



GULF COAST CENTER

**MENTAL HEALTH • SUBSTANCE USE RECOVERY
INTELLECTUAL & DEVELOPMENTAL DISABILITIES**

CENTER PLAN

**Last Update: 9/24/2018
Board Approval: 9/26/2018**

I. GULF COAST CENTER OVERVIEW

The Gulf Coast Center (“Center”) is a tax-exempt, contract agency of the State of Texas and is governed by a nine-member volunteer Board of Trustees appointed by the County Commissioner’s Courts of Galveston (5 members) and Brazoria (4 members) Counties of Texas. Past legislation of the State of Texas made the provision for the establishment and operation of community centers for mental health and intellectual and developmental disability services. The Counties of Galveston and Brazoria jointly agreed in 1973 for the establishment of the Gulf Coast Center (originally known as Gulf Coast Regional Mental Health Mental Retardation Center). Community centers such as the Gulf Coast Center, were established in local communities throughout Texas to provide mental health and intellectual and developmental disability services to persons most in need of those services – especially those individuals identified as priority population (i.e. primarily at risk of hospitalization or State school placement; or exiting from one of these facilities). The driving principal was that persons with mental illness and persons with intellectual and developmental disabilities should be educated and live, work, and play in the same setting as all Texans – in their community near family and friends. The role of the community-based system was to make this possible by providing services that supported and assisted persons in the priority population. Those principles remain at the core of the Center’s mission and vision today; but as the needs of the community and those served have changed over the years, so has the Center. The Center has expanded its primary services to include prevention and addiction recovery services; been a pioneer in the development of award winning, innovative best practices; created working partnerships with other service agencies to expand and enhance community service opportunities; and accepted the challenges presented by an ever changing service delivery environment.

The ultimate purpose of the Center is to plan, coordinate, develop policy, develop and allocate resources, supervise, and ensure the provision of community based mental health, substance abuse and intellectual and developmental disabilities services for the residents of Galveston and Brazoria Counties, Texas. The Center’s local service delivery system provides a continuum of services through effective administration and coordination of services. Further, the Center develops services and supports that provide effective alternatives to State facilities and schools; assists in meeting the goals of the State in developing a comprehensive range of services for persons needing community-based mental health, intellectual and development disabilities, and substance use disorder services by minimizing duplication and utilizing appropriated funds in accordance with legislative mandate; and working to assure the treatment of individuals in their own communities, when appropriate and feasible, providing screening services and continuing care services for persons entering and exiting State facilities and schools. Fees for Center services range from free services to reasonable fees to cover the costs of services provided, in accordance with the person’s ability to pay. The Center assures compliance with all Centers for Medicare and Medicaid Services rules and regulations, and other laws relating to billing and payment for those eligible for Medicare and Medicaid. In the collection of fees from non-indigent persons, the Center exercises its rights described in THSC, §534.017 and follows fee collection policies published pursuant to THSC, §534.067.

A. SERVICE AREA & DEMOGRAPHICS

The Center covers 1,786 square miles on the central Texas Gulf Coast; the U.S. Census Bureau estimates that the total population for Galveston and Brazoria counties is over 683,626

individuals. Census Bureau data also shows that since 2010 both Galveston and Brazoria County's total population changed faster than the State of Texas average; a trend that has continued the past several years. The populations of both Galveston and Brazoria counties are culturally diverse; and high school graduation rates average 86%, as compared to the 81% statewide average. Census Bureau reports also indicate that the average reported median household income for 2013 was higher in the two counties than that statewide, as was the homeownership rate and the per capita money income. Unfortunately though, the number of persons living in poverty in both Galveston and Brazoria counties continues to increase; upwards of 23% of the area's population is reportedly uninsured; there are an increasing number of individuals who are homeless or literally homeless; and over 20% of individuals booked into area county jails on any given day have a current diagnosis of a major mental illness.

B. MISSION, VISION AND VALUES (*revised October 2016*)

Through input and planning participation by community members and agencies, families, and those served, the Center's Board of Trustees established the following mission, visions, and values:

❖ **Mission**

- Provide accessible, efficient and quality services to support independent and healthy living of those we serve

❖ **Vision**

- Better community healthcare promoting healthy living.

❖ **Values**

Humanity We value people foremost by serving individuals and families with care and compassion.

Excellence We value the pursuit of operational excellence by striving to gain efficiencies, decrease costs, and enhance service delivery through innovations.

Accountability We value achievement of an exemplary standard of accountability for our individual and collective performance.

Loyalty We value the crucial role which family members and other natural supports play in effective treatment.

Teamwork We value collaboration to efficiently maximize utilization of resources and improve outcomes of care.

Honor We value united and uncompromising resolve, as we steadfastly safeguard and evolve our work environment to uphold education, responsible self-direction, and collaborative coaching.

You We value commitment to build and strengthen partnerships that benefit the needs and values of our community as a whole.

C. POPULATION(S) TO BE SERVED

The populations served by the Center include:

1. Individuals, including adults and youth, with mental illness and/or a developmental disability who meets the definition of priority population as defined by Center's performance contract with HHSC. The Center provides community-based mental health, intellectual and development disabilities, and/or substance use disorders services to persons both adult and child/adolescent who reside in the local service area and meet the State's definition of priority populations.
2. Individuals with addictions to alcohol and/or substances needing outpatient, residential or detox services
3. Individuals residing in Galveston and Brazoria County needing public transportation. As the designated provider of public transportation, the Center's Connect Transit is open to any and all residents of Galveston and Brazoria Counties, regardless of any disability or diagnosis or lack thereof.
4. As an approved recipient of Federal Medicaid 1115 Waiver funds, through the Center's funded DSRIP (Delivery System Reform Incentive Payments) projects, services may be provided to persons without regards for an individual's disability or diagnosis or lack thereof; and may be open to all residents of Galveston and Brazoria Counties.
5. Individuals in need of assistance due to a disaster. In the event of a community emergency or disaster, the Center's mental health emergency response services are provided regardless of an individual's diagnosis.
6. The Center may provide services to persons voluntarily seeking assistance and to persons legally committed by the judicial system.

II. SERVICES AND FUNCTIONS

To successfully achieve its purposes and utilization of available resources for persons in the populations to be served – both directly and indirectly through community partnerships and contracts – the Center will assure an effective system of comprehensive community-based mental health, intellectual and development disabilities, and substance use disorder programs and services in accordance with applicable standards, performance contracts, and service mandates.

