



Broward County HIV Health Services Planning Council BY-LAWS

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By-Laws of the Broward County HIV Health Services Planning Council

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ARTICLE I: Name and Area of Service

- SECTION 1:** The name of the Planning Council shall be “The Broward County HIV Health Services Planning Council” (Council) or such successor name as may be designated by the Broward County Board of County Commissioners.
- SECTION 2:** The area served by the Council shall be Broward County, Florida. The governing body of Broward County is the Broward County Board of County Commissioners.
- SECTION 3:** The Council is established by a resolution of the Board of County Commissioners codified in Part X of Chapter (12 of the Broward County Administrative Code as amended by the Board of County Commissioners).

ARTICLE II: Purpose, Mission, Vision, and Duties

- SECTION 1:** The *purpose* of the Council is to provide planning to promote the development of HIV/AIDS health services, personnel, and facilities that cost-effectively meet identified health needs, reduce inefficiencies, and develop HIV-related health plans.
- SECTION 2:** The Council's *mission* is to direct and coordinate an effective response to the HIV epidemic in Broward County to ensure high-quality, comprehensive care that positively impacts the health of individuals at all stages of illness. In so doing, the council: (1) fosters the substantive involvement of the HIV-affected communities in assuring consumer satisfaction, identifying priority needs, and planning a responsive system of care, (2) supports local control of planning and service delivery, and builds partnerships among service providers, community organizations, and federal, state, and municipal governments, (3) monitors and reports progress within the HIV continuum of care to ensure fiscal responsibility and increase community support and commitment.

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SECTION 3: The Council's **vision** is to ensure the delivery of high-quality, comprehensive HIV/AIDS services to low-income and uninsured Broward County residents living with HIV, by providing a targeted, coordinated, cost-effective, sustainable, and client-centered system of care.

SECTION 4: The **duties** of the Council shall be those specified by the Ryan White Act.

ARTICLE III: Definitions

1. **Ad-Hoc Committee:** A committee established for a limited time or for a specific, defined purpose.
2. **Alternate:** A person appointed by the Board who may be called upon to serve as a voting member of the Council under certain conditions.
3. **Board:** The Broward County Board of County Commissioners.
4. **Cause:** An action determined by the Council to warrant discipline or removal from the Council or a Committee.
5. **Committee:** A group established by the Council to carry out Council-related business.
6. **Community Stakeholder:** A representative from Ryan White Parts B, C, D, or F, Prevention, or from the broader HIV/AIDS care community, including consumers, providers, Recipient agencies, and policy makers.
7. **Consumer:** An individual eligible to receive services under the Ryan White Care Act.
8. **Council:** The Broward HIV Health Services Planning Council, created under Chapter 21, Part X of the Broward County Administrative Code and mandated by the Ryan White Act, Part A.
9. **EMA (Eligible Metropolitan Area):** A geographic area designated for Ryan White Part A funding.
10. **Ex Officio:** Upon completing a term as Chair or Vice Chair, an individual becomes an ex officio member with all corresponding rights and responsibilities. This status continues until the individual leaves the Council or a new leadership team is elected. The immediate past Chair and Vice Chair may be authorized to preside over meetings in the absence of the current Chair or Vice Chair.
11. **Ex Officio for Term Limits:** Members whose Planning Council participation is tied to their professional role and employment within their respective agencies serve for the duration of their position. These individuals occupy job-based seats and are not required to formally renew term limits.
12. **Manual:** The Council's Local Policies and Procedures Manual.
13. **Member:** An individual appointed to the Council by the Board of County Commissioners.
14. **Non-Elected Community Leader:** A person active in the community who has not been elected through formal governmental elections.
15. **PWH/PWA:** A person living with HIV/AIDS.

16. **Part A:** The section of the Ryan White Act administered by Broward County (Department of Human Services – Community Partnership Division).
17. **Ryan White Act:** The Ryan White HIV/AIDS Treatment Extension Act of 2009.
18. **Unaffiliated Consumer:** An individual receiving HIV-related services from Ryan White Part A-funded providers who is not compensated by, employed by, or representing any provider funded under the Ryan White Act.
19. **Work Group:** A task-specific group that provides recommendations but is not subject to attendance, membership, or quorum requirements.

