

Section: Governing Authority
Policy: Source of Governing Authority
Policy No.: GA 01
Effective: 10/01/2002
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services that the agency be legally constituted and that the Governing Authority has an appropriate source of authority to govern the agency.

PURPOSE: To comply with all Federal and State laws regarding the establishment and governance of a community mental health center in the State of Mississippi as well as the Operational Standards of the Department of Mental Health

PROCEDURE: It shall be the responsibility of the Executive Director to ensure that a copy of the appropriate sections of the Mississippi Code establishing the authority under which the Region VII Mental Health/Mental Retardation Commission d.b.a. Community Counseling Services operates is maintained in the administrative office in West Point, as well as, the Charter of Incorporation issued by the Secretary of State of Mississippi. It shall further be the responsibility of the Executive Director to ensure that the Bylaws of the Region VII Mental Health/Mental Retardation Commission d.b.a. Community Counseling Services are developed by the Commission and approved in their minutes. The Executive Director shall also ensure that a copy of the Commission Bylaws is maintained in the administrative office in West Point.

It is the responsibility of the President of the Governing Authority to ensure that the Governing Authority has and complies with bylaws and/or policies that:

1. Establish in writing the means by which the governing authority provides for the election or appointment of its officers and members and the appointment of committees necessary to carry out its responsibilities
2. Show documentation of the adoption of a schedule of meetings and quorum requirements
3. Require at least quarterly meetings
4. Provide assurance that the governing authority does not consist of employees or immediate family members of employees
5. Provide assurances that meetings of the governing authority are open to the public and include procedures for notifying the public of meetings
6. Assure that the governing authority members do not receive a per diem that exceeds the state limit
7. Require the presence of the minutes of all meetings, which are to include, but not be limited to, the date of the meeting, names of members and other participants/visitors attending, topics and issues discussed, motions, seconds, votes, and public comments
8. Establish an organizational structure as evidenced by an organizational chart

It shall be the responsibility of the Executive Director to ensure that the Governing Authority reviews and approves, (with such review and approval documented in the minutes of the Governing Authority), the following:

1. Annual budget
2. Written affiliation agreements
3. Policies and Procedures (annually) and as updated/changes occur
4. Annual Operational Plan submitted to DMH
5. Disaster and Continuity of Operations Plan
6. Process for meaningful individual and family involvement in the service system planning, decision making, implementation and evaluation. Individuals are provided the opportunity for meaningful participation at least for their service area.

It shall also be the responsibility of the Governing Authority to develop and maintain Board of Commissioners' Policies and Procedures. These Policies and Procedures will guide the actions of the Commissioners in the competent execution of their duties and responsibilities as a result of their appointment to the Commission by their respective County Board of Supervisors and consistent with applicable Mississippi state statute. The By-Laws of the Region VII Commission shall serve as the prevailing governance with the Board of Commissioners' Policies and Procedures providing procedural clarification and guidance. At a minimum, the following areas will be addressed in the Board of Commissioners' Policies and Procedures:

- Executive Director hiring
- Executive Director annual evaluation
- Schedule of meetings and public access
- Maintenance of Commission minutes
- Rotation of Commission Officers
- Officer job duties
- Quorum requirements
- Voting procedures

Additional information regarding the above identified items can be referenced in the By-Laws of Region VII Commission and the Board of Commissioners' Policies and Procedures. The amended By-Laws of Region VII Mental Health/Mental Retardation Commission were last revised/approved November 25, 2014. The amended Board of Commissioners' Policies and Procedures were last revised/approved September 27, 2016.

Mississippi DMH Operational Standards addressed: Rule 8.1, 8.2, 8.4B1, 8.4C

Section: Governing Authority
Policy: Assignment of Responsibility for Agency/Program
Management
Policy No: GA 02
Effective: 10/16/1979
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services that the Governing Authority shall appoint a full-time Executive Director who shall have the authority and responsibility for the management of the program and for implementing the policies of the Governing Authority.

PURPOSE: To comply with all standards applicable to the management of all programs and implementation of policies

PROCEDURE: It shall be the responsibility of the Governing Authority to select and appoint an Executive Director who shall have full authority and responsibility for agency/program management, implementation of all policies adopted by the Governing Authority, and evaluation of all programs. The qualifications for the Executive Director shall include, but not limited to, an individual who possess a minimum of a Master's degree in a mental health or related field, a minimum of three (3) years of administrative experience in programs related to mental health, intellectual/developmental disabilities, or substance abuse services and/or programs, and is employed full time.

The Governing Authority is responsible to maintain a current job description for the Executive Director. It shall be the responsibility of the presiding officer or the President of the Governing Authority to ensure the completion of an annual evaluation of the Executive Director. A record of the evaluation shall be included with the minutes of the Governing Authority and shall be available for review upon request of the Department of Mental Health.

