



**Sacramento County Health Center  
Co-Applicant Board**

**BOARD BYLAWS**

Revision Date: November 15, 2024

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## **Introduction**

This body shall be known as the Sacramento County Health Center Co-Applicant Board and shall be hereafter referred to as "CAB". The CAB is also known as the "Board" or "governing board" under Health Resources and Services Administration (HRSA). The CAB has been established by the Sacramento County Board of Supervisors via its local charter authority and for the purpose of creating a body that meets the HRSA program board composition and authority requirements for a Federally Qualified Health Center ("FQHC"), and which provides the required community-based governance for a public FQHC, set forth in Section 330<sup>1</sup> ("Section 330"), its implementing regulations, and HRSA guidance, including Chapter 20 of the HRSA Health Center Program Compliance Manual (the "Compliance Manual") (collectively, the "Governance requirements"). The CAB serves as the local co-applicant governing board required for public FQHC funding pursuant to the Public Health Services Act and its implementing regulations. The County of Sacramento, a public entity and political subdivision of the State of California, shall act as co-applicant with the CAB.

## **Article I: Purpose**

The CAB provides the community-based governing board mandated by HRSA's Bureau of Primary Health Care ("BPHC") for the County's FQHC, the Sacramento County Health Center ("Health Center") by meeting the FQHC composition requirements and by exercising certain authorities and responsibilities vis-à-vis the Health Center, as particularly codified in the Co-Applicant Agreement entered into between the County and the CAB.

The CAB shall work cooperatively with the County of Sacramento, acting in its role as co-applicant public entity that operates the Health Center, to support and guide the Health Center in its mission:

### **Vision:**

To be an exceptional health care center valued by the communities we serve and our team.

### **Mission:**

To provide high quality, patient-focused, equitable healthcare for the underserved in Sacramento County, while providing training for the next generation of local health care providers.

### **Values:**

Accountability • Compassion • Diversity • Equity • Excellence • Education • Respect

## **Article II: Responsibilities**

The CAB has specific responsibilities to meet the governance requirements and expectations of HRSA for a co-applicant board, while day-to-day operational and management and certain governance authorities for the Health Center reside with Sacramento County, Department of

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<sup>1</sup> Section 330 of the Public Health Services Act. (42 U.S.C. 254(b).)

Health Services (DHS), Primary Health Services Division staff.

Consistent with the terms of the Co-Applicant Agreement, the CAB shall have the following responsibilities and authorities related to the Health Center:

- A. Holding monthly meetings and maintaining a record of all official actions.
- B. Approving the annual Health Center's annual operating and capital budget; including any mid-year material changes to such budgets and monitoring the financial status of the Health Center.
- C. Periodically reviewing and approving the Health Center's health care policies concerning: (i) hours of operation; (ii) health services provided; (iii) quality-of-care audit and quality improvement procedures; (iv), the locations of the Health Center's sites; and (v) the process for hearing and resolving patient complaints;
- D. Evaluating and approving the quality management policies and programs, including the Health Center's Annual Quality Improvement Plan developed and recommended by the staff of the Health Center.
- E. In conjunction with County's DHS, periodically evaluating the Health Center's activities and achievements (including service utilization patterns, productivity, patient satisfaction, achievement of program objectives) and recommending revision of the Health Center's goals, objectives and strategic plan.
- F. In conjunction with the County's DHS, ensuring compliance with federal, state, and local laws and regulations by evaluating the Health Center's compliance activities and recommending the revision, restructuring, or updating of the Health Center's compliance program.
- G. Adopting Bylaws and annually evaluating itself for compliance with the FQHC composition requirements, as well as its effectiveness in collaborating with County DHS in effectuating the terms of the Co-Applicant Agreement and exercising its authorities and responsibilities for the Health Center set forth in the Co-Applicant Agreement and these Bylaws.
- H. Approving the selection, annual performance evaluation, and dismissal of the Health Center's Project Director, consistent with the processes set forth in the Co-Applicant Agreement.
- I. Approving Health Center policies for billing and collection activities, specifically the sliding fee discount program (i.e. a policy for eligibility for services and a criteria for a schedule of discounts off charges for services) and any related policy for eligibility of services—including criteria for partial payment schedules and billing waivers;
- J. In conjunction with County DHS, engaging in the long-term strategic planning activities for the Health Center, including regular review and updating of the Health Center's mission, goals, and plans, as appropriate.
- K. Approving HRSA applications related to the Health Center, including Section 330 grants and changes to the Health Center's HRSA scope of project.
- L. Approving the decision to subaward or subcontract for a substantial portion of the services provided by the Health Center
- M. Ensuring new board members are oriented and trained regarding the duties and

