

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**March 29, 2022**

**FROM**

**JOSHUA DUGAS, Director, Department of Public Health**

**SUBJECT**

**San Bernardino County Health Center Governing Board Bylaws and Resolution**

**RECOMMENDATION(S)**

1. Adopt **Resolution No. 2022-53** to supersede Resolution No. 2019-58 to revise requirements pertaining to San Bernardino County Health Center Governing Board members, temporary voting privileges, meeting rules, elections, and committees for oversight of the Department of Public Health clinics designated as Federally Qualified Health Centers by the United States Department of Health and Human Services, Health Resources and Services Administration.
2. Approve revised San Bernardino County Health Center Governing Board Bylaws for Department of Public Health clinics designated as Federally Qualified Health Centers by the United States Department of Health and Human Services, Health Resources and Services Administration to revise requirements pertaining to members, temporary voting privileges, meeting rules, elections, and committees, effective upon approval by the Board of Supervisors.

(Presenter: Joshua Dugas, Director, 387-9146)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Improve County Government Operations.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

This item is non-financial; and therefore, does not impact Discretionary General Funding (Net County Cost). The San Bernardino County Health Center Governing Board (CHCGB) Bylaws and Resolution are requirements of the Public Health Services Act and the United States Department of Health and Human Services, Health Resources and Services Administration's (HRSA) grant funding for Federally Qualified Health Centers (FQHCs).

**BACKGROUND INFORMATION**

The County Department of Public Health (DPH) receives annual Health Center Program funding from HRSA for operational support for DPH's four FQHCs located in Adelanto, Hesperia, Ontario, and San Bernardino. FQHCs provide a mechanism to enhance the provision of primary care services in underserved and rural communities. For FQHCs operated by public agencies, HRSA requires a community-based governing board that includes consumers of FQHC provided services who are representative of the FQHC user population. On an annual basis, DPH reviews the CHCGB Bylaws (Bylaws) to ensure alignment with current operational

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procedures and applicable regulations. As a result of a current review, the recommend Bylaws and the associated Resolution have been updated adding language pertaining to member absences, temporary voting privileges, meetings following Robert's Rules of Order, elections affected by a catastrophic event, and formation of the Credentialing and Privileging Committee.

On November 15, 2011 (Item No. 40), the Board of Supervisors (Board) adopted Resolution No. 2011-220 formally establishing the CHCGB and specifying its purpose and objectives, membership, meetings, limitations of authority, duties, officers, committees, and adoption and amendments. Membership includes consumers and non-consumers of FQHC services, of which at least 51% of the members are consumer members who are representative of the user population of the FQHCs. The purpose of the CHCGB is to act in conjunction with the Board to evaluate activities and adopt FQHC policies regarding the scope and availability of services, location and hours of service, and quality assurance procedures for the four DPH operated FQHCs. The CHCGB is organized under the Board and governed by County Charter and County Code. The Board maintains the authority to set general policy of fiscal and personnel matters at the FQHCs.

On April 23, 2013 (Item No. 36), the Board adopted Resolution No. 2013-59 superseding Resolution No. 2011-220 modifying the voting members of the CHCGB from nine to at least nine, but no more than 13.

On August 20, 2013 (Item No. 37), the Board approved the Bylaws, which were incorporated in and consistent with Resolution No. 2013-59.

On October 8, 2013 (Item No. 32), the Board approved a Co-Applicant Agreement between the CHCGB and the Board delineating the roles and responsibilities of DPH's FQHCs. The non-financial Co-Applicant Agreement allows DPH to continue its eligibility to apply for and receive Health Center Program funding to operate the FQHCs from HRSA.

On September 12, 2017 (Item No. 38), the Board adopted Resolution No. 2017-182 superseding Resolution No. 2013-59 and revised the Bylaws modifying the upper limit of the number of voting members to no more than 17, modifying the non-consumer members to persons possessing expertise in specific fields of expertise, and modifying the number of non-consumer members who can earn no more than 10% of their income from the health care industry to no more than 50%. In addition, this action amended the Co-Applicant Agreement expanding the definition of the CHCGB, revising responsibilities, and updating termination provisions.

On April 30, 2019 (Item No. 48), the Board adopted Resolution No. 2019-58 superseding Resolution No. 2017-182 and revise the Bylaws adding additional language pertaining to the meeting requirements of members and voting privileges of potential members as requested by HRSA to ensure a quorum in order to efficiently conduct CHCGB business. In addition, this item approved an updated Co-Applicant Agreement, County Contract No. 19-276, delineating the roles and responsibilities for the administration and operation of DPH's FQHC clinics, effective April 30, 2019.

Upon Board approval, the recommended significant revisions to the Bylaws and associated Resolution will include:

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- Members with three unexcused absences in one calendar year or who fail to meet the responsibility of the membership, will receive communications at each occurrence via email and registered mail. Members with a third unexcused absence will be considered an automatic resignation from the CHCGB. The member will be required to respond to each communication within 15 calendar days. Non-response will require active members to make a motion and vote to remove the member.
- Meetings will be conducted following the Robert Rules of Order.
- In the event of a catastrophic event during the election process, the Nominating Committee will postpone elections and the nominated Chairperson, Vice Chairperson, Secretary, and Treasurer will serve 12 months or more, not to exceed 18 months. Elections shall be held at a regularly scheduled Board meeting as soon as practicable.
- Members with temporary voting privileges can vote for officers, but cannot make nominations or be nominated.
- Committees, with the exception of the Executive Committee (four officer positions), shall consist of no less than three members. The committee members will be determined by a majority vote of the CHCGB during the meeting held in April following the election of officers or as needed upon the vacancy of a member. Candidates with temporary voting privileges shall not serve on a committee until they serve their first year.
- Formation of the Credentialing and Privileging Committee with the purpose of oversight of the credentialing process of service providers and initial granting of privileges to licensed practitioners and other health professionals.
- Addition of Appendix A providing definitions of key terms.
- Addition of Appendix B attaching CHCGB Council Development Committee forms pertaining to Mentor and Mentee roles, responsibilities and expectations.

The Bylaws were recommended for Board approval at the CHCGB Boards meetings held on February 8, 2022 and March 8, 2022.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on March 14, 2022; Finance (Paul Garcia, Administrative Analyst, 386-8392) on March 10, 2022; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on March 15, 2022.

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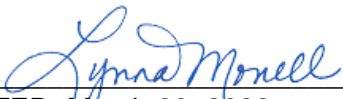
Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Dawn Rowe

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: March 29, 2022



cc: W/RESOLUTION  
File- Public Health w/attach  
LA 03/30/2022