ARTICLE IV: Membership

SECTION 1: Appointment to the Council

1. The Broward County Board of County Commissioners shall appoint all Members and Alternates of the Council.
2. The Council shall consist of not less than twenty (20) members nor more than thirty-five (35) members.
3. The process for forwarding recommendations to the Board is outlined in the Membership/Council Development Committee Section of the Local Policies and Procedure Manual.

SECTION 2: Financial Interest

No individual shall serve on the Planning Council unless they agree to the following:

If the individual is employed by, or is a member of, any public or private entity or organization that is seeking funding under the Ryan White HIV/AIDS Program, and the individual has a financial interest in said entity or organization, the individual shall abstain from participating, either directly or in an advisory capacity, in any deliberation, decision-making, or voting process related to the selection of entities to receive such funding for the purpose in question.

SECTION 3: Council Membership Requirements

The composition of the Planning Council shall adhere to the requirements outlined in the Ryan White HIV/AIDS Treatment Extension Act, as amended. Membership must reflect the structure and representation mandated by the Act to ensure compliance and reflectiveness.

SECTION 4: Recruitment Efforts

Active recruitment efforts shall be undertaken to attract qualified candidates for membership of the Planning Council and its committees. Special emphasis will be placed on ensuring membership reflects the demographics of the Eligible Metropolitan Area (EMA), including gender balance and meaningful representation of racial and ethnic minorities.

SECTION 5: HIV Representation

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To support the Council's goal of increasing representation of individuals with HIV/AIDS, it is recommended that, whenever possible, the Council prioritize nominating PWH to fill vacancies across all applicable membership categories.

SECTION 6: Office Term.

The term of office for Planning Council members and their alternates shall be determined at the discretion of the Broward County Board of County Commissioners, in accordance with Article XII, Section 1-233 of the Broward County Code.

SECTION 7: Term Limits.

The Council will adhere to the March 14, 2023, resolution of the Board of County Commissioners of Broward County, pertaining to Term Limits and membership rotations based on the amended Section 12.109 of the Broward County Administrative Code. The Term Limits procedures are as follows:

The Council members shall each serve a three (3) year term, subject to the provisions of Section 1-233, Broward County Code. Council members shall not serve more than three (3) consecutive three-year terms.

- 1) Following any three (3) consecutive terms, a member is ineligible to serve for one (1) year, after which that individual may be reappointed to the Council by the County Commission.
- 2) The MCDC will recommend prospective members six months prior to the end of each three-year term to the Council.
- 3) The Council will recommend prospective members for appointment four months prior to the end of each three-year term to the County Commission.
- 4) Each term for existing Council members, as defined by the newly established term limits, will commence on January 1, 2024, and conclude on December 31, 2026.
- 5) *For members appointed after January 2024, their term will begin in the month they are officially appointed by the Board of County Commissioners*
- 6) Ex officio members whose Planning Council participation is tied to their professional role and employment within their respective agencies serve for the duration of their position. These individuals occupy job-based seats and are not required to formally renew term limits.

SECTION 8: Attendance.

Attendance of Council meetings shall be in accordance with the Broward County Code of Ordinances section 1-233. The Council may recommend reappointing members who were removed pursuant to the Broward County Code of Ordinances section 1-233. The committee attendance policy mirrors the Council attendance policy. The Chair of the Council shall, at their discretion, determine whether the member's absence meets any of the criteria for an excused absence as set forth in Broward County Code of Ordinance section 1-233. Excused absences for COUNCIL-related business means business outside the regular time and place

of COUNCIL business. Failure to adhere to attendance requirements shall be grounds for removal from the Council or committees.

SECTION 9: Designation of Alternates.

There shall be a minimum of at least three persons living with HIV who reflect the demographics of the epidemic in the County who shall serve as Alternates, appointed, and approved by the Broward County Board of County Commissioners.

- a) An Alternate may only serve as a voting member of the Council when a member with HIV is unable to serve due to HIV-related illness. In such case, the Chair shall appoint an alternate who, to the greatest extent possible, matches the gender, race, and ethnic background of the individual with HIV that is absent. Thereafter, alternates, as directed by the Chair, shall alternate their substitution for PWH members unable to serve due to HIV-related illness.
- b) Alternates may be appointed by the chair as voting members only after Quorum has been established. Alternates may be removed from their seats as described in Section 11 below.

SECTION 10: Membership on Standing Committees.