responsibilities of being CAB member, the relationship between the CAB, County and the Health Center, and related FQHC requirements, and satisfying the educational and training needs of existing members; and

- N. Reviewing the annual Health Center audit report and management letter performed by an independent auditor in accordance with federal audit requirements.

NOTE: No individual CAB member shall act or speak for the CAB except as may be specifically authorized by the CAB. Members (other than the Health Center Chief Executive Officer/Project Director) shall refrain from giving personal advice or directives to any staff of the Health Center.

### **Article III: Limitations of Authority**

As codified in the Co-Applicant Agreement, the Board of Supervisors shall maintain the authority to set general policy on fiscal and personnel matters pertaining to the Health Center.

Other than as specified in the Co-Applicant Agreement, the COUNTY, through its DHS, shall retain all other governance and operational responsibility for the management of the financial and other affairs of the Health Center.

### **Article IV: CAB Composition**

#### Section 1: Membership

There shall be between nine (9) and thirteen (13) at large voting members of the CAB and one (1) ex-officio non-voting member.

#### A. Membership categories:

##### 1. Board Members - Consumers:

- a. A majority of members of the board shall be individuals who are served by the Health Center. This means an individual who is a currently registered patient who has accessed Health Center services in the past 24 months and received at least one service that generated a visit where both the service and the site where the service was received are within Health Center's HRSA-approved scope of project.
- b. As a group, the Consumers reasonably represent individuals who are served by the Health Center in terms of demographic factors such as race, ethnicity gender, socioeconomic status, and age.
- c. A legal guardian of a Consumer who is a dependent child or adult, or a legal sponsor of a Consumer who is an immigrant, may also be considered a Consumer for purposes of board representation.

##### 2. Board Members - Community Members:

- a. The remaining non-Consumer members shall be representative of the general community in which the Health Center operates and shall be selected for their skills, expertise and perspectives in community affairs, finance, legal affairs, business or other commercial concerns.

##### 3. Board Representation of Health Center Populations

a. The Board shall include a Consumer or Community representative for any special population served by the Health Center for which the Health Center receives Section 330 special population funding (e.g., the homeless), which may include an advocate who has personally experienced being a member of or represent, or has expertise in or works closely with the special population (e.g., individuals experiencing homelessness).

4. The Health Center's Project Director, or designee, shall serve as an ex-officio non-voting member of the CAB.

### Section 2: Additional Membership Limitations

- A. No more than half of the Community members may receive more than ten percent (10%) of his or her annual income from the health care industry (health care industry is understood to mean working in any community clinic or hospital providing health services to low-income residents of Sacramento).
- B. All members must work, reside in, or be associated with, Sacramento County.
- C. No voting member of the CAB shall be an employee or an immediate family member (i.e., spouse, child, parent, or sibling, [related by blood, adoption, or marriage]) to such an employee of the Department of Health Services of the County of Sacramento, or CAB officer.
- D. No voting member of the CAB shall be an employee or an immediate family member (i.e., spouse, child, parent, or sibling, [related by blood, adoption, or marriage]) to such an employee of any other recipient of Public Health Services Act Section 330 (e.g., FQHC).
- E. No member shall have a financial, personal, or professional interest that would constitute a conflict of interest with CAB membership.

### Section 3: Member Recruitment, Selection, and Ratification

#### A. Establishment of CAB

The initial voting members of the CAB were nominated and appointed by the Board of Supervisors.

#### B. Continuation of CAB

##### 1. Member Recruitment

The CAB (or a committee appointed for this purpose) develops a Recruitment Plan each year, to identify and recruit potential members that help fill existing and forecasted gaps in CAB membership including regarding

- a. Member classifications (i.e. Consumer or Community),
- b. Populations represented on the CAB,
- c. Member skills, experience and perspectives; and
- d. Segments of the community about which members have expertise.

