

# **Texas Radiation Advisory Board**

## **Bylaws**

### **1. Name and Legal Authority**

The Texas Radiation Advisory Board ("Board or TRAB") was established in 1961 and is governed by the Chapter 401 of the Texas Health and Safety Code and 25 Texas Administrative Code §289.202.

### **2. Purpose and Role**

The purpose of the Texas Radiation Advisory Board is to advise the Texas state agencies, legislature and Governor on various radiation issues and provide recommendations about issues regarding radioactive materials and processes and provide those recommendations to the agencies, the legislature, and the Governor. The primary agencies include:

- A. Executive Commissioner of the Texas Health and Human Services Commission (Executive Commissioner), in accordance with Health and Safety Code, §401.019.
- B. Texas Department of State Health Services (DSHS or department).
- C. Texas Commission on Environmental Quality (TCEQ or commission).
- D. Texas Railroad Commission (RRC).
- E. Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDC).
- F. Other state entities involved in state radiation policies and programs.

The Board 's advisory responsibilities include:

- A. review and evaluate state radiation policies and programs;
- B. provide recommendations and furnish technical advice to the department, the commission, the Railroad Commission of Texas, and other state agencies that may be required on matters relating to development, use, and the regulation of radiation and sources of radiation; and
- C. review proposed rules and guidelines of state agencies relating to regulation of radiation and recommend changes in proposed or existing rules and guidelines relating to those matters.

The Board prepares position statements, letters of recommendations, minutes with recommendations to the agencies, reports, etc. related to radiation safety.

The Board provides an annual report to the Department of State Health Services (DSHS) Executive Commissioner by December 31<sup>st</sup> of each year.

The Board shall develop and implement policies that provide the public with a reasonable opportunity to appear before the Board and to speak on any issue under the jurisdiction of the Board. The agenda for each Board meeting shall include an item entitled public comment under which any person will be allowed to address the Board on matters relating to Board business. The chair may establish procedures for public comment, including a time limit for each comment.

### **3. Definitions**

- A. DSHS - Texas Department of State Health Services
- B. HHSC - Texas Health and Human Services Commission
- C. TAC § – Texas Administrative Code Section
- D. TCEQ - Texas Commission on Environmental Quality
- E. TGC § - Texas Government Code Section
- F. TRAB - Texas Radiation Advisory Board
- G. RRC - Texas Railroad Commission
- H. THSC § - Texas Health and Safety Code Section

### **4. Board Composition**

The Board is composed of 18 voting members appointed by the Texas Governor, as described in THSC § 401.015(a).

This membership includes, per THSC § 401.015(a):

- A. one representative from industry who is trained in nuclear physics, science, or nuclear engineering;
- B. one representative from labor;
- C. one representative from agriculture;
- D. one representative from the insurance industry;
- E. one individual who is engaged in the use and application of nuclear physics in medicine and is certified by the American Board of Radiology or licensed by the Texas Board of Licensure for Professional Medical Physicists;
- F. one hospital administrator;
- G. one individual licensed by the Texas Medical Board who specializes in nuclear medicine;
- H. one individual licensed by the Texas Medical Board who specializes in pathology;

- I. one individual licensed by the Texas Medical Board who specializes in radiology;
- J. one representative from the nuclear utility industry;
- K. one representative from the radioactive waste industry;
- L. one representative from the petroleum industry;
- M. one health physicist certified by the American Board of Health Physics;
- N. one individual licensed by the State Board of Dental Examiners;
- O. one representative from the uranium mining industry; and
- P. three representatives of the public. A person is not eligible to be appointed as a representative of the public on the Board if that person or that person's spouse is:
  - (1) engaged in an occupation in the health care field; or
  - (2) employed by, participates in the management of, or has a financial interest, other than as a consumer, in part of the nuclear utility industry or in a business entity or other organization that is licensed under Subchapter F or Subchapter G.

In this subsection, "Texas trade association" means a cooperative and voluntarily joined association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest. A person may not be a member of the Board if:

- A. the person is an officer, employee, or paid consultant of a Texas trade association in the field of health physics or radiological health; or
- B. the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of health physics or radiological health.

