

**New Mexico Department of Health
Developmental Disabilities Supports Division**

**ADVISORY COUNCIL ON QUALITY SUPPORTS FOR PEOPLE WITH
INTELLECTUAL/DEVELOPMENTAL DISABILITIES**

BY-LAWS

I. ORGANIZATION:

The Developmental Disabilities Supports Division (the Division) of the New Mexico Department of Health (the Department) established The Advisory Council on Quality Supports for People with Intellectual/Developmental Disabilities (I/DD), hereafter referred to as the "Advisory Council." (ACQ).

II. MISSION, VISION AND VALUES:

Mission: The Advisory Council advises the New Mexico Department of Health on the systems guiding the provision of services and supports that assist people with I/DD of all ages to be fully included in New Mexico communities;

Vision: People with I/DD of all ages receive the supports and services needed to live inclusively and as independently as possible within their community; and

Values:

Families and Support Networks: In order to maximize their rights in receiving and accessing services and being fully included in their communities, individuals with I/DD count on families and natural support networks.

Community Inclusion: People with I/DD of all ages are fully included in community life, are able to secure and maintain naturally occurring support, and are able to rely upon services and supports that enhance life choices in relationships, school, work, where to live and how to participate in community;

Everyone is Valued: People with I/DD have gifts and strengths and are valued members of New Mexico communities;

Self-Determination: People with I/DD have the freedom to make life choices, are able to self-direct supports and services, have access to the information necessary to make informed decisions regarding available supports and services, and are accountable and responsible for their choices and decisions;

Respect: The diversity, culture, differences, history and privacy of people with I/DD are respected;

Quality of Life: Quality of life is individually determined by persons with I/DD;

Quality of Services: Good quality services and supports are readily available, adequate and appropriate, ethical, person-centered and holistic;

Dignity of Risk: People with I/DD, together with their support network and families can determine how they want to balance safety with the opportunities they wish to pursue. Regulation and monitoring should be utilized to insure the safety of people with I/DD, not be intrusive and should not deter people

and their support networks from deciding how they will balance safety and opportunity; and

Support Networks: Those providing supports and services respect the choices and the self-direction of people with I/DD. Providers of supports and services are respected for the good work they do.

III. AUTHORIZATION

The Advisory Council is authorized in accordance with the New Mexico Developmental Disabilities Act of 2017 (Section 28-16A-13 NMSA 2017).

IV. PURPOSE

The purpose of the Advisory Council is to provide advisory counsel to the Department with regard to the needs of people with I/DD.

V. DUTIES

The duties and responsibilities of the Advisory Council shall include, but are not limited to the following:

- a. Conduct meetings every other month;
- b. Advise and assist the Department in reviewing outcomes regarding the quality assurance system for people with I/DD and their support networks;
- c. Provide information and feedback about service availability and current needs with regard to people with I/DD and their support networks;
- d. Participate in any statewide needs assessment processes;
- e. Recommend priorities for the development, modification and expansion of services to meet needs of people with I/DD;
- f. Advise and assist the Division in planning for services to people with I/DD. ;
 - i.
- g. Promote collaboration efforts among state agencies and community based programs serving people with I/DD;
- h. Advocate for system change to improve on the quality of services addressing the specialized and individual needs of people with I/DD; and
- i. Advise the Division on policy changes and policy development.

VI. MEMBERSHIP:

The Advisory Council shall consist of a minimum of fifteen (15) voting members with a maximum of twenty-eight (28) voting members. These members shall be United States citizens and current residents of the State of New Mexico. The membership of the Advisory Council shall be representative of the following constituents:

Voting members:

- Nine (9) - People with I/DD and members of their families ;
- Three (3) - Direct care staff;
- Seven (7) – Providers of Services including case managers, consultants, therapists and other providers, to Individuals with Intellectual and Developmental Disabilities (every attempt will be made to assure representation from each region and to assure diverse types of providers);
- Three (3) – Self Advocacy Organizations and networks;
- Three (3) – Advocacy Organizations and networks;

- One (1) designee of the Family Infant Toddler Interagency Coordinating Council as appointed by the membership of the committee; and
- One (1) designee of the Mi Via Advisory Committee as appointed by the membership of the committee; and
- One (1) designee of the Family Advisory Board as appointed by the membership of the committee.