In the absence of the Executive Director, the authority and responsibility of agency/program management shall be held by the Executive Leadership Team which consists of the Chief Financial Officer, the Chief Operations Officer, and the Personnel Officer.

Section: Governing Authority
Policy: Governing Authority Disclaimer
Policy No: GA 03
Effective: 10/16/1979
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services that these Policies and Procedures apply to all Personnel and Programs of the Region VII Mental Health/Mental Retardation Commission d.b.a. Community Counseling Services unless otherwise replaced with specific program related directives.

PURPOSE: To comply with all requirements specified by program funding mechanisms and/or grants which may contradict a policy or procedure as approved by the Region VII Commission.

PROCEDURE: Region VII Mental Health/Mental Retardation Commission d.b.a. Community Counseling Services programs are funded by several different funding sources/grants. These funding sources/grants have certain stipulations that are required for reimbursement. The Executive Director must ensure compliance with any additional specifications set forth in individual program grants/contracts. If there should be a contradiction to a specification of the grant and any CCS policy and procedure established to comply with DMH Operational Standards, the grant/funding specification will supersede.

Section: Governing Authority
Policy: Governing Authority: Notifications and Compliance
Policy No.: GA 04
Effective: 09/15/1998
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services to comply with the most current edition of the DMH Operational Standards.

PURPOSE: To assure efficient and effective operation of the agency

PROCEDURE: It shall be the responsibility of the Executive Director to ensure that written notification is sent to the Department of Mental Health, Division of Certification, of any changes affecting the governing and/or operation of programs, with documentation of such notice maintained on site as verification. Such changes not anticipated shall be reported as soon as they occur. Anticipated changes must be reported before they take place. Failure to report any changes described in this section may result in loss of certification.

Examples of significant changes that must be reported to DMH before they occur include:

1. Changes in the governing authority, executive and key leadership
2. Changes in ownership or sponsorship
3. Changes in staff that would affect certification status
4. Changes in program site location
5. Increase in the capacity above that specified on the DMH certificate
6. Changes in program scope (such as major components of a service, age ranges, and/or the population served, etc.)
7. Major alterations to buildings which house programs
8. Changes in operating hours
9. Changes in the name(s) and/or location(s) of programs(s) certified by the DMH

Examples of significant changes that must be reported as soon as they occur include, but are not limited to:

1. Termination of operation (closure for a period of one (1) day or more due to inclement weather or other unforeseen circumstances)
2. Termination or resignation of the governing authority member(s), Executive Officer, and key leadership
3. Litigation that may affect service provision

It is the responsibility of the Executive Director to ensure that all programs comply with appropriate areas of the current Mississippi DMH Operational Standards for Mental Health, Intellectual/Developmental Disabilities and Substance Use Disorders Community Service Providers, special guidelines and/or regulations issued by the Department of Mental Health for the operation of programs and services, and requirements of DMH Provider Bulletins as they become available. In addition to applicable standards, Community Counseling Services complies with any additional

specifications set forth in individual program grants/contract, as well as with the requirements outlined in the DMH Record Guide. The Executive Director also must ensure that the Policy and Procedure Manual(s) and other documentation as required by these guidelines and regulations are updated to address the current version of the Operational Standards and subsequent changes. Providers must also maintain current and accurate data for submission of all reports and data within established timeframes, as required by DMH according to the DMH Manual of Uniform Data Standards.

Section: Governing Authority
Policy: Documentation of Capital Property
Policy No: GA 06
Effective: 10/01/2002
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services to maintain a central inventory of capital property.

PURPOSE: To protect against misappropriation or misuse of capital property

PROCEDURE: It shall be the responsibility of the Executive Director to see that a central inventory of capital property is maintained in the administrative office in West Point. A list of that inventory shall be presented to the Governing Authority as part of the monthly financials and maintained with the monthly minutes. The Inventory shall include, but not be limited to:

- The identification and location of the property
- The owner of the property
- The current value of the property

Section: Governing Authority
Policy: Governing Authority Duties and Responsibilities
Policy Number: GA 07
Effective: 10/01/2002
Revised/Approved: 03/28/2017

POLICY: It is the policy of Community Counseling Services that Regional VII Mental Health/Mental Retardation Commission shall administer all mental health, intellectual/developmental disabilities, and substance use disorder programs certified by the Mississippi Department of Mental Health. The Governing Authority shall have the authority to pursue and promote the general purposes of the agency.

