ▶ Be informed and exercise independent judgment
- ▶ Duty to be informed does not mean you must be an expert. Board members may reasonably rely on staff

▶ Duty of Loyalty

- ▶ Avoid or disclose conflicts of interest
- ▶ Maintain confidentiality of information
- ▶ Act in the best interest of the Center and SCDMH

Board Responsibilities:

State Law (SC Code 44-15-70):

“... each community mental health board shall: ...

(4) Recruit and promote local financial support for the program from private sources...and **promote public support for municipal and county appropriations;**”

Board Responsibilities:

- ▶ State Law (SC Code 30-4-10 *et seq*):
 - ▶ South Carolina's Freedom of Information Act (FOIA)
 - ▶ Actions of a public body (i.e., CMHC Board) are subject to the FOIA.
 - ▶ Executive Sessions are not subject to FOIA but there are very limited reasons for the Board to go into Executive Session (e.g., hiring of Executive Director, security system, receive legal advice).

Board Responsibilities:

Legal Issues

- ▶ Board members are volunteers.
- ▶ State Law authorizes state agencies to insure volunteers to the same extent as employees.
- ▶ DMH maintains liability insurance through the State Fiscal Accountability Authority, Insurance Reserve Fund for board members acting in their official capacity.

Board Responsibilities:

Legal Issues

- ▶ Function in an advisory capacity.
- ▶ Focus on the big picture and mission.
- ▶ Allow the Executive Director and management staff to focus on day to day operations.
- ▶ Keep records of minutes and other reports or materials produced by the Board.

Board Responsibilities: Do's and Don'ts

- ▶ Do:
 - ▶ Review the Center budget
 - ▶ Review program effectiveness
 - ▶ Review outcome data
 - ▶ Provide input on the above to the Center

- ▶ Don't:
 - ▶ Engage in personnel issues
 - ▶ Management's job
 - ▶ Avoids risk of litigation

Board Responsibilities:

Do's and Don'ts: Complaints

- ▶ Do:
 - ▶ Take note of complaint and document source.
 - ▶ Common sources: patients, families, community, stakeholders, employees, etc.
 - ▶ Refer complainants to management or other available process (i.e., Patient Advocate, Compliance, etc.).
 - ▶ Ensure there is a process to address complaints that is consistent with DMH policy and procedures.

- ▶ Don't:
 - ▶ Ignore complaints.
 - ▶ Investigate them yourself.

Board Responsibilities: Do's and Don'ts

▶ Do:

- ▶ Advocate or lobby for the Center within DMH.
- ▶ Advocate or lobby for the Center with state elected officials (no gifts of value).
- ▶ Advocate or lobby for the Center within the community.
- ▶ Act as a Board in advocating for the Center.
- ▶ Collaborate on all actions with management.

▶ Don't:

- ▶ Act as an individual.
- ▶ Fail to inform management.

Board Responsibilities: Do's and Don'ts

Do:

- ▶ Treat concerns about management with seriousness and discretion.
- ▶ Discuss concerns as a Board.
- ▶ Review whether Board shares a collective concern about management. If so:
 - ▶ Address with management first.
 - ▶ If concerns persist, address with DMH.

Board Responsibilities: Do's and Don'ts

- ▶ Requests for information by Board members
 - ▶ Do:
 - ▶ Review requests for appropriateness.
 - ▶ Share information based on relevant requests necessary to Board service.
 - ▶ Don't
 - ▶ Share information that exceeds Board responsibilities or violates patient or employee privacy.
 - ▶ Engage in burdensome or divisive requests.

Board Responsibilities: Do's and Don'ts

Do:

- ▶ Understand the Board's role.
- ▶ Take responsibilities seriously.
- ▶ Remain cognizant of the difference between advisory role and operations.
- ▶ Be aware of slippery slopes (issues that will draw the Board into operations).

Don't:

- ▶ Engage in operational issues that are the responsibility of Center management.

SCDMH Budget Request FY 2022-23

- ▶ Let's review your role and duties as it relates to funding:
 - ▶ Advocate for the Center with state elected officials.
 - ▶ Recruit and promote financial support of your Center.
 - ▶ Let community members know that the Center is a great place to work
 - ▶ Act in the best interest of the Center and SCDMH.
- ▶ Use this year to educate others about the Center's important mission and needs

Questions?

Contact Info:

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