- Members are required each year to sign a statement listing all potential conflicts of interest (i.e., financial interest in providing services to individuals with intellectual and developmental disabilities.).

State Agency Non-Voting Partners

- Human Services Department - Medical Assistance Division;
- Department of Health - Division of Health Improvement;
- Department of Health - Developmental Disabilities Supports Division;
- Center for Development and Disability;
- Governor’s Commission on Disability;
- Developmental Disabilities Planning Council; and
- Attorney General’s Office.

Members of the Advisory Council shall be appointed for terms of three years. To ensure ACQ membership meets the requirements of the by-laws, the ACQ will vote by a majority of members representing a quorum of the full Advisory Council to approve candidates for membership. All nominations and applications for Advisory Council membership will be submitted to DDS who will forward to the Governor’s office for review, vetting purposes and appointment. Any member appointed to the ACQ shall be allowed to serve the duration of their term.

VII. TERM DURATION:

A member can resign from membership at any time. Such resignation shall be presented in writing to the Division staff. Resigning members are encouraged to find a replacement for their vacated position on the Advisory Council. A maximum of three (3) consecutive full terms are permissible for Advisory Council members based upon recommendations from the Advisory Council and willingness on behalf of the members to continue participation. Any exceptions to the term limit must be approved by the Executive Committee and DDS Director or designee. (See section VI. MEMBERSHIP.)

VIII. OFFICERS:

The Advisory Council shall elect two co-chairs from its membership. At least one co-chair shall be an individual with intellectual/developmental disability or a parent or family member.

Co-chairs are elected for a two (2) year term and can serve a maximum of two (2) consecutive terms. The individual may be re-elected for the same office after a one (1) year hiatus for two (2) additional consecutive terms.

Co-chairs-elect shall be elected one year prior to assuming responsibilities of the co-chair. Co-chairs-elect are elected for a term of one-year at which time they will assume the role of co-chair.

Election of officers shall be held the last scheduled meeting of each calendar year.

In the event an officer resigns the office; the Advisory Council will hold an election for the new co-chair to serve the remainder of the term. In the event the Advisory Council would desire removal of one or both of the officers, such action shall be achieved by a 2/3 vote of removal by the Advisory Council membership with a seven (7) day prior notice at a regular meeting.

IX. ATTENDANCE:

The members shall notify a co-chair or the designated Division staff when unable to attend a scheduled Advisory Council meeting prior to the meeting time, in order to be excused from the meeting. Any member who misses three unexcused, consecutive, regularly scheduled meetings may be dropped from membership. The Director of the Division, and as appropriate, other representatives from the key organizational units within the Department will be routinely invited to Advisory Council meetings.

DESIGNEES: When unable to attend an Advisory Council meeting, a member may assign a designee to attend the meeting and represent the member. Notice of designee assignment shall be presented to the co-chairs prior to the meeting. The Advisory Council shall recognize the designee as authorized to speak, including the right to vote, on behalf of the Advisory Council member. The assignment of a designee is regarded as a substitution, not attendance of a member.

X. CONFLICT OF INTEREST:

No member or authorized designee of the Advisory Council shall cast a vote on any matter, which could provide financial benefit to that member/designee or could otherwise give the appearance of a conflict of interest. Such conflict of interest shall be disclosed by the member/designee to the Advisory Council membership prior to general discussion of the topic to allow the Advisory Council to determine whether a conflict does exist.

XI. LEADERSHIP:

The Co-Chairs shall formally conduct meetings of the Advisory Council in accordance with generally accepted rules of parliamentary procedure. In the absence of both co-chairs, the membership shall select a chair for that meeting.