PURPOSE: Compliance with requirements of the *Mississippi Code 1972, Annotated*, Section 41-19-33 (a) through (w) and other applicable statute

PROCEDURE: It is the duty of the Governing Authority and the Executive Director to ensure that the bylaws/policies of the Board of Commissioners and the Policies and Procedures of Community Counseling Services include the duties of the Commission and to ensure the following responsibilities are met:

- a) To establish, own, lease, acquire, construct, build, operate and maintain mental illness, mental health, intellectual and other developmental disabilities, substance abuse issues and general rehabilitative facilities and services designed to serve the needs of the people of the region so designated; provided that the services supplied by the Region VII Mental Health/Mental Retardation Commission d.b.a. Community Counseling Services shall include those services determined by the Department of Mental Health to be necessary and may include, in addition to the above, services for persons with developmental and learning disabilities; for persons suffering from narcotic addiction and problems of drug abuse and drug dependence; and for the aging as designated and certified by the Department of Mental Health.
- b) To provide facilities and services for the prevention of mental illness, mental disorders, intellectual, developmental and learning disabilities, substance abuse and other related handicaps or problems (including the problems of the aging) among the people of the region so designated, and for the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.
- c) To promote increased understanding of the problems of mental illness, intellectual and other developmental disabilities, substance abuse issues and other related problems (including the problems of the aging) by the people of the region, and also to promote increased understanding of the purposes and methods of the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health
- d) To enter into contracts and to make such other arrangements as may be necessary, from time to time, with the United States government, the

government of the State of Mississippi and such other agencies or governmental bodies as may be approved by and acceptable to the Region VII Mental Health/Mental Retardation Commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, intellectual and other developmental disabilities, substance abuse issues, and other illnesses, disorders, handicaps and problems (including the problems of the aging) as designated and certified by the Department of Mental Health.

- e) To enter into contracts and make such other arrangements as may be necessary with any and all private businesses, corporations, partnerships, proprietorships or other private agencies, whether organized for profit or for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, intellectual and other developmental disabilities, substance abuse issues, and other illnesses, disorders, handicaps and problems (including the problems of the aging) relating to minimum services established by the Department of Mental Health.
- f) To promote the general mental health of the people of the region
- g) To pay the administrative costs of the operation of said regional commission, including per diem for the members of said commission, not to exceed the state limit, and its employees, attorney's fees, if and when such are required in the opinion of the Region VII Mental Health/Mental Retardation Commission, and such other expenses of the commission as may be necessary. The Department of Mental Health standards and audit rules shall determine of what administrative cost figures shall exist for the purposes of this paragraph. The Region VII Mental Health/Mental Retardation Commission shall submit a cost report annually to the Department of Mental Health in accordance with guidelines promulgated by the department.
- h) To employ and compensate any personnel that may be necessary to effectively carry out the programs and services established pursuant to the provisions of the aforesaid act, provided such person meets the standards established by the Department of Mental Health.
- i) To acquire whatever hazard, casualty or workers' compensation insurance that may be necessary for any property, real or personal, owned, leased or rented by the Region VII Mental Health/Mental Retardation Commission, or any employees or personnel hired by the Region VII Mental Health/Mental Retardation Commission.
- j) To acquire professional liability insurance for all employees as may be deemed necessary and proper by the commission, and to pay, out of the funds of the commission, all premiums due and payable on account thereof.
- k) To provide and finance within their own facilities, or through agreements or contracts with other local, state or federal agencies or institutions, nonprofit corporations, or political subdivisions or representatives thereof, programs and

services for individuals with mental illness, including treatment for individuals with substance abuse issues and intellectual or other developmental disabilities, as well as promulgating and administering programs to combat substance abuse.

- l) To borrow money from private lending institutions in order to promote any of the foregoing purposes. The Region VII Mental Health/Mental Retardation Commission may pledge collateral, including real estate, to secure the repayment of money borrowed under the authority of this paragraph. Any such borrowing undertaken by the Region VII Mental Health/Mental Retardation Commission shall be on terms and conditions that are prudent in the sound judgment of the members of the commission, and the interest on any such loan shall not exceed the amount specified in Section 75-17-105. Any money borrowed, debts incurred or other obligations undertaken by the Region VII Mental Health/Mental Retardation Commission, regardless of whether borrowed, incurred or undertaken before or after the effective date of this act, shall be valid, binding and enforceable if it or they are borrowed, incurred or undertaken for any purpose specified in this section and otherwise conform to the requirements of this paragraph.
- m) To acquire, own and dispose of real and personal property. Any real and personal property paid for with state and/or county appropriated funds must have the written approval of the Department of Mental Health and/or the county Board of Supervisors, depending on the original source of funding, before being disposed of under this paragraph.
- n) To enter into managed care contracts and make such other arrangements as may be deemed necessary or appropriate by the Region VII Mental Health/Mental Retardation Commission in order to participate in any managed care program. Any such contract or arrangement affecting more than one region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.
- o) To provide facilities and services on a discounted or capitated basis. Any such action when affecting more than one region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.
- p) To enter into contracts, agreements or other arrangements with any person, payor, provider or other entity, pursuant to which the Region VII Mental Health/Mental Retardation Commission assumes financial risk for the provision or delivery of any services, when deemed to be necessary or appropriate by the commission. Any action under this paragraph affecting more than one region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.
- q) To provide direct or indirect funding, grants, financial support and assistance for any health maintenance organization, preferred provider organization or other managed care entity or contracts, where such organization, entity or contractor is operated on a nonprofit basis. Any action under this paragraph

affecting more than one region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