A person may not be a member of the Board or act as the general counsel to the Board if the person is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the Board.

Appointments to the Board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

The DSHS Executive Commissioner may recommend potential members who reflect the diversity of the state, for appointment by the Governor.

## **5. Member Terms**

Except as necessary to stagger terms or to replace members with an unexpired term, all members except ex officio members will serve a term of six (6) years. Initial terms may be staggered over several years to ensure continuity of Board work so that the terms of one third (6) of the members will expire on April 30<sup>th</sup> of every third year, again with another one third expiring on April 30<sup>th</sup> of every three years thereafter. The expiration of membership terms occurs on April 30<sup>th</sup> of the year. Regardless of the term limit, a member serves until his/her replacement has been appointed. This ensures sufficient and appropriate representation. If a vacancy occurs, a person shall be appointed by the Governor to serve the unexpired portion of that term.

## **6. Resignations and Vacancies**

If any member of the Board wishes to resign, the member will contact, in writing, the Governor's Office, current Board chair and the DSHS's Legal Counsel for the Board requesting the appointment of a successor. Persons who submitted applications within the previous year through the Governor's Office may be reconsidered for membership.

## **7. Presiding Chair and Vice-Chair**

The Governor designates a member of the Advisory Board as the Advisory Board chair to serve in that capacity at the will of the Governor. The Advisory Board shall elect from its members a vice-chair and secretary. If the Governor does not designate a member as chair, the chair will be elected by the Board at the same time as the election of vice-chair and secretary. Chair (if not Governor-appointed), vice-chair and secretary are elected by the Board at its first meeting after August 31<sup>st</sup> of each year. If elected due to lack of Governor appointment, the chair will serve a term of one (1) year. If the chair is unable to complete his/her term for any reason, the vice-chair will replace the chair until a new chair is appointed or elected at the next election cycle.

The role of the chair (or the vice-chair, in lieu of the chair) is to:

- A. Participate in agenda planning and preparation for Board meetings;
- B. Provide leadership in conducting Board meetings;
- C. Promote, maintain, and encourage a participatory environment;
- D. Identify the need for, and work with Board liaison, to call meetings to accomplish the work of the Board;
- E. Ensure the Board adheres to its charge;
- F. Call for the development of committees; and

- G. Confer with DSHS agency staff to acquire the support needed for Board operations.
- H. The chair shall preside at all Board meetings at which he or she is in attendance, call meetings in accordance with this section, appoint committees of the Board as necessary, and cause proper reports to be made to the Board. The chair may serve as a member or ex-officio member of any committee of the Board.

The Board's Executive Board is the chair, vice-chair and secretary, and the chair of each of the Board's committees. This group is responsible for the preparation of the agendas of the Board and its committees.

## **8. Board Operations and Meetings**

### **A. Meetings**

1. The Board meets during regular business hours on a quarterly frequency on dates set by the Board, in coordination with DSHS support staff.
2. The Advisory Board is not a "governmental body" as defined in the Open Meetings Act. However, to promote public participation, each meeting of the Board shall be announced and conducted in accordance with the Open Meetings Act, Texas Government Code, Chapter 551, with the exception that the provisions allowing executive sessions shall not apply. The Board shall hold special meetings that may be called by the Board chair or by five (5) Board members.
3. Board meetings may be held at any designated place in the state determined by the Board chair, in coordination with DSHS staff to best serve the purpose for which the meeting is called.
4. The Board is authorized to transact official business only when in a legally constituted meeting with quorum present.
5. Each member of the Board shall be given timely notice of each Board meeting.
6. A record must be kept of each Board meeting.
7. Board meetings may be conducted in a hybrid/in-person videoconference format when authorized by the chair.

### **B. Quorum**

Ten (10) voting Board members constitute a quorum for the purpose of transacting official business. If less than a quorum of the Board is present, members may not vote upon action items but may take testimony and public comments so long as the meeting is being conducted in accordance with the Texas Open Meetings Act.

A majority of an odd number of committee members or half, rounded up to the next whole number of committee members, must be

present to form a committee quorum. If less than a quorum of the committee is present, members may not vote upon action items but may take testimony and public comments.