The Recruitment Plan includes strategies designed to effectively reach targeted groups or classes of individuals.

### Expiring Terms

- a. Terms end in January. Recruitment for soon to be expiring terms will begin by September so that candidate members can be considered and a new CAB member approved prior to the end of the term.

### Vacancies during Terms

- a. The Recruitment Plan may designate a period during which membership applications will be accepted and reviewed

## 2. Application Review

The application for CAB membership and instructions for completing and submitting it—as well as information about the Health Center, the CAB, and its role, as well as open seats and deadlines for application—are made widely available to possible members, including on the Health Center website.

- a. Nominations for membership of the CAB may be submitted by anyone so long as the nominee meets the membership requirements of these Bylaws.
- b. Nominated individuals or other interested individuals must submit an application to provide the required information and to verify their interest and ability to serve as CAB members.
- c. Applications are submitted to the Health Center Project Director (or designee) to verify that applicants meet individual CAB membership requirements and assess how the applicant meets a need identified in the then-current Recruitment Plan. All applications are sent to the Executive Committee, with a document indicating whether the applications demonstrate that the candidate meets the membership requirements and the Recruitment Plan, and whether any provided references have been checked.
- d. The Executive Committee of the CAB reviews the membership applications and may interview possible candidates. The Executive Committee will ultimately determine whether to recommend an individual for membership to the full CAB and will notify the Project Director of such a decision.

## 3. Approval of CAB members

The CAB may meet or interview an applicant recommended by the Executive Committee prior to voting on whether to approve the recommended candidate at a duly called meeting of the CAB.

## 4. Ratification of CAB members

- a. As outlined in the Co-Applicant Agreement, once approved by the CAB, Health Center staff provides the names of approved CAB members to the Clerk of the County Board of Supervisors (“BOS”) or designee.
- b. The Clerk of the BOS, or designee, reviews materials and submits for ratification by the BOS.
- c. If the Board of Supervisors does not approve/ratify a board member

selected by the co-applicant board, then the County will be non-compliant with HRSA's Health Center Program Board Authority requirement and subject to condition on its award/designation.

- d. The Clerk of the BOS notifies the designated Health Center staff of BOS actions related to CAB members and sends a ratification letter to each new ratified CAB member.

B. Verification of Eligibility of Existing CAB members

1. By December 31st of each calendar year, Health Center staff will verify existing CAB member eligibility. Each CAB member will complete the Co-Applicant Board Member Secondary Attestation Form attesting to their eligibility (in October).

Section 4: Responsibilities and Rights of Members

A. All members must:

1. Attend all CAB meetings, unless excused by the Chair.
2. Be subject to the conflict-of-interest rules applicable to the Board of Supervisors of the County of Sacramento and the laws of the State of California.

- B. Members shall be entitled to receive agendas, minutes, and all other materials related to the CAB, may vote at meetings of the CAB, and may hold office and may chair CAB committees.

**Article V: Term of Office**

The term of office for CAB members shall be for four (4) years. A member shall be limited to no more than four (4) consecutive terms of membership. The effective date of membership corresponds to the date of appointment.

Any elected member who has served four (4) consecutive, four (4) year terms shall not be eligible for re-election until one (1) year after the end of his or her fourth term. Election to fill a vacancy for less than three (3) years shall not be counted as service of a four (4) year term for this purpose. Unless terminated earlier in accordance with the Bylaws, members shall serve their designated term until their successors are elected and qualified.

**Article VI: Removal and Resignation**

Any member may be removed whenever the best interests of the Health Center or the CAB will be served. The member whose removal is placed in issue shall be given prior notice of their proposed removal, and a reasonable opportunity to appear and be heard at a meeting of the CAB. A member may be removed pursuant to this section by a vote of two-thirds (2/3) of the total number of members then serving on the CAB.

Continuous and frequent absences from the CAB meetings, without reasonable excuse, shall be among the causes for removal. In the event that any member is absent without acceptable excuse from three (3) consecutive CAB meetings or from four (4) meetings within a period of six (6) months, the CAB shall automatically consider the removal of such person from the CAB in accordance with the procedures outlined in this Article.