A. SERVICES: As much as possible, services will be in accordance to the needs of the community, supportive of the Center's mission, and in keeping with the Center's stated values and visions. Services to be provided to the mental health, intellectual and development disabilities, and substance use disorder population will adjust annually based on funding and contract requirements. Services include: screening and referral, psychiatric diagnostic interview examination, crisis response, assessment and determination of services, counseling, respite, continuity of care, utilization management, case management, service coordination, pharmacological management, psychotropic medication provision, medication training and support, psychosocial rehabilitative services, supported employment, supported housing, assertive community treatment team, intensive and supportive outpatient recovery services, jail

diversion services, HIV outreach and case management, youth prevention services, skills training, day habilitation, HCS services, crisis respite, mental health liaison, continuity of services liaison, psychiatric inpatient services, psychiatric nursing services, family support services, training and support, peer support, family partner services, wait list management, community education, benefit coordination and assistance, substance abuse residential and detox services, and flexible funds.

Additionally, as funding and resources are available, services available to both priority and non-priority populations may include transportation, crisis counseling, crisis outreach, disaster case management, information and referral, community education, homeless support services, residential services and supports, specialized treatment services and counseling, and child day activities.

B. FUNCTIONS: Administratively, the Center assures the provision of staff development, quality assurance, personnel, client rights protection, training, billing services, payroll, contract management, resource acquisition, financial reporting and budgeting, planning, local planning network development, management information services, and homeless management information services.

C. TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM MEDICAID 1115 WAIVER. In 2013, the Center began participation in the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 Waiver ("Waiver") project under the Regional Healthcare Partnership (RHP Region #2) anchored by UTMB of Galveston. As a designated unit of local government, the Center is eligible to receive supplemental funding under the Waiver from the DSRIP (Delivery System Reform Incentive Payments) portion of the Waiver by a process called "intergovernmental transfer" or "IGT". The Center provides appropriate "IGT" funding to the Health and Human Services Commission; who in turn has those funds "matched" by the Federal Government, and then sent back to the Center to support the costs of the Center's approved DSRIP projects. The Center's funded DSRIP projects expand and enhance the Center's existing service delivery system, with DSRIP projects that include an additional mental health adult crisis respite program, telemedicine services, specialized therapy services, crisis respite and response services for persons with intellectual and development disabilities, ambulatory detox, and transition opportunities for children diagnosed with a mental illness. In addition to these expanded and enhanced services, one of the Center's funded DSRIP projects provides for the integration of primary and behavioral healthcare cares in both Brazoria/Galveston County, by co-locating outpatient physical health clinics in its the Center's mental health adult facilities. This project allows for the establishment of baseline health data and tracking vital health indicators gathered at regularly scheduled psychiatric visits, conducting primary screening assessments, documenting presence of co-occurring mental health and substance dependence, referring clients to other medical providers, and assuring access to secondary and tertiary care where necessary. In 2014, the Center was approved for five additional DSRIP projects that include projects to provide comprehensive child and adolescent crisis response to school districts/community settings/homes in Brazoria and Galveston as an alternative to inpatient psychiatric hospitalization, jail or juvenile justice involvement; expanding services in Galveston County and Brazoria County through the use of the Peer Support System by putting a Peer Program in place within each MH Adult clinic; expanding services and

supports for persons diagnosed with a co-occurring mental illness and substance use disorder; and implementing smoking cessation services and supports. Waiver projects are continuously monitored for sustainability. When or if a project is determined to not be sustainable, cost effective, or utilized, the project is ended as was the case with smoking cessation services and supports.

D. PUBLIC TRANSPORTATION dba CONNECT TRANSIT. In 1988 the Center accepted the responsibility of providing public transportation services in Galveston and Brazoria Counties with the development of Connect Transit. Through funding received directly and indirectly from the Federal Transit Administration and the Texas Department of Transportation, the Center provides public transportation to all residents in Galveston and Brazoria counties via both fixed and demand-response trips as well as periodically as available, to and from the Houston Medical Center and Veteran's Hospital. As funding is available, the Connect Transit also works to expand and improve public transportation through the development and implementation of public transit support services such as park-n-rides. Connect Transit operates in accordance with Federal Transit Administration and the Texas Department of Transportation guidelines; works to maximize the availability of public transportation options for all residents; works to develop and foster public transportation collaborations; and operate in a safe and efficient manner.

E. REGIONAL RESOURCES. Formalized in 1985 specifically and solely for the purpose of furthering the mission of the Center, Regional Resources, Inc is a non-profit, tax-exempt 501c3 organization. Utilizing its 501c3 designation, Regional Resource, Inc assists the Center in resource, funding, and grant acquisition. Neither the Center nor Regional Resources, Inc accepts capitated or at-risk payment arrangements.

F. FUNDING. To provide for and support its services and operations, the Center maintains and manages funding and resource contracts with Texas Health and Human Services Commission, Texas Department of Criminal Justice, Texas Council on Offenders with Mental or Medical Impairments, Texas Department of Transportation, Federal Transit Administration, Centers for Medicare and Medicaid Services, Texas Department of Family and Protective Services, County Probation Departments of Galveston and Brazoria counties, County Commissioner Courts of Galveston and Brazoria Counties, United Way, Federal Probation, Houston-Galveston Area Council, City of Galveston HUD Department, Brazoria County HUD Department, Housing and Urban Development, fees for service, and various community foundations.

III. GOVERNANCE AND ORGANIZATIONAL STRUCTURE

A. ORGANIZATIONAL STRUCTURE. The Board of Trustees ("the Board") of the Center enact policies consistent with the State of Texas rules and standards for the administration of the Center's services and programs, including mental health, intellectual and development disabilities, and substance use disorder services. The Board regularly evaluates whether the services and programs provided by the Center meet the needs of the community. Annually, the Board selects and hires an outside audit firm to conduct and submit the Center's annual financial and compliance audit. The Board selects and hires an outside attorney to serve the Board and advise on legal issues specific to the Board and their responsibilities. The Board appoints the

Chief Executive Officer; and prescribes the number of employees and their salaries set forth in THSC, §534.011 during the annual budgeting process. The Chief Executive Officer, in accordance with the Board of Trustee's policies, employs and trains personnel to administer the Center's programs and services. The Chief Executive Officer is responsible for the operations, assurance of its compliance with contract mandates and requirements, and custodian of files and legal documents. As detailed on the Center's organization chart included under Attachment A, the Chief Executive Officer and members of the Executive Management Team, work together to efficiently and effectively manage the Center.

B. BOARD MEMBERSHIP. The members of the Center's Board of Trustees are appointed by the Commissioner's Boards of Galveston County (5) and Brazoria County(4) accordingly; and are shown under Attachment B.

