

BYLAWS
OF THE
PHF GOVERNING BOARD

ARTICLE I
GENERAL DUTIES

The PHF Governing Board shall be legally responsible for the conduct of the Santa Barbara County Psychiatric Health Facility (“PHF”).

Consistent with the requirements of Title 42 Code of Federal Regulations (CFR) Section 482.12 and Title 22 California Code of Regulations (CCR) Section 77081, the PHF Governing Board shall:

- (a) Assure that all services including care and treatment provided to patients, is adequate and safe at all times.
- (b) Approve and ensure the implementation of written bylaws for the PHF Medical Staff, in accordance with legal requirements and the PHF’s responsibility to the community and to the patients served ([see Article IV below](#)).
- (c) Appoint a clinical director and administrator whose qualifications, authority and duties shall be defined in a written statement adopted by the PHF Governing Board. ([See Article V, below](#))
- (d) Provide for the control and use of appropriate physical and financial resources and personnel required to meet the needs of PHF patients. ([See Article VI, below](#))
- (e) Assure that the PHF facility and its operation conforms to all applicable federal, state and local laws and regulations, including those relating to licensure and fire inspection.

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The PHF Governing board shall make annual reports to the County Board of Supervisors, which retains authority to set general policy on fiscal and personnel matters within the county, including financial management practices, labor relations, and conditions of employment. The PHF Governing Board shall not adopt any policy, employ any practice, or take any action which is inconsistent with or alters the scope of the County Code, the Board of Supervisors' sovereign authority, or any County policy regarding fiscal or personnel issues.

ARTICLE II

MEMBERSHIP AND OFFICERS

The PHF Governing Board shall consist of at least five members, appointed by Resolution of the County Board of Supervisors, including one Supervisor from the County of Santa Barbara Board of Supervisors (and alternate Supervisor, to attend when needed due to unavailability of the appointed Supervisor).

Appointments of the Board of Supervisors member and alternate to the PHF Governing Board shall take place as part of the annual consideration of Board of Supervisor appointments to Boards, Commissions, and Committees.

The PHF Governing Board shall select, by majority vote, a Chair and a Vice-Chair, to manage the scheduling and administration of PHF Governing Board meetings consistent with Government Code Section 54950 et seq. (the Ralph M. Brown Act). The Chair shall facilitate meetings of the PHF Governing Board, except when unavailable, in which case the Vice Chair shall facilitate. In the event both the Chair and Vice Chair are unavailable for a meeting, the Chair shall designate another Governing Board member to facilitate the meeting.

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Exhibit 3a

ARTICLE III

MEETINGS

All meetings shall be noticed and conducted in accordance with the provisions of Government Code Section 54950 et seq. (the Ralph M. Brown Act).

Meetings of the PHF Governing Board shall be held monthly, and, at a minimum, shall be held quarterly. Regular meetings shall be held at the Public Health Auditorium, 300 North San Antonio Road in Santa Barbara, on the 4th Wednesday of each month, unless cancelled and rescheduled as a special meeting by majority vote of the Governing Board.

A special meeting may be called, consistent with the Brown Act (Gov. Code Section 54956), at any time by either the Chairperson of the PHF Governing Board or a majority of its members. Notice of the special meeting shall be as required by the Brown Act.

ARTICLE IV

APPROVAL OF PHF MEDICAL STAFF BYLAWS, WRITTEN POLICIES AND PROCEDURES

The PHF Medical Staff is governed by Medical Staff Bylaws, rules, and regulations (collectively, Medical Staff Bylaws). The Medical Staff Bylaws are drafted and revised as needed by PHF staff, and initially approved by a majority vote of the PHF Medical Practice Committee (MPC). Following MPC approval, the draft Medical Staff Bylaws shall be presented for final approval by the PHF Governing Board before taking effect.

The Medical Staff Bylaws shall address, at minimum:

- (a) the purpose of the PHF;
- (b) the fitness and qualifications of staff rendering clinical and medical care at the PHF;

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Exhibit 3a

- (c) the process of appointments and reappointments of clinical staff who provide treatment and care to PHF patients;
- (d) patient health record management standards; and
- (e) interdisciplinary staff controls designed to maintain high standards of professional ethical practices.