### C. Voting

1. Voting members have the right to vote on any subject that is listed on the agenda. However, members must abstain from deliberating or voting on issues that would provide monetary or other gain to the member or that could present, or reasonably appear to present, a conflict of interest.
2. The Board may determine procedural matters by a majority vote of a quorum of the Board.
3. Voting Board members may also vote on operational or procedural matters that come before the Board.
4. A member may not authorize another individual to represent the member by proxy.
5. For all business except adopting or amending bylaws, a simple majority is needed. A simple majority is defined as more than half of the votes cast by persons entitled to vote who are in attendance with a quorum, excluding abstentions.
6. Except for bylaw amendments, Board recommendations will be adopted pursuant to a simple majority vote on a motion duly made and seconded.
7. Robert's Rules of Order, Newly Revised, shall be the basis of parliamentary decisions except where otherwise provided by law or rule.
8. Any action taken by the Board must be approved by a majority vote of the members present once quorum is established.
9. Each member shall have one vote.
10. Members can vote by videoconference or telephone, when the Board meeting is held in hybrid videoconference format and following the Open Meetings Act procedures for a hybrid meeting.
11. Board members may participate in a hybrid Board meeting as long as the member who is not physically present can see/hear and be seen and heard by the members physically attending the Board meeting and the members of the public physically attending the meeting.

### D. Adoption and Revision to Bylaws

1. Board members or DSHS staff may propose changes to these Bylaws. All proposed changes from Board members, along with the rationale for the changes, should be submitted in writing to the DSHS Board Liaison at least 30 days prior to the next Board

meeting for inclusion in the publication of the agenda in the *Texas Register* and distribution to the members for their consideration. Amendments will be passed and become effective based on a two-thirds vote of a quorum of the Board, pending review and approval by DSHS staff.

2. The Board will review the Bylaws by December 31<sup>st</sup> of every even-numbered year. Board-proposed amendments that occur because of the biennial review will be considered in a meeting and will be passed and become effective based on a two-thirds vote of a quorum of the Board, pending review and approval by DSHS staff.
3. All proposed changes are subject to review by DSHS legal staff.
4. The Bylaws will become effective as of the date they are adopted by the Board. The Board will make note of the date of the adoption of the Bylaws in its minutes. Members will sign a Statement by Members when these Bylaws are amended (see attached Statement).

#### E. Public Comments at the Board or Committee Meetings

It is the policy of the Texas Radiation Advisory Board that members of the public shall be given the opportunity to appear before the Board during public meetings of the Board and to speak on any issue under the jurisdiction of the Board.

##### Procedures

Opportunity shall be given during each meeting of the Board for members of the public to be recognized for comment on any issue under the jurisdiction of the TRAB.

1. Each agenda of the Board posted in the Texas Register shall have as an item "Public Comment" which will provide individuals opportunity to comment.
2. The chair of the meeting shall designate the time during the meetings when comments shall be made and shall set the time allotted for comments. The chair will invite public comment. Persons wishing to make comments may also notify the chair in advance of the meeting.
3. Any written comments to the Board shall also be made a part of record for the Board meeting for which they are submitted.

4. Any oral comments made by the public shall be recorded as part of the official meeting tapes of the Board. Members of the public may be provided a microphone for making their comments and be asked to identify themselves for the public record.
5. Minutes of the Board shall note if public comment is received and note the general nature of the comment.

## **9. Training for Board Members**

A person who is appointed to and qualifies for office as a member of the Board may not vote, deliberate, or be counted as a member in attendance at a meeting of the Board until the person completes a training program that complies with this section. The training program must provide the person with information regarding:

- (1) the legislation that created the Board;
- (2) the role and functions of the Board;
- (3) the rules of the Board and applicable rules of the department, with an emphasis on the rules that relate to disciplinary and investigatory authority;
- (4) the requirements of:
  - (A) the open meetings law, Chapter 551, Government Code;
  - (B) the public information law, Chapter 552, Government Code;
  - (C) the administrative procedure law, Chapter 2001, Government Code; and
  - (D) other laws relating to public officials, including conflict-of-interest laws; and
- (5) any applicable ethics policies adopted by the Board or the Texas Ethics Commission.