Council members and Alternates shall join at least one standing committee. Failure to participate on a standing committee within thirty (30) days of appointment shall be grounds for removal from the Council.

SECTION 11: Maximum Standing Committees Council Members May Join.

To be effective (and to avoid burnout), Council members should generally not serve on more than two standing committees. Limiting service to one or two standing committees can allow Council members to focus on an area and develop expertise that can further the work of the Council. Ad-Hoc committees are excluded from this count, as they are temporary and dissolve once their specific tasks are completed.

SECTION 12: Meeting Ground Rules.

All persons in attendance at a meeting of the Council and Committees shall comply with the meeting ground rules adopted by the Council.

SECTION 13: Removal of Members and Alternates, Seat Changes, Outreach/Training, Provider Representatives

- A. Removal of Council members and alternates shall be in accordance with the Broward County Code of Ordinances section 1-233:

- 1. Board meetings on a quarterly or less frequent basis:** Members will be removed after two (2) consecutive unexcused absences or missing two (2) properly noticed meetings in one (1) calendar year.

- 2. Board meetings more frequently than quarterly:** Members will

be removed after three (3) consecutive unexcused absences or missing four (4) properly noticed meetings in one (1) calendar year. If the committee has a joint meeting, the same attendance policy applies.

- B. **Procedure for removal.** If a member or alternate fails to comply with Paragraphs B or C, or for reasons documented in Paragraph D, the Council shall recommend to the Broward County Board of County Commissioners the removal of that Member or Alternate. A removal recommendation requires a majority vote by Council members present at a meeting where Staff has provided written notice to the member or alternate in question, indicating that the item will appear on the agenda. Unaffiliated members and alternates may also be automatically removed for reasons outlined in Paragraph E.
- C. **Recommendation for Removal by Council.**
- a) The Council shall recommend that a member or alternate be removed from service on the Council for refusing to cooperate in a conflict-of-interest review, or when it is determined that the member or alternate knowingly acted or intended to influence the conduct of the Council in a manner as defined in ARTICLE IV, SECTION 2 of these By-laws.
 - b) The Council shall recommend that a member or alternate be removed from the Council for, but not limited to, failure to comply with County regulations or the Council's Local Procedures Manual, failure to comply with meeting ground rules, or failure to maintain committee membership.
- D. **Recommendation for Removal by Individual Council Members.** A Council Member, Council Chair, or Committee Chair may recommend removal for cause of a member or alternate by forwarding to the Membership Committee said recommendation, documenting the reasons for requesting removal. The Membership Committee will review the evidence and make recommendations to the Executive Committee. The Executive Committee will review the recommendation and forward the recommendation to the Council. The final decision to remove a member or alternate must be ratified by the Council. Once ratified, the Council will forward all recommendations for removal to the Board of County Commissioners.
- E. **Automatic Removal.** A member or alternate shall be automatically removed from the Council for failure to comply with attendance policies as outlined in ARTICLE IV, SECTION 8 of these By-laws. A member or alternate shall be automatically removed from the Council in accordance with the Broward County Administrative Code Section 12.108c.
- F. **Affiliated and Unaffiliated Status.** Members changing from affiliated status to unaffiliated status can be appointed by majority vote from one

seat to the other without resigning from the Council. An official letter stating that the Council has voted to appoint a member in the new position with an updated application must be secured and submitted to the Intergovernmental Affairs/Board Section of the Broward County Board of Commission within ten (10) business days.

- G. **Seat Change.** MCDC and the Council shall be notified of changes to representation involving members of the Council holding a mandated seat due to their employment. Such changes shall be informational and immediately forwarded to the Broward County Board of County Commissioners.
- H. **Member participation in outreach and training activities.** Members are expected to participate in a minimum of two (2) Council outreach and training activities per calendar year.
- I. **Number of providers on the HIVPC General Body.** There shall be a maximum of three members from the same provider agency.

ARTICLE V: Officers

SECTION 1: The officers of the Council shall be members of the Council and shall be a Chair and a Vice Chair.

