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| State Health Services Plan Task Force: Bylaws | OLC-4101-P | 1 of 5 |
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1.0 Applicability

1.1 General

The provisions of these Bylaws are applicable to all proceedings of the State Health Services Plan Task Force (Task Force) to the extent that the same are not otherwise governed by the requirements set forth in the Code of Virginia or by Executive Order. Whenever the provisions and authorizations of these Bylaws are in conflict with the provisions and authorizations mandated by the Code of Virginia or by Executive Order, the latter shall control.

1.2 Authority and Limitations

The Task Force is constituted under Va. Code §§ [2.2-2100](#) and [32.1-102.2:1](#) as an “Advisory Board.” As an advisory board pursuant to Va. Code § [2.2-2100](#), the Task Force is specifically charged with the duties and responsibilities set forth in the basic law governing the actions of the Task Force, as generally established in Title 32.1, as well as in such other Titles of the Code of Virginia. As set forth in and consistent with the basic law, the Task Force may participate in the development of public policy by providing comment and advice to the State Board of Health (Board), but may not promulgate public policies or regulations, set rates, distribute federal funds, or adjudicate regulatory or statutory violations.

1.3 Members

The Task Force shall consist of individuals appointed by the State Health Commissioner (Commissioner) who are broadly representative of the interests of all residents of the Commonwealth and of the various geographic regions. Except for abbreviated terms of less than four years occurring between January 1, 2024 and December 31, 2027, a term of appointment is for four years each. A vacancy other than by expiration of term shall be filled by the Commissioner for the unexpired term. No person shall be eligible to serve more than two full consecutive four-year terms.

1.4 Representation

When the Task Force is requested to appear before the Board, the General Assembly, or any legislative or study committees, the Task Force shall be represented by the Director of the Division of Certificate of Public Need or his designee or by duly designated member(s) who are nominated by the Chair and when practicable, confirmed by the Task Force.

Individual members of the Task Force may provide comments to the media, social media, local, state, or federal officials, or members of the public. Any comments made shall be identified as the member’s personal views and not the position of the Task Force unless the member has been authorized by the Task Force to express its official position.

1.5 Orientation

All new members appointed to the Task Force shall receive an orientation from the Virginia Department of Health (Department) that includes information about the roles and responsibilities of the Task Force; the committee structure and Bylaws of the Task Force; the roles and responsibilities of the Department and the Board; an overview of the Virginia regulatory process as it pertains to the State Health Services Plan; and the Virginia Freedom of Information Act (Va. Code § [2.2-3700 et seq.](#)).

2.0 Meetings

2.1 Regular Meetings

Regular meetings of the Task Force shall be held on a regular basis at such time and place as the Task Force may determine, provided, however, that at least one meeting shall be held in the City of Richmond or the County of Henrico. Meetings may be held electronically, as may be permitted by law.

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No business requiring a vote or final decision of the Task Force may be conducted in the absence of a quorum, as defined under Section 2.6 of these Bylaws.

2.2 Annual Meetings

The first regular meeting held in the calendar year shall be designated as the Annual Meeting. Elections shall be held at the Annual Meeting.

2.3 Committee Meetings

The Task Force or Chair, at its or his discretion, may appoint committees of its members as it may deem advisable and may designate the responsibilities of any such committees. Committees may convene at such times as may be established by each committee; provided, however, that all such meetings are open to the public and comply with the notice requirements set forth in the Virginia Freedom of Information Act (Code of Virginia § [2.2-3700 et seq.](#)).

2.4 Special Meetings

The Chair or any four members of the Task Force may call a special meeting for a specific purpose or purposes. No business shall be transacted at a special meeting except that expressly set out in the notice of the special meeting.

2.5 Notice of Meeting

Public notice of meetings shall be provided in accordance with the requirements of the Virginia Freedom of Information Act (Code of Virginia § [2.2-3700 et seq.](#)).

2.6 Quorum

Six members of the Task Force shall constitute a quorum for the transaction of any lawful business.

2.7 Conduct of Meetings

The Chair shall preside over all meetings of the Task Force, except that, in the absence or disability of the Chair, the Vice Chair shall preside. The Senior Policy Analyst of the Virginia Department of Health Office of Licensure and Certification shall serve as Secretary or, with the approval of the Task Force, shall name their designee to serve as Secretary. The Secretary or Secretary-designee shall provide staff support, record all minutes of the meetings, and record in a minute book all resolutions adopted and all transactions occurring at the meeting. The Secretary or Secretary-designee is an officer of the Task Force, but is not a member.

The then-current edition of Robert's Rules of Order shall govern the conduct of all meetings of the Task Force when not in conflict with statutory requirements set forth in the Code of Virginia or Executive Orders. Pursuant to Code of Virginia § [2.2-3710](#), the Task Force shall not vote by written or secret ballot. All voting shall be accomplished by voice vote, show of hands, or roll-call vote.

2.8 Closed Session

Prior to meeting in a closed session, the Task Force must vote affirmatively to do so and must announce the purpose of the session. This purpose shall consist of one or more of the purposes for which a closed session is permitted in accordance with the Virginia Freedom of Information Act (Code of Virginia § [2.2-](#)

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[3700 et seq.](#)). Minutes may be taken during a closed session but are not required. Such minutes shall not be subject to mandatory public disclosure.

2.9 Official Records

All official records of the Task Force shall be kept on file at the Virginia Department of Health and shall be open to inspection as required by law. All files shall be kept in accordance with the applicable records retention and disposition schedule maintained by the Library of Virginia in accordance with the Virginia Public Records Act (Code of Virginia § [42.1-76 et seq.](#)).

3.0 Officers

3.1 Number and Title

The officers of this Task Force shall be as follows:

1. Chair
2. Vice Chair
3. Secretary, who shall be the Senior Policy Analyst of the Virginia Department of Health Office of Licensure and Certification or, with the approval of the Task Force, their designee

3.2 Duties

The duties of the officers shall be those usually incident to the respective office and such other special duties as may, from time to time, be specified by the Task Force. Officers shall be elected annually and shall assume their duties at the close of the meeting at which they are elected.

3.3 Vacancies

Vacancies in the position of Chair shall be filled for the remainder of the term by the Vice Chair following the departure or resignation of the former incumbent. Vacancies in the position of Vice Chair shall be filled for the remainder of the term by voice vote, show of hands, or roll-call vote of the Task Force at its next full meeting following the departure or resignation of the former incumbent.

4.0 Elections

4.1 Nominations

Nominations for Chair and Vice Chair may be received by voice from the floor.

4.2 Voting

Elections of officers must be conducted in open session of at least a quorum of the Task Force by voice vote, show of hands, or roll-call vote, as required by Code of Virginia § [2.2-3710](#). Election to office shall be determined by a simple majority of those present and voting.

5.0 Amendments to the Bylaws

The Task Force shall review and amend the Bylaws as necessary. At a minimum, the Task Force shall review its Bylaws every four years. The Bylaws of the Task Force may be amended at any regular meeting of the Task Force at which at least a quorum is present by an affirmative vote of two-thirds of the Task

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Force membership present and voting, provided that the amendment has been submitted in writing at the previous regular meeting.

These Bylaws are effective on February 9, 2024, and until subsequently amended.

6.0 History

| Revision | Date | Author | Approver | Description |
|----------|----------|-------------------|---------------------------------------|--------------------|
| 1.00.00 | 2/9/2024 | Allen, Rebekah E. | State Health Services Plan Task Force | Creation of policy |
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