## **10. Responsibilities of Members**

A. Responsibilities. The Board shall:

- 1) review and evaluate state radiation policies and programs;
- 2) make recommendations and furnish technical advice to the DSHS, the TCEQ, the RRC of Texas, and other state agencies



that may be required on matters relating to development, use, and regulation of sources of radiation; and

- 3) review proposed rules and guidelines of any state agency relating to regulation of sources of radiation and recommend changes in proposed or existing rules and guidelines relating to those matters.
- 4) The Board 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, or economic status.

#### B. Attendance

Members are expected to attend all Board meetings and committee meetings in person or by videoconferencing (when a hybrid meeting is authorized by the chair). Members shall attend meetings of committees to which the member is assigned. A member who is unable to attend a meeting should notify the Board Liaison in advance. The Board Liaison will notify the chair and appropriate program staff. Members, other than ex officio/state agency representative members, may not send a substitute to attend a meeting in their place.

If any member who misses three meetings within a one-year period with or without notice to the Board Liaison, the member may be removed from the Board. The Board will review each member absence during its normal business meeting to determine if the member's absence should be excused from consideration for removal.

It is grounds for removal from the Board if a member cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of illness or disability or is absent from more than half of the Board meetings during a calendar year without an excuse approved by a majority vote of the Board.

#### C. Member expectations:

1. Attend meetings in person or by videoconference (when a hybrid meeting is authorized by the chair).
2. Participate in committee work and meetings as assigned.
3. Review agendas and other information sent by staff prior to each meeting.
4. Participate in discussions at meetings.
5. Submit travel expenses for reimbursement, if desired, within 14 calendar days of the meeting.

6. Abstain from deliberating or voting on issues that would provide monetary or other gain to the member or that could present, or reasonably appear to present, a conflict of interest.
7. Attend/participate in an orientation session for the Board.
8. Complete the Texas Open Meetings Act Training and Public Information Act Training within 90 days of appointment and ask the DSHS to submit the Certificates of Completion to the Board Liaison. If a member has taken the trainings within the last five years, a copy of the Certificates of Completion may be submitted to the Board Liaison in lieu of taking the trainings.
9. Sign and submit to the Board Liaison the Statement by Members document within 14 days after appointment. This document includes a Conflict of Interest Statement and a Nondisclosure Agreement to which Board members must agree.
10. Notify the Board chair and Board Liaison if a change of status alters the category of membership that the member was filling or if any circumstance occurs that prevents the member from being able to discharge his or her duties.
11. Maintain a high level of integrity that warrants public trust, including complying with all applicable ethics guidance provided by HHSC's Ethics Officers and all aspects of the Texas Open Meetings Act and Public Information Act.
12. Hold and maintain in strictest confidence all confidential information and all agency-generated information in draft form, until the information or document is released and made public, the HHS Executive Commissioner has approved the release in writing, or the HHS Ethics Policy permits release. This requirement survives the member's tenure on the Board. For purposes of these Bylaws and the Nondisclosure Agreement, the term "confidential information" includes all information protected by the Health Insurance Portability and Accountability Act (HIPAA), information that has commercial value or use, such as trade secrets, and information communicated in confidence by the HHS System.

Failure to comply with member expectations numbers 6-12 above are grounds for dismissal and may result in a recommendation for removal from the Board.

D. A Board member may not:

1. Participate in legislative or advocacy activities using his/her title or position on this Board without written approval from the:
  - a) Board chair
  - b) HHS Ethics Office in coordination with the HHS Government Relations Office

### c) Board Liaison

However, members may represent themselves (not as a representative of the TRAB) or other entities in the legislative process.

2. Accept payment for any services offered to the member because of his/her position on the Board.
3. Disclose confidential information or draft information (from any source including grants, requests for proposals, and contracts) acquired through his or her participation on the Board until that information or document is released and made public, the HHS Executive Commissioner has approved the release in writing, or the HHS Ethics Policy permits release. This includes all forms of communication including written, verbal, and social media.

A violation of any of these items is grounds for dismissal and may result in removal from the Board.