The CAB will accept a written or emailed resignation of a CAB member, or a verbal resignation if given during a full CAB meeting. The CAB Chair or designee will send an email or letter to the CAB member confirming the resignation. Seven (7) days after receipt of the letter or email by the CAB OR seven (7) days after the meeting at which a verbal resignation was tendered, the resignation is accepted.

## **Article VII: Conflict of Interest**

A conflict of interest is a transaction with the Health Center in which a voting CAB member has a direct or indirect actual or perceived interest in an action, which results or has the appearance of resulting in personal, organizational, or professional gain. Conflict of interest or the appearance of conflict of interest by voting CAB members, employees, consultants and those who furnish goods or services to the Health Center must be declared. CAB members are required to declare any potential conflicts of interest by completing a Conflict of Interest: Disclosure and Attestation Statement per County of Sacramento policy for members appointed to boards and commissions (see Appendix A) as well as annually completing the Co-Applicant Board Conflict of Interest: Disclosure and Attestation Statement (see Appendix B), in which they attest that they are not,

- An employee of the Sacramento County Department of Health Services (DHS); nor
- An immediate family member (i.e., spouses, children, parents, or siblings [through blood, adoption, or marriage]) of a DHS employee or CAB officer; nor
- An immediate family member (i.e., spouses, children, parents, or siblings [through blood, adoption, or marriage]) of an employee or governing board member of another Public Health Services Act Section 330 recipient (e.g., FQHC).

In situations when a conflict of interest may exist for a member, the member shall declare and explain the conflict of interest. No member of the CAB shall engage in discussion about or vote on a topic where a conflict of interest exists for that member. In addition to the requirements imposed by these Bylaws, CAB members shall also be subject to all applicable state and federal conflict of interest laws.

## **Article VIII: Compensation**

Members of the CAB shall serve without compensation from the Health Center. Travel and meal expenses by voting CAB members when traveling out of Sacramento County for CAB business shall be reimbursable if approved in advance by the CAB and the Project Director.

## **Article IX: Meetings**

### Section 1: Regular Meetings

The CAB shall meet monthly and maintain records/minutes that verify and document the actions and key deliberations of the CAB. Where geography or other circumstances make

in-person participation in board meetings burdensome, monthly meetings may be conducted by telephone or other means of electronic communication where all parties can both listen and speak to all other parties, subject to all meeting requirements of the Ralph M. Brown Act. ("Brown Act")

#### Section 2: Conduct of Meeting

The meeting shall be conducted in accordance with the most recent edition of [Robert's Rules of Order](#), unless otherwise specified by these Bylaws.

#### Section 3: Open and Public

All meetings will be conducted in accordance with the provisions of the Brown Act, open public meeting law, as amended.

#### Section 4: Notice, Agenda and Supportive Materials

- A. Written notice of each regular meeting of the CAB, specifying the time, place and agenda items, shall be sent to each member not less than seventy-two (72) hours prior to the meeting except as permitted by the Ralph M. Brown Act. Preparation of the agenda shall be the responsibility of the Chair in conjunction with the Project Director, or his or her designee.
- B. The agenda of each regular meeting shall be posted at the Health Center and on the Health Center's website: <https://dhs.saccounty.net/PRI/Pages/Health%20Center/Co-Applicant%20Board/County-Health-Center-Co-Applicant-Board.aspx>.
- C. Supportive materials for policy decisions to be voted upon shall be distributed to all members along with the agenda. If, on a rare occasion, such prior submission is precluded by time pressures, and if the urgency of a CAB vote is established by the Chair of the CAB, an item may be placed on the agenda although supporting materials are not available in time to be distributed. However, such material shall be available at the meeting.
- D. Items which qualify as an emergency can be added to the agenda pursuant to the Ralph M. Brown Act.

#### Section 5: Special Meetings; Annual Meeting.

- A. To hold a special meeting, advance notice of such a meeting shall be given.
- B. The CAB shall hold an annual meeting during November, at such time and place as is established by the Board upon proper notice, for election of new members and officers, and for the transaction of such other businesses as may properly come before the CAB. The annual meeting shall serve as the regular meeting for that month. Notice of the annual meeting shall be given in writing (including email correspondence) by the Project Director or his or her designee to each member not less than thirty (30) nor more than sixty (60) days prior to the date of such meeting.