C. BOARD BY-LAWS. The Board of Trustee By-Laws are reviewed and revised as required at least annually; and are provided under Attachment C.

D. CONTRACT OF INTERLOCAL AGREEMENT AMOUNT SPONSORING AGENCIES. The County Commissioner's Court of Galveston and Brazoria Counties Contract for the supporting establishment of the Center and outlining the number of board members is provided under Attachment D.

E. INVOLVEMENT OF PERSONS WHO HAVE RECEIVED OR ARE RECEIVING SERVICES AND THEIR FAMILY MEMBERS, ADVOCACY ORGANIZATIONS, AND OTHER INTERESTED CITIZENS IN PLANNING AND POLICY DEVELOPMENT. The Center has a long, established tradition of successful planning to provide the Center, its Board of Trustees, and staff direction and focus – planning that has incorporated the community, service agencies, local leaders, staff, but most importantly those served and their families. Through the development of these plans; the Center's mission, visions, and values were developed; all of which remain the heart of the Center's operations. These plans and their goals and objectives were developed with the primary purpose to achieve the Center's stated mission of providing accessible, efficient and quality services to support independent and healthy living of those we serve. Furthermore, the Center's planning has also provided the basis of the Center's annual budgeting, assisted in the preparation and submission of additional funding sources, and provided a means to evaluate the Center and its operations. To assure this continuance of involvement and participation, the Center maintains an active and supportive relationship with local advocacy groups. As appropriate, advocacy group representatives are included in the membership of special community planning committees and task force groups. Upon request, Center Board of Trustees representatives and executive staff attend and present to local advocacy group meetings on the status of the Center, its operations, and service and funding projections. These local advocacy groups include NAMI Gulf Coast, Arc of the Gulf Coast, and other community parent and consumer groups. At these presentations, attendees receive information on the Center and its operations, and are encouraged to provide feedback and recommendations for improvement. Through its committee and task force leadership, the Center assures the representation and participation of family and consumers in the process and development of change.

IV. FINANCES

A. FISCAL YEAR OPERATING BUDGET. Annually, under the direction of the Board of Trustees and in accordance with primary contract agencies, the Center develops an operational budget for the State fiscal year. This budget is approved by the Board of Trustees at the beginning of the fiscal year, monitored monthly, with adjustments and revisions made regularly as needed. The Center's budget is submitted to the Texas Health and Human Services Commission as required.

B. ANNUAL FINANCIAL AUDIT. Annually, the Board of Trustees selects and hires an outside audit firm to complete and submit the required annual financial and compliance audit. The audit, findings, and management letter are presented to the Board of Trustees by the audit firm for the Board's approval and acceptance. The Center's audit is filed accordingly with Texas Health and Human Services Commission as well as other agencies and organizations as may be required or requested.

C. FINANCIAL OPERATIONS. The Center shall use all means available to it to assure best value in its management of the Center and its operations; assuring that the best possible service is delivered at the most efficient cost. The Center will be a system of both internal and external providers; using an evaluation of best value as the determining factor of the service provision. The Center will take every effort to prevent duplication of service; maximize the use of limited community resources; and where possible develop and foster collaborative working relationships.

D. LOCAL CONTRIBUTION. The Center receives a variety of local funding support, including both cash and in-kind support. In-kind support is provided primarily in the form of facility space utilization to deliver service, as well as supporting facility equipment and materials. The Center also receives in-kind support in the manner of staff volunteers. Local cash support includes funding support from the Commissioner's Court of Galveston and Brazoria Counties, fee for service, insurance and other third party payers, donations, rental fees, foundations, United Way, interest earned, lawn service contracts, and city and county fees and support for services.

V. ASSURANCE OF THE BOARD OF TRUSTEES

The Center's Board of Trustees has reviewed the Center Plan as presented, its attachments, references, and supporting documentation. The Center's Board of Trustees assures its understanding, and will comply and enforce compliance with applicable State and Federal laws, rules, standards, and regulations applicable to the Center and its operations. By their vote at the referenced Board of Trustees' meeting, the Center's Board of Trustees approves the purposes and functions identified in this Center Plan as presented and discussed.

Board of Trustees' Meeting Date: September 26, 2018

Board of Trustee Chairperson Signature:

Chairperson: Jamie Travis

_____/_____/_____
Date

Attest:

Secretary to the Board of Trustees

_____/_____/_____
Date

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***Center Plan Attachments:***