### E. Statements by members.

1. The Executive Commissioner, the state agencies, and the Board shall not be bound in any way by any statement or action on the part of any Board member except when a statement or action is in pursuit of specific instructions from the Executive Commissioner, state agencies, or Board.
2. The Board and its members may not participate in legislative activity in the name of the Executive Commissioner or the state agencies except with approval through the DSHS's legislative process. Board members are not prohibited from representing the Board's decisions, themselves, or other entities in the legislative process.
3. A Board member should not accept or solicit any benefit that might reasonably tend to influence the member in the discharge of the member's official duties.
4. A Board member should not disclose confidential information acquired through his or her Board membership.
5. A Board member should not knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or duties in favor of another person.
6. A Board member who has a personal or private interest in a matter pending before the Board shall publicly disclose the fact in a Board meeting and may not vote or otherwise participate in the matter. The phrase "personal or private interest" means the Board member has a direct pecuniary interest in the matter but does not include the Board member's engagement in a profession, trade, or

occupation when the member's interest is the same as all others similarly engaged in the profession, trade, or occupation.

## **11. Removal from the Board**

The Board may recommend that the Governor remove a member from the Board for the following reasons:

- A. A member votes or deliberates on an issue that would provide monetary or other gain or that presents a conflict of interest to the member or an entity with which the member is closely affiliated.
- B. A member refuses to sign or violates the Statement by Members, which includes the Conflict of Interest statement and Nondisclosure Agreement, or another Nondisclosure Agreement.
- C. A member does not maintain a high level of integrity that warrants public trust, including complying with all applicable ethics guidance provided by HHSC's Ethics Officers and all aspects of the Texas Open Meetings Act and Public Information Act.
- D. A member changes status that alters the category of membership that they were filling.
- E. A member participates in legislative or advocacy activities using his/her title or position on the Board without approval from the Board's chair and the HHS Ethics Office in coordination with the HHS Government Relations Office and Board Liaison.
- F. A member receives payment for any services requested because he or she holds a position on the Board.
- G. A member discloses confidential or draft information acquired through his or her participation on the Board not in accordance with the Bylaws.
- H. A member, in a 12-month period, misses three (3) meetings for an unexcused absence; stated above with or without notice to HHSC staff.
- I. The Governor may remove a member who has violated the conflict of interest provisions or made a statement in violation of the Statements by Members form. Decisions to remove a member of the Board (by anyone other than the HHS Executive Commissioner) due to violations of this nature will require input from HHS legal counsel.

A person may be removed from the Board if the member:

- A. Does not have at the time of taking office the qualifications required by Section 401.015(a);
- B. Does not maintain during service on the Board the qualifications required by Section 401.015(a);
- C. Is ineligible for membership under Section 401.015(c), (d), or (e);

- D. Cannot discharge the member's duties for a substantial part of the member's term because of illness or disability; or
- E. Is absent from more than half of the regularly scheduled Board meetings that the member is eligible to attend during a calendar year without an excuse approved by a majority vote of the Board.

If the DSHS commissioner has knowledge that a potential ground for removal exists, the commissioner shall notify the Board chair of the potential ground. The Board chair shall then notify the Governor and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the Board chair, the Commissioner shall notify the next highest-ranking officer of the Board, who shall then notify the Governor and the attorney general that a potential ground for removal exists.

The validity of an action of the Board is not affected by the fact that it is taken when a ground for removal of a Board member exists.

## **12. Committees**

The chair may establish committees that meet at other times for purposes of studying and making recommendations on issues the Board determines appropriate to the charge of the Board. A committee may be created for a limited period of time and will cease to exist when the assigned tasks are completed or upon determination by the chair or it may be a standing committee. The chair will evaluate the need for all existing Committees annually.

The chair shall appoint members of the Board to serve on committees and to act as committee chairs or vice-chairs. The chair may also appoint nonmembers of the Board to serve on committees as the need for additional expertise arises. The non-Board members of the committees are nonvoting members. The committee shall meet when called by the committee chair or when so directed by the Board, usually on the same day that the full Board meets. A committee chair shall make regular reports to the Board at each Board meeting or in interim written reports, as needed. The reports shall include an executive summary or minutes of each committee's meeting.