SECTION 2: ELECTIONS

- A. **Election of Officers** shall utilize a majority vote double election system (primary election and a secondary run-off election). Officers shall be elected by the majority vote of those members or alternates serving as members of the Council present and voting at the meeting during which the election is held.
- B. **Regular Biannual Elections.** Regular biannual elections will take place every two years. The ad-Hoc Nominating Committee shall present a slate of candidates for consideration as described in the ad-Hoc Nominating procedure. The Officers shall take office on March 1 or at the first Council meeting of the calendar year. All Officers shall serve a two-year term and shall remain in office until a successor is selected. No officers shall serve more than two consecutive terms in one office.
- C. **Special Elections.** Special Elections will take place as needed. In the event of resignation or other reasons for vacating the Chair or Vice Chair positions, a special election will be held following the procedures outlined in the Nominating Procedure (Article VIII, Section 3, Part A). Until the election is held, the Council will adhere to the line of succession outlined in Article VI, Section 7 (Line of Succession). Individuals elected by virtue of special election will not be considered to have served a full term, and this service will not impact the individual's ability to run for two additional terms.

SECTION 3: The Duties of the Officers are those which usually apply to such officers

and in addition thereto, such other duties as may be designated from time to time by the Council.

SECTION 4: The Official Liaison. The Chair of the Council will serve as the official liaison of the Council with the Broward County Board of County Commissioners and its designated administrative entity. No other Member of the Council or its committees may speak for the Council.

SECTION 5: Council Officers. Except for the Executive Committee, the current Council officers may not serve as Chair or Vice Chair of any Council committee while holding office.

SECTION 6: Acting Committee Chair. Upon proper notice to the committee, the Council Chair or Vice Chair may sit as acting chair of the committee when the Committee Chair or Vice Chair is unable to attend a properly scheduled meeting of the committee. In the event the Council Chair or Council Vice Chair is serving as acting committee chairs, they count towards quorum and have a vote. If the Council Chair or Vice-Chair attends as a guest for a committee meeting, the Chair or Vice-Chair can count toward quorum if needed.

ARTICLE VI: Meetings

SECTION 1: Meeting Protocol

- A. The Council shall meet at least eight (8) times per fiscal year (March 1 – February 29).
- B. Special meetings may be called by the Chair or upon petition of one-third of the membership of the Council.
- C. Written notice shall be given at least one week prior to each meeting.
- D. All HIV Council meetings are open to the public.
- E. Attendance at mandatory Training Activities is also part of Council attendance requirements.

SECTION 2: Quorum

- A. Fifty percent (50%) of the members plus one shall constitute a quorum for the HIV Council, and all standing and ad-Hoc Committees, but with no less than three (3) members voting.
- B. A quorum will be established by Members physically present and Members attending by telephone or video.
- C. A quorum should be established within fifteen minutes of the meeting time.

- D. A majority of Members present and voting at any meeting at which a quorum is present shall be sufficient to act on behalf of the Council.
- E. The number of Members needed to determine quorum shall be the total number of Members of the Council, not including the Member representing the Broward County Board of County Commissioners.
- F. If quorum is not established within fifteen minutes of the meeting time, the meeting may be transitioned to a workshop. Members will be allowed to discuss the items on the agenda, but they are not permitted to vote on those items.

SECTION 3: Voting Privileges

- A. Only duly appointed Members of the Council and/or committee (or the appointed Alternate in their absence) may vote, and each Member (or Alternate) shall have one vote.
- B. Voting privileges are non-transferable. In the event of a tie vote, there shall be a roll call vote and the Chair shall vote last.

SECTION 4: Public Notice of Council Meetings

- A. Public notice of Council meetings shall be given in accordance with Florida Statutes and Broward County Ordinances.
- B. Meetings shall be open to the public.
- C. Records and data shall be made available to the public under the applicable laws.
- D. Minutes of each meeting of the Council or Committee shall be kept.
- E. The accuracy of all minutes shall be certified by the Chair of the Council and/or committees.

SECTION 5: COUNCIL AGENDAS

- A. The Executive Committee shall meet five (5) working days before the regularly scheduled full Council meeting. The Executive Committee (or in the absence of Executive Meeting action), the Council's Designated Staff Member shall prepare an agenda for full Council meetings based upon the following:
 - 1) Each committee chair, the Recipient, or the Council Support Staff will inform the Executive Committee (or Council Designated Staff Member) of committee recommendations and other actions to be presented for the full Council's approval.
 - 2) Motions passed by Committees may be sponsored by the Chair of the Committee on behalf of the Committee and annotated on the Council Agenda as sponsored by the Committee.
 - 3) Individual Members of the Council may request action items be placed on the agenda by providing them in writing to the Council Designated Staff Member before the Executive Committee meeting.