**Attachment A - Centerwide Organization Chart**

**Attachment B - Listing of Board of Trustees**

**Attachment C – Board of Trustee By-Laws**

**Attachment D – Commissioner’s Court of Galveston and Brazoria Counties Contract  
and establishment documents**

***Center Plan References:***

**Texas Health & Safety Code (THSC) Chapter 534. Subchapter A.**

**Texas Administrative Code (TAC) Title 25 Health Services**

**Part 1. Chapter 411. Subchapter G., Rule §411.306; §411.307; §411.314**

***Center Plan Supporting Documentation(available upon request):***

**Local Service Area Plan**

**Crisis Services Plan**

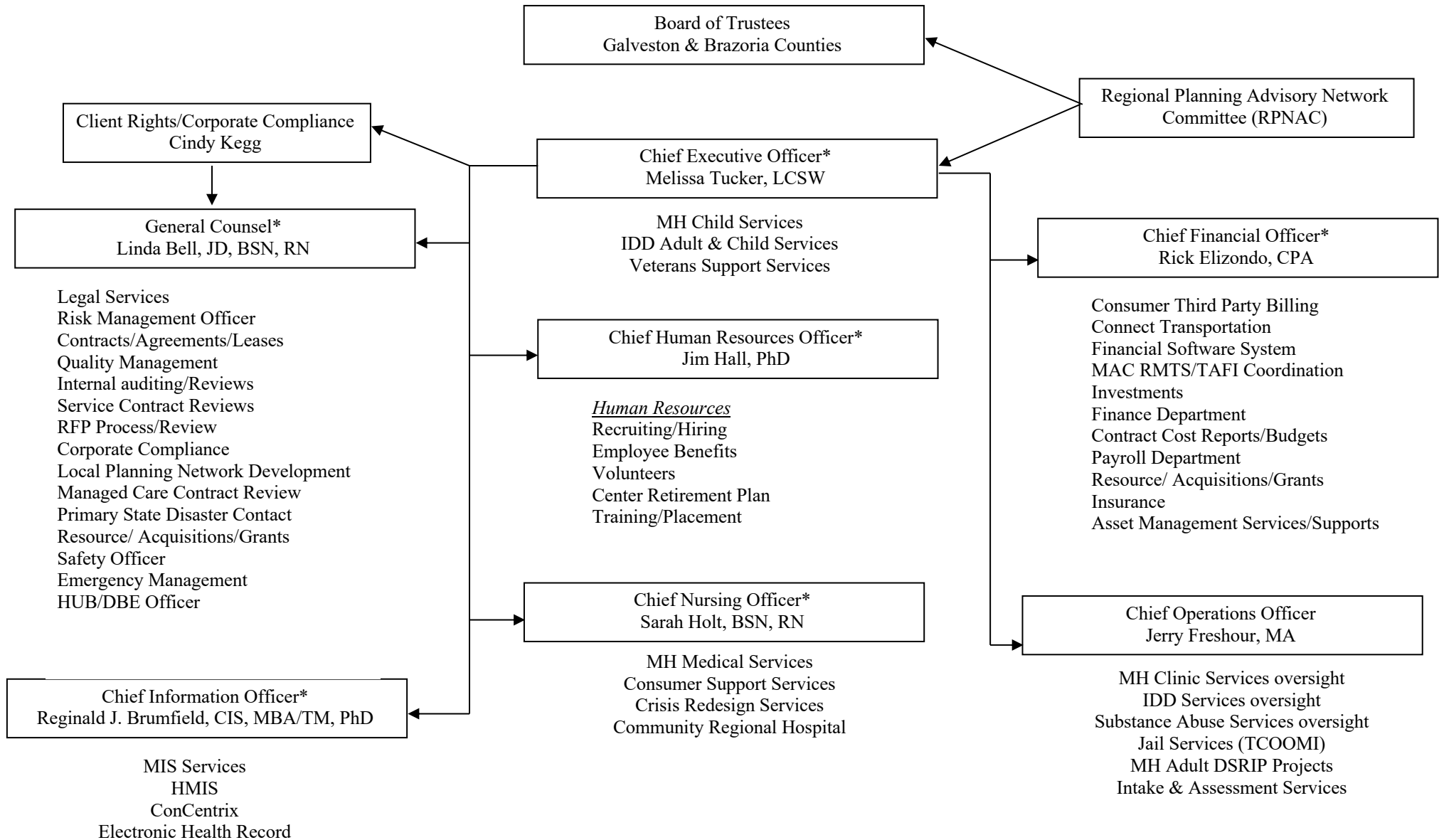
**Jail Diversion Action Plan**

**Provider Network Development Plan**

**Quality Management Plan**

# Attachment A

## The Gulf Coast Center – Primary Organizational Chart



## **Attachment B - Listing of Board of Trustees**

### **The Gulf Coast Center – Board of Trustees As of September 2, 2018**

| <b>Board Member</b>                | <b>Board Position</b> | <b>County</b> | <b>Original Date of Board Appointment</b> |
|------------------------------------|-----------------------|---------------|-------------------------------------------|
|                                    |                       |               |                                           |
| <b>JAMIE TRAVIS</b>                | Chairperson           | Brazoria      | October 1989                              |
| <b>JAIME CASTRO</b>                | Vice Chair            | Galveston     | September 2012                            |
| <b>VIVIAN RENFROW</b>              | Treasurer             | Galveston     | September 2012                            |
| <b>CAROLINE RICKAWAY</b>           | Secretary             | Brazoria      | September 2008                            |
| <b>MARY LOU FLYNN-DUPART</b>       | Member                | Brazoria      | May 1991                                  |
| <b>LINDA COLEMAN</b>               | Member                | Galveston     | September 2012                            |
| <b>COMMISSIONER STEPHEN HOLMES</b> | Member                | Galveston     | February 2017                             |
| <b>RICK PRICE</b>                  | Member                | Galveston     | January 2018                              |
| <b>JUDGE LORI RICKERT</b>          | Member                | Galveston     | August 2018                               |

**Attachment C**  
**THE GULF COAST CENTER**  
**BOARD OF TRUSTEES**  
**BYLAWS**  
(last revised: **September 12, 2018**)

**SECTION I. DEFINITIONS**

- a. “Application, Appointment and Removal Procedures” refers to the procedures established by the Commissioners Courts of Brazoria and Galveston Counties, Texas pursuant to Texas Health and Safety Code, §534.004.
- b. The “Center” refers to The Gulf Coast Center, a community center established by Brazoria and Galveston Counties, Texas, and an agency, a governmental unit, and a unit of local government of the State of Texas as described in Texas Health and Safety Code, §534.001.
- c. Fiscal Year refers to September 1<sup>st</sup> through August 31<sup>st</sup>.
- d. “HHSC” refers to Health and Human Services Commission.
- e. “IDD” refers to intellectual and developmental disabilities.

Intellectual and developmental disabilities replaced the term mental retardation. In Texas, an intellectual and development disability is defined as a permanent condition originating sometime between birth and age 18. The person's general intellectual functioning is significantly below average and his or her behavior does not meet the level of personal independence and social responsibility expected of the person's age and culture. Intellectual Development Disorders are found among all races and cultures.

- f. “Services” refers to those essential elements of a full range of effective mental health, intellectual and developmental disabilities and substance use recovery services as defined in the Rules of the Department of State Health Services and Department of Aging and Disability Services Governing Contracting for Services with Community Center.
- g. “Rules, Regulations and Standards Governing the Provision of Mental Health and Intellectual And Developmental Disabilities” refers to those rules, regulations and standards as promulgated by the Health and Human Services Commission (formerly referred to as Department of State Health Services and Department of Aging and Disability Services) pursuant to authority contained in Texas Health and Safety Code, §534.052.
- h. “THSC” refers to the Texas Health and Safety Code.

- i. “Trustee” refers to a member of the Board of Trustees of the Center appointed in accordance with Texas Health and Safety Code, §534.003.

## **SECTION II. ESTABLISHMENT AND PURPOSE**

- a. The Gulf Coast Center is a community center in Texas originally established on April 9, 1973 by the Commissioner’s Courts of Galveston, Matagorda and Brazoria Counties. The Commissioner’s Court of Matagorda County formally withdrew its participation on September 28, 1976. On October 4, 1976 Commissioners Courts of Galveston and Brazoria County established the operation of the Center pursuant to Chapter 534 of the *Texas Health and Safety Code Ann.* (Vernon 1992), as amended.
- b. The Center is intended to be a vital component in a continuum of services for persons with mental illness, intellectual and developmental disabilities and/or substance use recovery challenges. The Center shall plan, coordinate, develop policy, develop and allocate resources, supervise, and ensure the provision of community services in Brazoria County and Galveston County.
- c. The Center shall also coordinate, develop partnerships and provide a public and human service transportation system for the communities of Galveston and Brazoria Counties. This public transportation system is known as Connect Transit.