#### Section 6: Quorum and Voting Requirements

- A. A quorum is necessary to conduct business, make recommendations, or approve items. A quorum shall be constituted by the presence of a majority of the appointed members of the CAB.

- B. A majority vote of those CAB members present and voting is required to take any action.
- C. Each CAB member shall be entitled to one (1) vote. Voting must be in person or telephonically; no proxy votes will be accepted.
- D. CAB member attendance at all meetings shall be recorded. Members are responsible for signing the attendance sheet or requesting permission from the CAB's Point of Contact to participate by telephone, -teleconference software, or other means allowed under the Brown Act. The names of members attending shall be recorded in the official minutes. Where geography or other circumstances make monthly, in-person participation in board meetings burdensome, monthly meetings may be conducted by telephone or other means of electronic communication where all parties can both listen and speak to all other parties, as long as these are in compliance with the Brown Act. Attendance will be recorded by the Project Director or his or her designee with a roll call and participation recorded in the official minutes.
- E. The Project Director shall have direct administrative responsibility for the operation of the Health Center and shall attend, or assign a delegate in their absence to all meetings of the CAB, but shall not be entitled to vote.

## **Article X: Officers**

### Section 1: Eligibility

The Chair and Vice Chair shall be chosen from among the voting members of the CAB. Members of the CAB shall not be eligible for an officer position until they have served for at least six (6) months with the CAB as an active, voting member. An active member is defined as a member who has attended all meetings, with the exception of up to two (2) excused absences, in the past six months.

Two additional members may be added to the Executive Committee, consistent with the above voting and attendance requirements.

### Section 2: Nomination and Election

Initial selection of officers upon creation of the CAB transpired at the same CAB Board meeting following the adoption of the original Bylaws.

Henceforth, nominations for officers shall be made at the regular October meeting. A nominee may decline nomination.

Officers shall be elected annually by a majority vote of those members present and voting, as the first order of business at the November meeting of the CAB.

### Section 3: Appointment of Chair and Vice-Chair

Only members who have been an active, voting member of the CAB for at least six (6) months are eligible to be appointed and serve as officers.

Officers shall be elected for a term of one (1) year, or any portion of an unexpired term thereof. A person shall be limited to no more than four (4) consecutive terms of office. Any elected officer who has served four (4) consecutive, one (1) year terms of office shall not be eligible for re-election until one (1) year after the end of his or her second term of office. This limitation of consecutive terms may be waived by a majority vote of the CAB (with the officer in question recusing him or herself from the vote) if no other CAB member is willing to serve in that office. A term of office for an officer shall start January 1, and shall terminate

December 31, of the same year; however, an officer may serve after his or her term ends until a successor is elected.

#### Section 4: Vacancies

Vacancies created during the term of an officer shall be filled for the remaining portion of the term by special election by the CAB, at a regular or special meeting in accordance with this Article.

#### Section 5: Responsibilities

The officers shall have such powers and shall perform such duties as from time to time shall be specified in these Bylaws or other directives of the CAB.

##### A. Chair

The Chair shall preside over meetings of the CAB, shall serve as Chair of the Executive Committee, and shall perform the other specific duties prescribed by these Bylaws or that may from time to time be prescribed by the CAB.

##### B. Vice-Chair

The Vice Chair shall perform the duties of the Chair in the latter's absence and shall provide additional duties that may from time to time be prescribed by the CAB.

#### **Article XI: Executive Committee**

The CAB shall have an Executive Committee which shall consist of the Chair, Vice-Chair, at least two (2) additional voting board members, and the Project Director (or designee) who shall attend meetings of the Executive Committee in a non-voting capacity. The Executive Committee shall engage in the activities set forth in the Co-Applicant Agreement and these Bylaws and shall be empowered to take action between regular and special meetings of the CAB, and all such actions taken by the Executive Committee shall be submitted at the next regular meeting of the CAB for ratification. The Executive Committee may ask a person(s) to sit in their meetings as advisors without voting or official role. A quorum for the transaction of business shall consist of three members. Action taken by the Executive Committee shall be by majority vote.