- 4) Members of the public who wish to bring matters before the full Council for consideration must obtain sponsorship of the item by a Member of the Council.
- 5) Requesters of Council actions must provide appropriate backup documentation to explain the requested action.
- 6) The Executive Committee may refer proposed actions to the appropriate committee to examine and make a recommendation before presenting the matter to the full Council for action.
- 7) Proposed motions requiring a vote of the full Council shall be included on the agenda, and all committee agendas and materials shall be prepared and distributed to members at least 48 hours in advance of Committee and full Council meetings.
- 8) At the Executive Committee's discretion, backup documentation will be labeled and distributed on the Council's agenda.
- 9) At the discretion of the Council Chair, action items requested at the Council meeting, not on the published agenda, may be added to the agenda's old/new business portion of the agenda, deferred until the next Council meeting, or referred to the appropriate committee.

B. **The Council agenda shall include:** A Call to Order, Welcome, and Self-introductions (includes an explanation of Ground Rules, Sunshine Law, and HIV self-disclosure), Moment of Silence, Excused Absences, and Appointment of Alternates, Adoption of Agenda, Approval of Minutes, Consent Items, (no discussion required), Discussion Items (discussion required), Committee Reports, Recipient and Other Reports (including, but not limited to Part A, Part B, Part C, Part D, Part F, HOPWA, Prevention), Old/New Business, Public Comment, Announcements, Next Meeting Date, Agenda Items for the Next Meeting, Adjournment. The Executive Committee may order agenda items to administer the Council's business efficiently and effectively.

C. The Executive Committee (or Council Chair in the absence of the Executive Committee) will determine the order of discussion action items on the agenda.

SECTION 6: TIME LIMITS

The Executive Committee will establish time limits for each agenda item for each meeting. The Chair may use discretion to impose time limits on each speaker, to be consistently applied. Upon expiration of the time for discussion of a particular action item, the Chair shall close the debate and call for a vote. A person who has spoken once on a pending matter may not speak again on that matter until all others requesting the floor have been recognized.

SECTION 7: LINE OF SUCCESSION

In the event that both the Chair and Vice Chair are unable to attend a Planning Council meeting, the immediate past Chair or Vice Chair, if currently serving as a member of the Council, shall preside over the meeting.

- A. In the absence of the immediate past Chair or Vice Chair, the meeting shall be chaired by Committee Chairs in the following order:
 - 1. Chair of Priority Setting and Resource Allocation
 - 2. Chair of Membership/Council Development
 - 3. Chair of Community Empowerment
 - 4. Chair of Quality Management
 - 5. Chair of System of Care
 - 6. Chair of the Local Pharmacy Advisory Committee

- B. In the event that the Planning Council Chair position becomes vacant, the duties of the Chair will be assumed by the current Vice Chair. If the Vice Chair position becomes vacant, or otherwise unable to assume the role, duties will be assumed in the following order to ensure continuity of leadership:
 - 1. Immediate past Council Chair or Vice Chair
 - 2. Chair of Community Empowerment
 - 3. Chair of Priority Setting and Resource Allocation
 - 4. Chair of Quality Management
 - 5. Chair of System of Care
 - 6. Chair of Membership/Council Development
 - 7. Chair of the Local Pharmacy Advisory Committee

Pursuant to paragraph B, the order of assumption of duties is established to ensure continuity of meetings. Planning Council Support (PCS) staff will oversee the special election process, while leadership duties are temporarily assumed until the Chair or Vice Chair vacancy is filled in accordance with Article V, Section 2C.

ARTICLE VII: Conflict of Interest

SECTION 1: Compliance with Legal and Ethical Standards

All members and alternates of the Council and its committees shall comply with the Florida Statutes, Broward County Ordinances, and the Broward County Administrative Code, as amended, regarding conflicts of interest for public officials and the Government in the Sunshine Law. Copies of these governing documents will be provided to all Council members and alternates. Each member is required to:

- A. Submit a conflict of interest form at the beginning of each fiscal year
- B. Declare any conflicts of interest at every Council and Priority Setting & Resource

Allocation (PSRA) Committee meeting

SECTION 2: Executive Committee Authority

The Executive Committee is empowered to establish Council policies, review concerns, and make recommendations to the full Council regarding conflict-of-interest matters.