XII. QUORUM:

Simple majority (51%) of its current appointed membership shall constitute a quorum of the Advisory Council.

XIII. ADVISORY COUNCIL MEETINGS:

The Advisory Council shall meet every other month and at other times as deemed necessary by the Division Director and/or the Advisory Council co-chairs.

XIV. COMMITTEES:

There shall be six (6) standing committees: The Executive Committee, the Policy and Quality Committee, the

Nominating Committee, the By-Laws Committee, the Mi Via Advisory Committee, the Family Advisory Board, other sub-committees or workgroups as determined by the Advisory Council membership

- Executive Committee: shall be responsible for developing the agenda for the ACQ's bi-monthly meetings and shall be composed of the Co-Chairs, the Co-Chairs-elect (if applicable), the Division Director or designee, and two (2) members from the Advisory Council at-large. Executive Committee members must all be Advisory Council members and shall meet at the call of the co-chairs. This Committee will meet with the Division Director or designee at least two (2) weeks prior to regularly scheduled bi-monthly meetings.
- The Policy and Quality Committee: shall function as the policy developing and information review agent for the full Advisory Council.
- The By-Laws Committee: shall review the by-laws as needed, make recommendations for changes, and the By-Laws Committee will meet at least once every other year to review the by-laws.
- The Mi Vi Advisory Committee: shall provide guidance and assistance to reinforce the Mi Via philosophy of self-direction; and ongoing evaluation and improvement of the Mi Via Waiver.
- The Family Advisory Board: shall provide guidance and assistance for the Medically Fragile Waiver by working collaboratively with families and professionals.
- The Nominating Committee: shall manage the recruitment and election of members and officers of the Advisory Council,
- Sub-committees or workgroups shall be created at the discretion of the Division Director or designee or the Advisory Council Co-Chairs.. Membership may include non-Advisory Council members. These subcommittees and workgroups shall report to the Advisory Council as a whole.

XV. COMPENSATION:

Members of the Advisory Committee with I/DD and family members shall be eligible for a stipend for all scheduled meetings of the Advisory Council and Council Committees. Stipends shall be made in accordance with the State Mileage and Per-Diem Act [10-8-1 through 10-8-8 NMSA 1978]. Compensation Request Forms must be completed and submitted after each meeting to the contractor or individual designated by DDS. No other compensation, perquisite or allowance shall be received.

XVI. MEETING RECORDS:

The following records shall be established and maintained for the Advisory Council by the Division staff:

- Summaries of all Advisory Council meetings shall be recorded and sent to all members at least seven (7) days prior to scheduled meetings;
- Attendance records for all Advisory Council meetings;
- Agenda for scheduled meetings and other pertinent information shall be sent to all Advisory Council members at least seven (7) days prior to the meeting date; and
- Summaries and recommendations of all Advisory Council meetings shall be maintained by Division staff and on file at the Division premise.

XVII. ORIENTATION OF NEW MEMBERS:

It is the responsibility of the Division staff to provide orientation to new members of the Advisory Council. Staff members will provide and explain information about the Advisory Council and membership expectations. Staff members will be available to answer questions of the new members. New members will be provided, but not limited to, the following information:

- Records of past Advisory Council meetings for at least the prior year;
- Member list including contact and term information;
- Advisory Council By-laws;
- Copy of the Developmental Disabilities Act;
- Orientation to the Division (program descriptions, organization chart, any available Strategic Plan);
- Telephone numbers (DDSD Administrative and Regional Offices); and
- General information pertaining to developmental disabilities.

XVIII. REVISIONS AND MODIFICATIONS OF BY-LAWS:

Proposed Advisory Council By-laws changes will be disseminated at least seven (7) days in advance of a scheduled meeting of the Advisory Council. By-Laws changes require a vote by majority of members representing a quorum of the full ACQ membership.

Revision History:

Approved - October 2017

Approved – December 12, 2019