## **SECTION III. TRUSTEES**

- a. Trustees shall number and be appointed in accordance with the Application, Appointment and Removal Procedures and the THSC, §534.004, et. seq., and shall have the responsibility allocated to them by THSC, §534.008.
- b. Trustees shall comply at all times with the Training, Qualification, Conflict of Interest, Nepotism and other requirements set forth in the THSC, Chapter 534 including §534.006, §534.0065, and §534.0115. Trainings shall include but not be limited to:
  1. an annual training program for members of a board of trustees administered by the professional staff of that community center, including the center's legal counsel; and
  2. an advisory committee to develop training guidelines that includes representatives of advocates for persons with mental illness or an intellectual disability and representatives of boards of trustees.
  3. an annual training on corporate compliance and the Center’s Business Code of Conduct

Before a member of a board of trustees may assume office, the member shall attend at least one training session administered by that center's professional staff to receive information relating to:

1. the enabling legislation that created the community center;
2. the programs the community center operates;

3. the community center's budget for that program year;
  4. the results of the most recent formal audit of the community center;
  5. the requirements of Chapter 551, Government Code, and Chapter 552, Government Code;
  6. the requirements of conflict of interest laws and other laws relating to public officials; and
  7. any ethics policies adopted by the community center
  8. the corporate compliance program and plan.
- c. The term of office for each Trustee shall be two (2) years from date of appointment. Each Trustee duly appointed and qualified shall serve until his successor is duly appointed and qualified, or until the Trustee's earlier resignation, death, or removal.
- d. Vacancies on the Board of Trustees shall be filled in conformance with the Application, Appointment and Removal Procedures.
- e. A Trustee may be removed from office, in accordance with the Application, Appointment and Removal Procedures adopted by the County Commissioners Courts, for any of the following reasons:
1. conviction of a felony or a crime of moral turpitude;
  2. breach of fiduciary duty;
  3. behavior that is detrimental to the goals of the Center;
  4. violation of any provision of THSC, §534.0065; or
  5. at the discretion of the appointing Commissioners' Court, for other cause.
- f. By majority vote of the Board of the Trustees, a Trustee may be removed from office, if during the fiscal year he/she has three (3) unexcused absences. Any absence of a Trustee that is not reported prior to the scheduled meeting may be an unexcused absence.
- g. Leave of Absence. A member of the Board may request a leave of absence for up to three (3) months for each term. A member with such request shall notify the Board within a reasonable time. Should an emergency arise, the Board will act accordingly by automatically approving a 3 month leave of absence or requesting removal of the Board Member if warranted and said absence is predicted to be more than 3 months.

#### **SECTION IV. OFFICERS**

- a. The Board of Trustees shall have the following officers chosen at the first meeting of the fiscal year from among its membership: a Chair, a Vice-Chair, a Secretary and a Treasurer.
- b. There is not a term limitation for officer positions. Terms of office shall run until a successor has been elected, or the officer resigns his/her position, dies or is removed from the Board.

- c. The officers shall perform the usual duties entrusted to their respective offices or such other duties, which may from time to time be delegated by the Board of Trustees in administering the affairs and functions of the Board, but subject to the duties and limitations expressed by these Bylaws.
- d. The Chair and the Vice-Chair shall not reside in the same County nor shall the Treasurer and the Secretary reside in the same County. Further, to the extent possible the Board of Trustees shall alternate successors of an officer position between Galveston County and Brazoria County Board Members.
- e. Before a Board member is elected to serve as Chair of the Board, that Board member shall have served on the Board of Trustees for at least four (4) consecutive years.
- f. The Chair and Vice-Chair of the Board shall appoint a Nomination Committee before officer elections. The Chair will appoint no more than two (2) members from the County in which the Chair resides and the Vice-Chair shall appoint no more than two (2) members from the County in which the Vice-Chair resides. It is the desire and intent of the Board to allow participation from both counties on the Nomination Committee.
- g. Executive Committee. The Executive Committee shall serve as a body to which pressing matters can be referred to. In addition, executive matters may be referred to the Executive Committee by the Board for action and/or consideration between Board meetings. All actions of the Executive Committee, however, must be reported to the board at its next regular meeting or placed on the board agenda if a vote or action is required. The Executive Committee may not commit the Center to expenditures unless previously granted the authority to do so by a **majority** vote of the Board. The Executive Committee shall meet upon call of the Chair or any one of its members, and a quorum of three members of the Committee must be present before it may act upon any pending business.

The Executive Committee shall be composed of the Chair, Vice-Chair, Treasurer and Secretary.

## **SECTION V. MEETINGS**

- a. The Board of Trustees shall meet as often as necessary to transact business and conduct the affairs of The Gulf Coast Center during the fiscal year. The Chair of the Board of Trustees shall set the time and place of each meeting. The location of the meetings shall be split in an equitable manner between Galveston County and Brazoria County, for the convenience of all Board Members.
- b. All meetings shall be posted and open to the public in accordance with the Texas Open Meetings Act, except for matters the Board of Trustees elects to consider in closed session where permitted by the Act.

- c. A majority of appointed/filled Trustee positions shall constitute a quorum for the transaction of business.
- d. The Board of Trustees shall keep a record of its proceedings, and the record is open to inspection by any member of the Board or the public, during regular office hours.
- e. The meetings of the Board of Trustees shall be presided over by the Chair, or in his/her absence, the Vice-Chair.
- f. The conduct of all meetings of the Board of Trustees shall be governed by Roberts Rules of Order, revised. Board meetings, whether regular or special, shall be open to any person who desires to attend. Such visitors may address the Board but can not make any motion nor vote at such meetings. At any time during its regular or special meetings, however, the Board may declare itself in “executive session” and bar all non-Board members in order to discuss highly sensitive and confidential matters as allowed by law.
- g. If a Trustee is absent from a Board Meeting or a Special Meeting he/she may request an excused absence by communicating that request to the Secretary of the Board, to an Officer of the Board or the Chief Executive Officer (CEO) prior to the Meeting being convened. Any absence of a Trustee that is not established prior to the scheduled meeting may be an unexcused absence. Three (3) unexcused absences during the fiscal year may constitute grounds for removal of a Trustee by action of a majority of the Board of Trustees as stipulated in Sections III.f of these Bylaws.
- h. **Special Meetings.** The Chair of the Board of Trustees, or Secretary, upon request of any two (2) Board members, may call special meetings at any time that business warrants them. Each special meeting agenda shall reasonably describe the business to be considered and shall be delivered to each Trustee seventy-two (72) hours before the scheduled meeting.