### **Committee Operations and Meetings**

- A. Unless otherwise noted in statute or required by a grant document, members of a committee are required to be members of the Board and are appointed by the Board chair.

- B. Except as set out in 11.D. below, committees will follow the general rules of the Board as applicable, including a quorum of the committee's members.
- C. Committees must keep minutes of the meetings and report back to the full body.
- D. Meetings of committees must not form a quorum of the full Board (10 Board members);
  - A. If a quorum of the Board is present, then the meeting shall not conduct business until a quorum of the Board is no longer present.
- E. Committee meetings with the presence of fewer than 10 Board members (less than a quorum of the full Board) are not subject to requirements of the Texas Open Meetings Act.

### **13. Subject Matter Experts**

The Board recognizes the value of subject matter experts (SMEs) to provide information to the Board as it develops recommendations and initiatives relative to its charge(s). The primary role of a SME is to provide objective, independent information, and analysis to be considered by the Board. SME participation will be subject to the request of voting Board members and will fall within the following guidelines:

- A. A SME may be invited to provide information on specific subjects and topics at the discretion of voting Board members, the chair, or state agency staff.
- B. An invited SME may be recognized by state agency staff, the Board chair, or vice-chair to provide information or analysis during allotted time periods at a specified Board or committee meeting.
- C. SMEs will participate in questions and answers at the direction of the state agency staff, Board chair, or vice-chair.
- D. All SMEs will participate and serve at the pleasure of the Board.
- E. SMEs do not hold any official capacity on the Board or its committees and do not have rights of deliberation or the right to vote on any Board activities or decisions.
- F. SMEs should disclose any conflicts of interest they may have prior to providing information to the Board.
- G. None of the information or guidance contained in this section shall prevent any individual from participating in or providing comments to the Board as allowed under the Texas Open Meetings Act.

### **14. Responsibilities of State Agencies and DSHS Support Staff**

State agencies with radiation-related programs shall:

- A. consider the recommendations and advice of the Board that concern the agency's policies or programs related to the development, use, or regulation of a source of radiation; and
- B. provide the Board a written response to the recommendations or advice.

The DSHS will provide reasonable administrative and technical support and coordination for all the Board's and committees' activities. The DSHS will coordinate as needed to provide the accommodations and supports needed by a Board member requiring accommodations to enable him/her to fully participate in Board and committee meetings and activities.

The DSHS shall provide to members of the Board, as often as necessary, information regarding the requirements for office under this subchapter, including information regarding a person's responsibilities under applicable laws relating to standards of conduct for state officers.

DSHS staff is expected to perform the following tasks:

- A. Develop effective working relationships with Board members;
- B. Solicit nominations for membership in accordance with the Governor's Office procedures;
- C. Help in preparing the Board's Annual Report by providing the format for each report and by providing the financial information for travel reimbursements and staff time spent in support of the Board's activities;
- D. Serve as liaison between members and operating agencies' staff; and
- E. Support Board and committee meetings and activities, including but not limited to coordinating with the Board for the following:
  - 1. Schedule meeting dates and ensure meeting sites are set up;
  - 2. Notify members of upcoming meeting dates, times, and locations;
  - 3. Develop agenda and support materials for each meeting;
  - 4. Prepare and oversee that the agenda is posted on the DSHS website;
  - 5. Serve as point of contact for the public including ensuring contact information, agendas, and meeting support materials are easily accessible on the DSHS website;
  - 6. Prepare and distribute information and materials for member review;
  - 7. Prepare and maintain Board records and documentation in accordance with the DSHS records retention policy; and

8. Assist eligible members with travel arrangements and reimbursement.
9. Minutes of each Board meeting shall be taken by DSHS staff.

A) A summary of the meeting shall be provided to each member of the Board within 30 days of each meeting.

(B) After approval by the Board, the minutes shall be signed by the secretary.

F. Staff may perform other duties within staff discretion provided the necessary resources are available.

## **15. Compensation and Travel Reimbursement**

To the extent permitted by the current General Appropriations Act, a member of the Board may be reimbursed for his/her travel expenses to and from Board meetings, if funds are available and in accordance with the HHSC Travel Policy.