The Governing Body shall ensure that the PHF medical staff has written policies and procedures for appraisal of emergencies, initial treatment, and referral when appropriate.

Through the Medical Staff Bylaws and PHF Policies and Procedures, the PHF Governing Board shall ensure that patient care services at the PHF are performed in compliance with the federal conditions of participation for hospital patient care (42 CFR Section 482.12(c)), specifically, that:

- a) every Medicare patient is under the care of a doctor of medicine or osteopathy, and a clinical psychologist, with respect to clinical psychologist services;
- b) patients are admitted to the PHF only on recommendation of a licensed practitioner permitted to admit patients to the PHF; and
- c) a doctor of medicine or osteopathy is on duty or on call at all times.

ARTICLE V

APPOINTMENT OF PHF MANAGEMENT AND MEDICAL STAFF

The PHF Governing Board is required to appoint a Chief Executive Officer (CEO) who is responsible for managing the PHF. Unless otherwise determined by the PHF Governing Board, the head of the Department of Behavioral Wellness is appointed to serve as PHF CEO.

- a) The PHF CEO sets the vision, mission, priorities, goals, business objectives, and values for the PHF, consistent with and stemming from those set for the entire County by the County Executive's Office and the Board of Supervisors.

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- b) The PHF CEO ensures the coordination of PHF efforts with affected internal and external stakeholders, including through participation at PHF Governing Board meetings, unless unavailable.
- c) The PHF CEO shall ensure that PHF is operated and maintained under a current state licensure and fire clearance, in accordance with all applicable requirements.
- d) The PHF CEO shall develop and oversee the implementation of the PHF budget within the Behavioral Wellness Department's annual budget and key strategic priorities, subject to approval by the County Board of Supervisors.

The PHF Governing Board is required to appoint a Clinical Director for the PHF. The PHF Clinical Director shall be a licensed mental health professional, and shall have at least three years of post-graduate direct clinical experience with the mentally disordered. The Clinical Director may serve simultaneously as Medical Director, assigned the responsibility for the organization and conduct of the hospital's medical staff, or as a separate appointee serving as PHF Program Manager under the general direction of the Medical Director.

The PHF Medical Director, or his or her designee, shall be present at PHF Governing Board meetings to allow the PHF Governing Board to consult directly with that individual regarding matters related to the quality of medical care provided to PHF patients.

The PHF Governing Board is required to appoint an Administrator of Business and Support Services (Program Manager) for the PHF, with responsibility for business and support services for the clinical program, including:

- a) Overseeing social services, discharge coordination, food services, and program scheduling; and
- b) The planning, development, implementation, administration, and evaluation of programs and procedures for the PHF's 24-hour inpatient program, in accordance with state and federal regulations.

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Exhibit 3a

The PHF Governing Board shall appoint members of the PHF medical staff after considering the recommendations of the existing members of the PHF medical staff (the PHF MPC).

ARTICLE VI

PHYSICAL AND FINANCIAL RESOURCES

The PHF Governing Board is responsible for services furnished in the PHF, whether or not they are furnished under contracts. The PHF Governing Board must ensure that a contractor of services furnishes services that permit the PHF to comply with all applicable conditions of participation and standards for the contracted services.

The PHF shall maintain a list of all contracted services, including the scope and nature of the services provided, which shall be available for review by the PHF Governing Board.

The PHF Governing Board shall ensure that for any telemedicine services provided to the PHF, the service provider complies with the federal conditions for participation for the service provider's medical staff, in accordance with 42 CFR 482.12(a)(8)-(a)(9).

The PHF Governing Board shall consider recommendations for the PHF's annual operating budget and any capital expenditures. Any budget-related actions of the PHF Governing Board are advisory only and must be approved by the Board of Supervisors.

ARTICLE VII

BYLAWS AMENDMENT PROCESS

These Bylaws of the PHF Governing Board may be amended at a regular or special meeting by a majority vote of the Governing Board membership, provided that the proposed amendment is an agenda item.

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