## SECTION VI. ADMINISTRATION

- a. The Board of Trustees shall enact policies consistent with the State of Texas rules and standards for the administration of mental health, intellectual and developmental disabilities and substance use recovery services in Brazoria and Galveston Counties as well as public transit services provided. The Board shall also verify that such services meet the needs of the community and are updated in a timely fashion.
- b. The Board of Trustees may appoint committees, including medical committees, to advise the Board of Trustees on matters relating to mental health, intellectual and developmental disabilities and substance use recovery services. Each committee shall be composed of at least three (3) members. The appointment of a committee shall not relieve the Board of Trustees of the final responsibility for the matter considered by the committee.

## SECTION VII. PERSONNEL



- a. The Board of Trustees shall appoint the CEO, who shall, in accordance with the Board's policies, employ and train personnel to administer the Center's programs and services.
- b. The CEO shall be evaluated by the Board at least annually. Such evaluation shall be completed within sixty (60) days of the start of the Fiscal Year. The Board reserves the right to request an interim evaluation at dates and times deemed necessary for the competent administration of the affairs of Center. Summary results of the evaluation, including areas of performance strengths and weaknesses and any measurable results in identified categories shall be reported to the Board in closed/executive session after the completion of the evaluation or at the next Board meeting. The Board shall observe the utmost care be taken to avoid the disclosure of protected information (i.e. such information including but not limited to medical, legal, and other information protected by law) to unauthorized parties.
- c. The Board of Trustees shall prescribe the number of employees and their salaries in the manner set forth in THSC, §534.011. No qualified individual shall be discriminated against with respect to the employment in any of programs of the Center, and the Board will comply with applicable federal and state laws, rules and regulations.

## **SECTION VIII. SERVICES**

- a. The Board of Trustees may make rules, consistent with the purposes, policies, principles, and standards provided by Texas laws, federal law, and HHSC policies, to regulate the administration of the mental health, intellectual and developmental disabilities and substance use recovery services by the Center. The Board shall also consider the laws governing the Federal Transit Authority and Texas Department of Transportation when establishing policy for public transportation services.
- b. The Board of Trustees may contract with other units of government, with local agencies, and with qualified persons and organizations to provide services to individuals served by the Center.
- c. The Center may provide services to persons voluntarily seeking assistance and to persons legally committed.
- d. In accordance with the person's ability to pay and third party payor coverage, fees for Center services may range from \$0 to a maximum monthly fee established by Texas Administrative Code §412.113 to cover the costs of services provided. The CEO shall assure compliance with all Centers for Medicare & Medicaid Services rules and regulations, and other laws relating to billing and payments for clients eligible for Medicare and Medicaid reimbursement and other third party reimbursement.
- e. In the collection of fees from non-indigent persons, the Center has the rights described in THSC, §534.0017 and shall follow fee collection policies published by HHSC pursuant to THSC, §534.067.

- f. All facilities and services of the Center shall be made available to the general public of Galveston and Brazoria counties and comply with applicable federal and state laws, rules and regulations.

## **SECTION IX. AMENDMENT**

These Bylaws may be amended by a majority vote of a quorum of the Board of Trustees.

## **SECTION X. COPIES**

The Board Secretary shall certify the adoption and amendment of these Bylaws as of the date of their adoption or amendment by signing and dating the Bylaws. The original shall be kept with the Board minutes and other documents recording the activity of the Board of Trustees.

*Signed copy available on request*

Adopted September 10, 1975

Revised February 12, 1986, August 24, 1988, January 24, 1990, August 28, 1991, January 23, 1997, September 26, 2001, July 31, 2002, September 29, 2004, May 25, 2005, August 24, 2005, August 23, 2006, August 22, 2007 (reviewed, no revisions), February 25, 2009, September 28, 2011, September 15, 2014, August 26, 2015, September 19, 2017 (reviewed no revisions), July 19, 2017(revised III.b), **September 12, 2018**

**Attachment D – Commissioner's Court of Galveston and Brazoria Counties Contract**

THE STATE OF TEXAS       )  
COUNTY OF GALVESTON    )  
COUNTY OF BRAZORIA     )

**CONTRACT**

WHEREAS, the Legislature of the State of Texas has made provision for the establishment and operation of Community Centers for Mental Health and Mental Retardation Services (Article 5547-203, V.A.C.S.); and

WHEREAS, GALVESTON COUNTY and BRAZORIA COUNTY desire to establish and operate a Community Center for Mental Health and Mental Retardation services under the laws of this State;

NOW, THEREFORE, the above noted local agencies hereby agree to act jointly in appointing the members of the Board of Trustees of said community center for Mental Health and Mental Retardation Services.

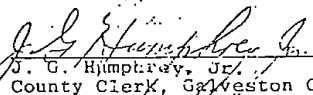
Said Board of Trustees shall consist of nine (9) members to be appointed from the qualified voters of the region to be served, appointed in the manner established in the joint resolution of the two (2) local agencies.

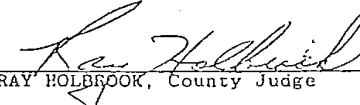
One Community Center for Mental Health and Mental Retardation Services is to be established under this Contract.

EXECUTED this, the 4th day of October, A.D., 1976.

ATTEST:

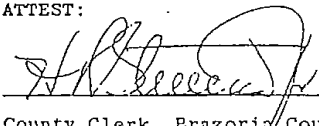
COUNTY OF GALVESTON

  
J. G. Humphrey, Jr.,  
County Clerk, Galveston County

By:   
RAY HOLBROOK, County Judge

ATTEST:

COUNTY OF BRAZORIA

  
County Clerk, Brazoria County

By:   
E. E. BREWER, County Judge

RESOLUTION

In an effort to regionalize the activities and services of the Mental Health-Mental Retardation Center for Galveston and Brazoria Counties and to provide a single delivery system for both Galveston and Brazoria Counties pursuant to and in accordance with the terms and provisions of the Texas Mental Health-Mental Retardation Act (T.A.C.S. Article 5547-201-204 inclusive), it is moved by JUDGE HOLBROOK and seconded by COMMISSIONER LLEWELLYN, duly put and carried, and it is ordered:

1. That the present Board of Trustees currently serving as Trustee Board Member of the Gulf Coast Regional Mental Health-Mental Retardation Center, be dissolved.
2. That the Regional Board shall be composed of residents appointed by the governing bodies of Galveston and Brazoria Counties, and further, that the Regional Board so constituted shall consist of nine members, five of whom are residents of Galveston County, and four of whom are residents of Brazoria County, and such duly appointed Regional Trustees shall serve staggered terms to insure continuity and shall be appointed by the governing bodies to fill one of the following positions, and its corresponding term:

|                |                           |               |
|----------------|---------------------------|---------------|
| POSITION ONE   | Galveston County resident | two year term |
| POSITION TWO   | Brazoria County resident  | two year term |
| POSITION THREE | Galveston County resident | two year term |
| POSITION FOUR  | Brazoria County resident  | two year term |
| POSITION FIVE  | Galveston County resident | one year term |
| POSITION SIX   | Brazoria County resident  | one year term |
| POSITION SEVEN | Galveston County resident | one year term |
| POSITION EIGHT | Brazoria County resident  | one year term |
| POSITION NINE  | Galveston County resident | one year term |

3. That after appointment, the Regional Trustees so appointed and duly constituted shall elect from among their membership, a CHAIRMAN, a VICE-CHAIRMAN, a FINANCE CHAIRMAN, and a TREASURER, each of whom shall serve for one year, or until his or her successor has been duly elected.