#### **Article XII: Amendments and Dissolution**

##### A. Amendments

The Bylaws may be repealed or amended, or new Bylaws may be adopted at any meeting of the CAB at which a quorum is present, by two-thirds (2/3) of those present and voting. At least fourteen (14) days written notice must be given to each member of the intention as to alter, amend, repeal, or to adopt new Bylaws at such meetings, as well as the written alteration, amendment or substitution proposed. Any revisions and amendments must be approved by the CAB. The County Board of Supervisors must approve any change that alters or conflicts with their action establishing CAB or that conflicts with the terms of the Co-Applicant Agreement.

##### B. Dissolution

Dissolution of the CAB shall only be by affirmative vote of the CAB and County Board of Supervisors at duly scheduled meetings

**Certification**

These Bylaws were approved at a meeting of the board by a two-thirds (2/3) majority vote on December 15, 2017.

These Bylaws were amended at a meeting of the board by a two-third (2/3) majority vote on November 15, 2024.

Signed copies available upon request,

  
Suhmer Fryer, CAB Chair

  
Date

## Appendix A

### Sacramento County Health Center Co-Applicant Board Conflict of Interest: *Disclosure and Attestation Statement*

Conflict of Interest: Defined as an actual or perceived interest by the member in an action, which results or has the appearance of resulting in personal, organizational, or professional gain.

Duty of Loyalty: CAB members shall be faithful to the organization and can never use information obtained in their position as a CAB member for personal gain.

#### Responsibilities of CAB Members:

- A. A CAB member must declare and explain any potential conflicts of interest related to:
  - 1. Using her/his CAB appointment in any way to obtain financial gain for the member's household or family, or for any business with which the CAB member or a CAB member's household or family is associated; and/or
  - 2. Taking any action on behalf of the CAB, the effect of which would be to the member's household or family's, private financial gain or loss.
  - 3. Taking any action that would provide personal or professional gain to the CAB member or member's household or family while being a detriment to the Sacramento County Health Center.
- B. No member of the CAB shall vote in a situation where a personal conflict of interest exists for that member.
- C. No voting member of the CAB shall be an employee or an immediate family member of an employee of the Sacramento County Department of Health Services.
- D. No CAB member shall be an employee or an immediate family member of an employee or a governing board member of a Federally Qualified Health Center.
- E. Any member may challenge any other member(s) as having a conflict of interest by the procedures outlined in the CAB's Bylaws, Article VII.

As a CAB member, my signature below acknowledges that I have received, read, had an opportunity to ask clarifying questions regarding these conflict of interest requirements and the CAB Conflict of Interest Policy and that I understand the contents of this policy as it relates to my membership and responsibilities as a CAB member in capacity of officer, expert volunteer, advocate, consumer, or community member. I understand that any violation of these requirements may be grounds for removal from CAB membership. I further understand that I may be subject to all other applicable state and federal conflict of interest requirements in addition to the provisions set forth in these Bylaws.

I declare that the above statement is true and accurate to the best of my knowledge and hereby attest to the fact that I am not,

\_\_\_\_\_ A Sacramento County Department of Health Services employee; nor  
*INITIALS*

\_\_\_\_\_ An employee of another Public Health Services Act Section 330 recipient; nor  
*INITIALS*

\_\_\_\_\_ An immediate family member (defined as a spouse, child, parent, or sibling [by  
*INITIALS* blood, adoption, or marriage]) of

\_\_\_\_\_ A Sacramento County Department of Health Services employee; nor  
*INITIALS*

**Appendix A**

**Sacramento County Health Center Co-Applicant Board Conflict of Interest:  
*Disclosure and Attestation Statement***

\_\_\_\_\_ A Sacramento County Health Center Co-Applicant Board Officer; nor  
*INITIALS*

\_\_\_\_\_ An employee or governing board member of another Public Health Services Section  
*INITIALS* 330 recipient (aka a Federally Qualified Health Center)

\_\_\_\_\_  
*PRINTED NAME*

\_\_\_\_\_  
*SEAT NUMBER*

\_\_\_\_\_  
*SIGNATURE*

\_\_\_\_\_  
*DATE*