SECTION 3: Disclosure of Conflicts

All Council members and alternates are required to disclose any conflicts of interest. They are also encouraged to request a review of potential conflicts for themselves or for other members or alternates.

SECTION 4: Documentation and Review Process

All conflict-of-interest concerns must be documented in the Council's meeting minutes and referred to the Executive Committee for evaluation. Based on the Committee's recommendations, the full Council will take appropriate action in accordance with established policies.

SECTION 5: Participation During Review

During the review of a conflict of interest, the members or alternates involved may participate in discussions related to the issue but must abstain from voting on the matter.

SECTION 6: Non-Compliance and Termination

A member or alternate may be recommended for termination from the Council and its committees if they refuse to cooperate with a conflict-of-interest review or are found to have knowingly acted to improperly influence Council decisions, in violation of the By-Laws or applicable laws.

ARTICLE VIII: Committees

SECTION 1: Establishment of Committees

- A. The Council shall establish standing and Ad-Hoc committees necessary to fulfill the requirements of the Ryan White Act.
- B. **Committee Chairs and Vice Chairs.**
 - 1. All Council committees shall be chaired by a Part A member of the Council.
 - 2. The Council Chair shall appoint the Committee Chairs and Vice Chairs of each Committee beginning with the date of the Council Chair's term of office.
 - 3. The current Committee Chairs and Vice Chairs shall continue to serve until the new Committee Chairs and Vice Chairs are appointed; the

Council Chair may ask current Committee Chairs and Vice Chairs to remain in their positions.

4. Committee Chairs and Vice Chairs may be appointed, removed, or replaced at the sole discretion of the Council Chair.

C. **Appointment of Committee members.**

1. Committee Chairs shall appoint, with the approval of the Council, the members of each committee.
2. Except as otherwise provided by the By-Laws, a standing or ad-Hoc Committee may include members of the Council and community stakeholders.
3. Committee membership should all be based on the demographics of the epidemic and consideration shall be given to race, ethnicity, self-acknowledged HIV status and sex.

D. **Removal of Committee membership.** The removal of Committee members shall be that of Council members as provided for in Article 4, Section 12, where applicable.

E. **Committee Policies and Procedures.**

1. The Council will approve written policies and procedures for all Committees which will be published in the "Local Procedures Manual."
2. The policies and procedures of each committee must be periodically reviewed by that committee and subsequently approved by the council.

SECTION 2: Standing Committees

A standing committee of the Council is a committee which has a purpose that requires a standing membership and a regular meeting schedule. The standing committees of the Council are:

- A. Executive
- B. Community Empowerment
- C. Membership/Council Development
- D. Priority Setting and Resource Allocation
- E. Quality Management
- F. System of Care
- G. Local Pharmacy Advisory

SECTION 3: There shall be an Executive Committee.

- A. Membership. The Executive Committee shall consist of the Council Chair, the Council Vice Chair, and the Chair or Vice-Chair of each of the standing committees. The immediate past Council Chair or Vice Chair (if the past Chair or Vice Chair is currently a member of the Council) will serve as an ex officio member of the Committee. In the absence of the Standing Committee Chair, the Standing Committee Vice Chair may serve and count towards quorum.
- B. A Vice Chair of a committee does not need to be a member of the Council.
- C. The Executive Committee meets to conduct the business of the Council (excluding priority setting and allocation decisions). The Executive Committee shall:
 - 1. Set the agenda for Council meetings.
 - 2. Address Conflict of Interest issues.
 - 3. Review Membership/Council Development Committee Attendance report to identify Council members, not in compliance with attendance requirements.
 - 4. Oversee the planning activities established in the integrated HIV prevention and care plan.
 - 5. Develop and oversee committee work plans that address comprehensive planning goals and objectives.
 - 6. Ratify recommendations for removal for cause from the Membership/Council Development Committee.
- D. The Committee shall have responsibility for oversight of the planning activities established in the integrated HIV prevention and care plan and development and oversight of committee work plans to address integrated planning goals and objectives.

SECTION 4: There shall be a Community Empowerment Committee.