4. Further, that after appointment, the Regional Trustees so appointed and duly constituted shall elect from among its membership an Executive Committee which shall be composed of the CHAIRMAN of the Board of Trustees, the FINANCE CHAIRMAN, and one other member of the Regional Board, and shall delegate to such Executive Committee such duties as the Board of Trustees may deem necessary to insure the smooth day-to-day operation of the Center.
5. That after the original Board of Trustees is appointed any subsequent appointments to the Board of Trustees whether to fill vacancies or expired terms of Regional Board members shall be for a two year term.

ATTEST:

By J. L. Humphrey Jr.  
Galveston County Clerk

COUNTY OF GALVESTON

By Ray Holbrook  
Ray Holbrook, County Judge

ATTEST:

By J. H. Stocum  
Brazoria County Clerk

COUNTY OF BRAZORIA

By E. E. Brewer  
E. E. Brewer, County Judge

GALVESTON, TEXAS. APRIL 9, 1973.

At a Regular Monthly Session of the Commissioners' Court of Galveston County, Texas, held upon this day, there being present County Judge Holbrook, presiding; Commissioners Llewellyn, Carmona, and Hopkins; County Clerk Gertrude McKenna; and Attorney for the Court William D. Decker. Absent: Commissioner Lawrence - Ill

AMENDED RESOLUTION

In an effort to regionalize the activities and services of the MENTAL HEALTH-MENTAL RETARDATION CENTER FOR GALVESTON and BRAZORIA COUNTIES, and pursuant to and in accordance with the terms and provisions of The Texas Mental Health-Mental Retardation Act (T.A.C.S. Article 5547-201 to 204 inclusive), it is moved by COMMISSIONER HOPKINS, and seconded by COMMISSIONER LEWELLYN, duly put and carried, it is ORDERED

1. That the present Board of Trustees currently serving as Trustee Board Members of the Galveston County Mental-Mental Retardation Center be dissolved;

2. That the Regional Board shall be composed of residents appointed by the governing bodies of Galveston and Brazoria Counties, and further that the original Regional Board shall consist of nine (9) members, five (5) from among the residents of Galveston County, and four (4) from among the residents of Brazoria County and such duly appointed Regional Trustees shall serve staggered terms and further shall be designated so as to fill the following positions and terms:

|          |       |                           |             |
|----------|-------|---------------------------|-------------|
| Position | One   | Galveston County Resident | 3 year term |
| Position | Two   | Brazoria County Resident  | 3 year term |
| Position | Three | Galveston County Resident | 3 year term |
| Position | Four  | Brazoria County Resident  | 2 year term |
| Position | Five  | Galveston County Resident | 2 year term |
| Position | Six   | Galveston County Resident | 2 year term |
| Position | Seven | Brazoria County Resident  | 1 year term |
| Position | Eight | Galveston County Resident | 1 year term |
| Position | Nine  | Brazoria County Resident  | 1 year term |

That after appointment, the Regional Trustees so appointed and duly constituted shall elect from among its membership, a Chairman and a Vice-Chairman, who shall serve for one (1) year, or until his successor has been elected.

2a. The Regional Center, so constituted and appointed, shall be called the GULF COAST REGIONAL MENTAL HEALTH-MENTAL RETARDATION CENTER.

3. That the Regional Board so constituted and appointed above, appoint from the residents of the Region subject to the approval of the governing bodies, two (2) - nine (9) man Advisory Boards; one (1) - nine (9) man Board from among the residents of Galveston County and one (1) - nine (9) man Advisory Board from among the residents of Brazoria County.

4. That the Advisory Boards, so appointed, serve staggered terms of ~~one~~ one-third (1/3rd) - three (3) year terms; one-third (1/3rd) - two (2) year terms; two-thirds (2/3rd) of the remaining one-third (1/3rd) - one (1) year terms, or until their successors have been appointed; provided and except however, that the Chairman ~~and~~ (ninth (9th) member) of the Advisory Boards will be a member of the Regional Board.

5. That The Advisory Board shall serve as Advisors to the Regional Board in whom policy, implementation and direction of the Regional Center reposes.

6. That and until other Counties are brought into the Region, the Regional Board shall consist of five (5) members from among the residents of Galveston County, and four (4) members from among the residents of Brazoria County. If and when other Counties are added to the Region, each shall have at least one (1) representative on the Regional Board, provided and except, however, that at no time shall there be less than three (3) members on the Regional Board who are residents of Galveston County and less than two (2) members on the Regional Board who are residents of Brazoria County.

7. That after the original appointments, all appointments to either the Regional Board or any Advisory Board shall be for a three (3) year period.



THE STATE OF TEXAS, }  
County of Galveston. }

I, GERTRUDE McKENNA, County Clerk and Ex-officio Clerk of the Commissioners' Court in and for Galveston County, State of Texas, do hereby CERTIFY that the above and foregoing is a true and correct copy of an ORDER of said Commissioners' Court made and entered April 9, 1973.

as the same appears of record in my office, in the Minutes of said Commissioners' Court, Book No. 42 , on Pages Nos. ---- .

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the impress of the official seal of said Commissioners' Court, at my office, in the City and County of Galveston, State of Texas, on this the 13th day of April A.D., 1973.

GERTRUDE McKENNA, Clerk County Court,  
and Ex-officio Clerk Commissioners' Court  
of Galveston County, Texas.

By Jessie G. Kirkendall Deputy.  
Jessie G. Kirkendall

GALVESTON, TEXAS. APRIL 9, 1973.