- r) To form, establish, operate, and/or be a member of or participant in, either individually or with one or more other regional commissions, any managed care entity as defined in Section 83-41-403(c). Any action under this paragraph affecting more than one region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.
- s) To meet at least annually with the Board of Supervisors of each county in its region for the purpose of presenting its total annual budget and total mental health/intellectual and other developmental disabilities service system.
- t) To provide alternative living arrangements for persons with serious mental illness, including, but not limited to, group homes for the individuals with serious and persistent mental illness.
- u) To make purchases and enter into contracts for purchasing in compliance with the public purchasing law, Sections 31-7-12 and 31-7-13, with compliance with the public purchasing law subject to audit by the State Department of Audit.
- v) To insure that all available funds are used for the benefit of individuals with mental illness, intellectual and/or other developmental disabilities, and substance abuse issues with maximum efficiency and minimum administrative cost. At any time the Region VII Mental Health/Mental Retardation Commission, and/or other related organization whatever it may be, accumulates surplus funds in excess of one-half ($\frac{1}{2}$) of its annual operating budget, the Commission must submit a plan to the Department of Mental Health stating the capital improvements or other projects that require such surplus accumulation. If the required plan is not submitted within forty-five (45) days of the end of the applicable fiscal year, the Department of Mental Health shall withhold all state appropriated funds from such regional commission until such time as the capital improvement plan is submitted. If the department does not accept the submitted capital improvement plan, the said surplus funds shall be expended by the Region VII Mental Health/Mental Retardation Commission in the local mental health region on group homes for the individuals with mental illness, intellectual and/or other developmental disabilities, substance abuse issues, children with serious emotional disturbance or other services approved by the Department of Mental Health.
- w) Notwithstanding any other provision of law, to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee or volunteer shall provide a valid current social security number and/or driver's license number that will be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.

It shall be the duty of the Executive Director to ensure that written documentation is maintained in the administrative office in West Point of each of the following:

1. Public education activities to promote increased understanding and methods of rehabilitation/recovery of those issues related to mental illness, intellectual/developmental disabilities, and substance use disorders and other related problems
2. Hazard, casualty or worker's compensation insurance, as well as professional liability insurance to be maintained at the Administrative Office
3. Written approval of the DMH and/or the County Board of Supervisors, depending on the original source of funding, prior to the disposal of any real and personal property paid for with state and/or county appropriated funds
4. Authority of the Commission to provide and finance services through various mechanisms and to borrow money from private sources for such, if needed
5. If the Regional Commission has entered into a managed care contract(s) or any such arrangement affecting more than one region, written prior approval by the DMH of such contract/arrangement before its initiation and annually thereafter
6. If the Regional Commission provides facilities and services on a discounted or capitated basis, when such action affects more than one region, written prior approval by the DMH of such provision before its initiation and annually thereafter
7. If the Regional Commission enters into contracts, agreements, or other arrangements with any person, payer, provider, or other entity, pursuant to which the regional commission assumes financial risk for the provision or delivery of any services, when such action affects more than one region, written prior approval by the DMH of such provision before its initiation and annually thereafter
8. If the Regional Commission provides direct or indirect funding, grants, financial support and assistance for any health maintenance organization, preferred provider organization or other managed care entity or contractor (which must be operated on a nonprofit basis), when such action affects more than one region, written prior approval by the DMH of such action before initiation and annually thereafter
9. If the Regional Commission forms, establishes, operates, and/or is a member of or participant in any managed care entity (as defined in Section 83-41-403(c) of the *Mississippi Code of 1972. Annotated as amended*), when such action affects more than one region, written prior approval by the DMH, of such action before initiation and annually thereafter
10. At a minimum, an annual meeting by representatives of the Regional Commission and/or Community Mental Health Center with the Board of Supervisors of each county in its region for the purpose of presenting the region's total annual budget and total services system

11. Efforts to provide or provision of alternative living arrangements for persons with serious mental illness, including, but not limited to supervised living services

In addition, the Commission can create and a operate primary care health clinic to treat it's patients, it's patient's family members related with the third degree and its patients' household members or caregivers. Applicable state and federal laws regarding the operation of primary health care clinics must be met. DMH has no statutory authority to license, certify or monitor primary care health clinics.