Members eligible for such reimbursement are subject to rates established in the General Appropriations Act. Staff will assist members in requesting reimbursement. Board members are responsible for providing the required information as per instructions provided within 14 calendar days of the meeting.

A person appointed to the Board is entitled to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program regardless of whether the attendance at the program occurs before or after the person qualifies for office.

A member who would like to seek travel reimbursement must:

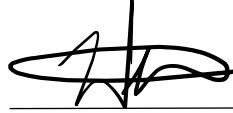
- A. Keep accurate record of allowable travel expenses (as per the HHSC Travel Policy) during travel to attend Board meetings and
- B. Submit receipts and appropriate documentation to the Board liaison in a timely manner.
- C. No compensatory per diem shall be paid to Board members unless required by law, but members shall be reimbursed for travel, meals, lodging, and incidental expenses in accordance with the General Appropriations Act.
- D. A Board member who is an employee of a state agency, other than the department, may not receive reimbursement for expenses from the department if he or she is reimbursed by that state agency.
- E. A nonmember of the Board who is appointed to serve on a committee may not receive reimbursement for expenses from the department.



- F. Each member who is to be reimbursed for expenses shall submit to DSHS staff the member's receipts for expenses and any required official forms no later than 14 days after each Board meeting.
- G. Requests for reimbursement of expenses shall be made on official state travel vouchers prepared by DSHS staff.

Bylaws approved on June 24, 2022 by a two-thirds vote of a quorum of the Board.

William J. Pate, DrPH, MBA, CHP  
Chair  
Printed Name



Signature

\_\_\_\_\_  
Radiation Director  
Radiation Section  
DSHS  
Printed Name

\_\_\_\_\_  
Signature

## Statement by Members

- The Board is not bound in any way by any statement or action on the part of any Board member except when a statement or action is in pursuit of specific instructions from HHSC or the Board.
- The Board and its members may not participate in legislative activity in the name of the Executive Commissioner or the department except with approval through the department's legislative process. Board members are not prohibited from representing the Board's decisions, themselves, or other entities in the legislative process. A Board member may not accept payment for services that are requested because of the members' title or position on this Board.
- A Board member shall not accept or solicit any benefit that might reasonably tend to influence the member in the discharge of the member's official Board duties.
- A Board 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 another person.
- A Board member shall complete the Texas Open Meetings Act Training and the Public Information Act Training within 90 days of appointment and submit the Certificates of Completion to the Board Liaison. If a member has taken the training within the last five years, a copy of the Certificate of Completion may be submitted to the Board Liaison in lieu of taking the training.
- Nondisclosure agreement. A Board member may not disclose confidential information or agency-generated information in draft form acquired through his or her Board membership, unless HHSC has released and made public the information or document, the HHS Executive Commissioner has approved the release in writing, or the HHS Ethics Policy permits release. This requirement survives the member's tenure on the Board. For purposes of the Nondisclosure Agreement, the term "confidential information" includes all information protected by the Health Insurance Portability and Accountability Act (HIPAA), information that has commercial value or use, such as trade secrets, and information communicated in confidence by the HHS System.
- Conflict of Interest Statement. I agree to disclose any personal or private interest that myself or my family have in a measure, proposal, or decision pending before DSHS. ("Personal or private interest" does not include the member's engagement in a profession, trade, or occupation when the member's interest is the same as all others similarly engaged in the profession, trade, or occupation, or if the member merely provides a personal experience, with no personal or private financial interest, in giving feedback on the subject matter.) If there is a direct personal or financial interest in a motion under consideration, I further agree to disclose that fact in a public meeting and will recuse myself from any Board deliberations or decisions on that matter.

I have been provided a copy of the Board’s Bylaws. I understand that as a member of the Board I must adhere to the Bylaws.

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**Revisions Tracking Page**

<b>Document Version #</b>	<b>Revision Date</b>	<b>Revisions / Purpose</b>	<b>Author</b>
	November 30, 2018	Creation of first Bylaws	TRAB Board
	June 24, 2022	Use of gender-neutral terms for “chairs;” updates to reflect hybrid meetings	William Pate & DSHS