

## **Newborn Screening Advisory Committee Bylaws**

- I. Bylaws. These bylaws govern the proceedings of the Newborn Screening Advisory Committee established by Health and Safety Code, §33.017.
- II. Duties. The Newborn Screening Advisory Committee shall:
  - A. Advise the Department of State Health Services (DSHS) regarding strategic planning, policy, rules, and services related to newborn screening, and additional newborn screening tests;
  - B. Adopt bylaws governing the committee's operation; and
  - C. Meet at least three (3) times each year or at other times at the call of the commissioner of state health services.
- III. Composition of, Appointment of, and Terms of Appointment for Members.
  - A. *Members.* The Newborn Screening Advisory Committee should be composed of the following members:
    1. Health care providers;
    2. A hospital representative;
    3. Persons who have family members affected by a conditions for which newborn screening is or may be required; and
    4. Persons who are involved in the delivery of newborn screening services, follow-up, or treatment in Texas.
  - B. *Appointment of members.* All members shall be appointed by the Commissioner of the DSHS in accordance with DSHS policy for the appointment of advisory committee members.
  - C. *Terms of membership.* The Commissioner of DSHS shall appoint members for three-year terms. Members may be reappointed.
  - D. *Resignation of Members.* Members of the committee shall tender their resignations in writing to the chairperson, with a copy to the assigned DSHS staff member.
  - E. *Vacancies.* DSHS shall fill vacancies on the committee in the same manner as original appointments to serve for the

remainder of the unexpired term and in accordance with DSHS policy.

- IV. Compensation. A member of the committee is not entitled to compensation. To the extent permitted by the current General Appropriations Act, a member of the Newborn Screening Advisory Committee may be reimbursed for his/her travel to and from meetings IF funds are available and in accordance with HHS Travel Policy. DSHS has identified that the Newborn Screening Advisory Committee is not included in the General Appropriations Act, beginning with the 2016-2017 biennium, as being eligible for travel reimbursement.
- V. Responsibilities of Members. Members shall:
  - A. Attend committee meetings and/or participate in meetings conducted by conference call;
  - B. Give prior notice to the assigned DSHS staff member if they are unable to attend or participate in a committee meeting or in a conference call;
  - C. Keep their organizations and/or networks informed of the committee's activities; and
  - D. Review committee agenda items and the supporting documentation before meetings and participate in discussions.
- VI. Officers.
  - A. The committee shall elect a chairperson from its members who shall preside over each committee meeting. The chairperson shall serve a three-year term.
  - B. The committee may select from its members a vice chairperson or other officers. The vice chairperson shall serve a three-year term.
  - C. The chairperson shall preside at all committee meetings at which he or she is present, call meetings in accordance with Health and Safety Code, §33.017, and appoint subcommittees of the committee as necessary. The chairperson may serve as an ex-officio member of any subcommittee of the committee.
- VII. Meetings, Quorums and Voting. The committee shall meet at least three times each calendar year.

- A. DSHS staff shall make meeting arrangements. DSHS staff shall contact committee members to determine their availability for a meeting date.
- B. Meetings will be held during regular DSHS business hours and will be open to the public.
- C. The committee is not a "governmental body" as defined in the Open Meetings Act, Texas Government Code, Chapter 551. However, in order to promote public participation, an agenda for each meeting will be posted.
- D. Meetings may be conducted by telephone conference call. There must be at least one in-person meeting each calendar year.
- E. Each member of the committee shall be informed of a committee meeting at least ten business days before the scheduled meeting date.
- F. The quorum for a meeting of the committee is six members. Six members shall constitute a quorum for the purpose of transacting official business. Actions taken by the committee must be approved by a majority of the members present.
- G. Each member shall have one vote, and the member may not authorize another individual to represent the member by proxy.
- H. The committee shall make decisions in the discharge of its duties without discrimination based on any person's race, creed, gender, religion, national origin, age, physical condition, sexual orientation, or economic status.
- I. The committee is authorized to transact official business only when in a legally constituted meeting with a quorum present.
- J. The agenda for each meeting shall include an opportunity for any person to address the committee on matters related to committee business. The chairperson may establish procedures for such public comment, including a time limit on each comment.
- K. DSHS staff shall record, via written meeting notes, the proceedings of each meeting.
  - 1. A draft of the minutes reviewed by the chairperson shall be provided to each committee member before the next committee meeting.

2. After approval by the committee at the next meeting, the minutes shall be posted on the website.
- L. Meetings shall be conducted according to *Roberts' Rules of Order, Newly Revised*.
- VIII. Staff. The Department of State Health Services shall provide staff support for the committee and its subcommittees.
- IX. Subcommittees. The committee may establish subcommittees as necessary to assist the committee in carrying out its duties. The Chair, with the approval of agency staff, may establish subcommittees that meet at other times for purposes of studying and making recommendations on issues the Committee determines appropriate to the charge of the Committee. A subcommittee may be created for a limited period of time and will cease to exist when the assigned tasks are completed or upon determination of the Chair, or it may be a standing subcommittee. The Chair and agency staff will evaluate the need for all existing subcommittees annually.
- X. Subcommittee Operations and Meetings
  - A. The chairperson shall appoint members of the committee to serve on subcommittees and to act as subcommittee chairpersons.
  - B. Subcommittees shall meet at the call of the subcommittee chairpersons, as the subcommittees' workloads require.
  - C. A subcommittee chairperson shall make regular reports to the committee at each committee meeting or in interim written reports as needed. The reports shall include an executive summary or minutes of each subcommittee meeting.
- XI. Statement by members.
  - A. DSHS and the committee shall not be bound in any way by any statement or action on the part of any committee member except when a statement or action is made in response to specific instructions from DSHS or the committee.
  - B. The committee and its members may not participate in legislative activity in the name of the committee or DSHS.

Committee members may represent themselves or other entities in the legislative process.

- C. A committee member shall not accept or solicit any benefit that might reasonably tend to influence the member in the discharge of the member's official duties.
  - D. A committee member shall not disclose confidential information acquired through his or her committee membership.
  - E. A committee member shall not knowingly solicit accept, or agree to accept any benefit for having exercised the member's official powers or duties in favor of or against another person.
  - F. A committee member who has a personal or private interest in a matter pending before the committee shall publicly disclose the fact in a committee meeting and may not vote or otherwise participate in the matter. The phrase "personal or private interest" means the committee member has a direct financial interest in the matter but does not include the committee member's engagement in a profession, trade, or occupation.
- XII. Revisions to Bylaws. The committee may revise these bylaws by majority vote at any meeting.

## Proposed Edits 2/16/2018 -

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  - E. Each member of the committee shall be informed of a committee meeting at least ten business days before the scheduled meeting date.
  - F. The quorum for a meeting of the committee is ~~six~~five members. ~~Six~~Five members shall constitute a quorum for the purpose of transacting official business. Actions taken by the committee must be approved by a majority of the members present.
  - G. Each member shall have one vote, and the member may not authorize another individual to represent the member by proxy.
  - H. The committee shall make decisions in the discharge of its duties without discrimination based on any person's race, creed, gender, religion, national origin, age, physical condition, sexual orientation, or economic status.
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- K. DSHS staff shall record, via written meeting notes, the proceedings of each meeting.
1. A draft of the minutes ~~reviewed~~ approved by the chairperson shall be provided to each committee member before the next committee meeting. ~~-within 30 calendar days of the meeting; and~~
  2. After approval by the committee at the next meeting, the ~~minutes~~ chairperson shall be posted on the website ~~sign the minutes.~~
- L. Meetings shall be conducted according to *Roberts' Rules of Order, Newly Revised*.

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