At a Regular Monthly Session of the Commissioners' Court of Galveston County, Texas, held upon this day, there being present County Judge Holbrook, presiding; Commissioners Llewellyn, Carmona, and Hopkins; County Clerk Gertrude McKenna; and Attorney for the Court William D. Decker. Absent: Commissioner Lawrence - Ill

May 3, 1973

A:FA:EO:CNP:dv

Mental Health-Mental Retardation  
Center for Galveston County  
Post Office Box 909  
La Marque, Texas 77568

Gentlemen:

We received a letter from your Accountant, Mr. Joe Megna, requesting a letter from us to the effect that contributions made to you are tax deductible by donors. A search of our records do not show a Power of Attorney on file authorizing Mr. Megna to represent you, therefore, all correspondence is directed to you.

The information submitted discloses you were created by an Act of the Texas Legislature to perform a governmental function. As a political subdivision of the State of Texas, you are not liable for Federal income tax and are not required to apply for tax exempt status.

Contributions made to you for exclusively public purposes are deductible as charitable contributions defined in section 170(c)(1) of the Internal Revenue Code.

Sincerely yours,

  
R. L. Phinney  
District Director

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403B-

RECEIVED MAY 8 1973

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006-64-0518

NOTICE OF NAME CHANGE FROM THE  
GULF COAST REGIONAL MENTAL HEALTH-MENTAL RETARDATION CENTER  
TO THE GULF COAST CENTER

GIN #74-1607987

NOTICE TO THE PUBLIC:

At the regularly scheduled meeting of the Gulf Coast Regional Mental Health-Mental Retardation Center Board of Trustees held on the 22nd day of March, 1989, the following resolution was, on motion duly made and seconded, approved by a majority of the Board of Trustees in open session:

"WHEREAS, the Board of Trustees of the Gulf Coast Regional Mental Health-Mental Retardation Center desires to change the name of the center to remove the words "mental health-mental retardation" from its title, and

WHEREAS, the Board has considered several new names for the center, and has chosen the name "The Gulf Coast Center", and

WHEREAS, the Center staff has investigated the availability of the name chosen by the Board, and has found it to be satisfactory, now

THEREFORE, BE IT RESOLVED that:

The Board of Trustees hereby changes the name of the Center from "The Gulf Coast Regional Mental Health-Mental Retardation Center" to "The Gulf Coast Center". The Executive Director is hereby authorized to execute any legal documentation required to effectuate such name change. A copy of this Resolution shall be filed in the Deed Records of Brazoria and Galveston Counties and shall be forwarded to the Texas Department of Mental Health-Mental Retardation."

This name change has been approved by the Commissioners Court of Galveston County, Texas, recorded at Film Code #300-08-0626 of such Commissioners Court Minutes, a copy of which is attached as Exhibit A and incorporated by reference, and by the Commissioners Court of Brazoria County, Texas, recorded at docket #8 as passed by the Commissioners Court at the August 21, 1989, Special Term, a copy of which is attached as Exhibit B and incorporated by reference.

DATED the 20<sup>th</sup> day of September, 1989.

G. Michael Winburn  
G. Michael Winburn  
Executive Director

89722 75

006-64-0519

STATE OF TEXAS           §  
                                 §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF GALVESTON   §

This instrument was acknowledged before me on the 20<sup>th</sup> day of September, 1989, by G. Michael Winburn, Executive Director, of the Gulf Coast Center, formerly known as the Gulf Coast Regional Mental Health-Mental Retardation Center.

Robin Griffin  
Notary Public, State of Texas

Robin Griffin  
Notary's Printed Name

My Commission Expires: 8-8-92

AFTER RECORDING RETURN TO:

W. Daniel Vaughn  
McLeod, Alexander, Powel & Apffel, P.C.  
P. O. Box 629  
Galveston, Texas 77553

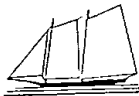
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300-08-0626

006-64-0520

Commissioner Pegues moved, seconded by Commissioner Johnson, and carried; that the recommendation of the Gulf Coast Regional Mental Health Mental Retardation Center to change the name to The Gulf Coast Center be and is approved:



GULF COAST REGIONAL MENTAL HEALTH  
MENTAL RETARDATION CENTER

SHEARN MOODY PLAZA • P.O. BOX 2490 • GALVESTON, TEXAS 77553 • (409) 763-2373 / (713) 488-2839

G. MICHAEL WINBURN  
EXECUTIVE DIRECTOR

RECEIVED  
MAY 25 1989

32

May 24, 1989

GALVESTON COUNTY JUDGE

The Honorable Ray Holbrook  
County Judge  
Galveston County Courthouse  
Galveston, TX 77550

Dear Judge Holbrook:

As you know, the Board of Trustees voted to shorten the name of MHMR to "The Gulf Coast Center" at their March Board meeting. Our attorneys have informed me that we need the Commissioners' approval so that we can officially amend the creating contract between Counties to reflect the name change. If you would please place this on your agenda for approval, I would appreciate it.

As you know, we have discussed this with you previously concerning the reasons which primarily have to do with the name "Mental Health and Mental Retardation" deterring some families from coming in for help because of its negative connotation. Most centers statewide have dropped the "MHMR" out of their names.

Sincerely,

G. Michael Winburn  
Executive Director

GMW:dr

Enclosure

CC: Virginia Eernisse  
Dan Vaughn

A United Way Member Agency in Brazoria and Galveston Counties

EXHIBIT

A

89722 77

006-64-0521

No. 8 Re: Changing Name of "The Gulf Coast Regional Mental Health-Mental Retardation Center" to "The Gulf Coast Center"

Motion by Commissioner Plaster, seconded by Commissioner Rouse, that the Commissioner's Court of Brazoria County approves the changing of the name of "The Gulf Coast Regional Mental Health-Mental Retardation Center" to the "The Gulf Coast Center".  
Motion carried, all present voting aye.

THE STATE OF TEXAS )  
COUNTY OF BRAZORIA )

I, Dolly Bailey, Clerk County Court and Ex-Officio Clerk of the Commissioners' Court of Brazoria County, Texas, do hereby certify that the foregoing is a true and correct copy of that certain docket

No. 8 Re: Changing Name of "The Gulf Coast Regional Mental Health-  
Mental Retardation Center" to "The Gulf Coast Center"

as passed by the Commissioners' Court at the August 21,  
A. D., 19 89, Special Term of Commissioners' Court, and as the same appear (s) in the Commissioners' Court Records of Brazoria County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21st  
day of August, A. D., 19 89.

DOLLY BAILEY, Clerk County Court and Ex-Officio  
Clerk of the Commissioners' Court of Brazoria County,  
Texas  
By S. Hammond Deputy  
S. Hammond

EXHIBIT

B