- A. Membership. The members of the committee shall include but are not limited to representatives of the Council and community stakeholders. No less than 51% of the Council committee members shall be unaffiliated individuals with HIV.
- B. Chair. The Committee Chair or Vice Chair shall be an unaffiliated individual with HIV.
- C. Purpose. The Committee shall inform and solicit the participation of individuals with and affected by HIV/AIDS in the planning, priority setting,

and resource allocation processes. This Committee serves as a bridge between the Council and people with HIV in Broward. It encourages the involvement of individuals with and affected by HIV/AIDS in the Council process.

SECTION 5: There shall be a Priority Setting and Resource Allocation Committee.

- A. Membership. The Members of the Committee shall include but are not limited to representatives of the Council and community stakeholders.
- B. Purpose.
 - 1. The Committee shall recommend to the Council priorities and allocation of Ryan White Part A funds.
 - 2. The Committee shall review, at least quarterly, any deviations in planned expenditure exceeding 10% in any given funding category for reallocation and/or possible reprioritization.
 - 3. The Committee will facilitate the Priority Setting and Resource Allocation Process to include the review of appropriate data (service utilization, epidemiological data).
 - 4. The Committee shall develop, review, and monitor eligibility, and service definitions, including improving quality, cost-effectiveness, and allocation of resources to pharmacy services.
 - 5. When recommended, the Committee shall develop and implement a standardized mechanism for pharmacy services (i.e., drug access, formulary changes, and cost/impact analysis) and coordinate pharmacy services in collaboration with other funding streams (i.e., ADAP, Part B, Medicaid, private payers, including private insurance providers).
 - 6. The Committee shall determine eligibility for Part A services and the Federal Poverty Level.

SECTION 6: There shall be a Membership/Council Development Committee.

- A. Membership.
 - 1. The Members of the Committee shall include but are not limited to, representatives of the Council and community stakeholders.
 - 2. At least two-thirds of the committee members must be Council members.
- B. Purpose.

1. The Committee shall solicit and screen applications based on objective criteria for appointment to the Council to ensure that the demographic requirements of the Council are maintained according to the Ryan White Treatment and Modernization Act and present its recommendations to the full Council.
2. The Committee shall institute orientation and training programs for new and incumbent members.
3. The Committee shall continue to educate the Council and committee members about their respective duties, and the Council's functions and roles in the organization and delivery of HIV/AIDS health and support services.

SECTION 7: There shall be a Quality Management Committee.

- A. Membership. The members of the Committee shall include but are not limited to representatives of the Council and community stakeholders.
- B. Purpose. The purpose of the Quality Management Program for Ryan White Part A in the Broward County EMA is to systematically monitor, evaluate, and continuously improve the quality and appropriateness of HIV care and services provided to all clients receiving Ryan White Part A and Minority AIDS Initiative (MAI) funded services in Broward County.

SECTION 8: There shall be a System of Care Committee

- A. Membership. The members of the Committee shall include representatives of Part A, consumers, community stakeholders, and health policy or healthcare system experts.
- B. Purpose. The System of Care Committee aims to evaluate the system of care in Broward County and analyze the impact of local, state, and federal policy and legislative issues impacting people with HIV in Broward County EMA. The Committee will be responsible for advising the Council on how these issues may impact the Broward County EMA and may recommend response strategies.

SECTION 9: Ad-Hoc Committees

An Ad-Hoc committee of the Council does not require standing membership and may meet on a periodic but not regular schedule. The continuing ad-Hoc committees are the ad-Hoc Nominating Committee and the ad-Hoc By-Laws / Memorandum of Understanding (MOU) Committee. The Council may establish other ad-Hoc committees as necessary.

- A. Ad-Hoc Nominating Committee.

1. Membership. The Nominating Committee shall be composed of not less than five (5) Council members who shall be appointed by the Chair. At least one member shall be a person living with HIV/AIDS.
2. Purpose. The Nominating Committee shall provide a slate of nominations for Members for Chair and Vice Chair of the Council from among current Council Members. The process utilized by the Nominating Committee to prepare and present the slate of officers for consideration for office is identified in that committee's written policies and procedures.

B. Ad-Hoc By-Laws/ MOU Committee.

1. Membership. The members of the committee shall only include Council members and alternates.
2. Purpose. The ad-Hoc By-Laws/MOU Committee shall have the responsibility of periodically reviewing, updating, and maintaining the Council's By-Laws.

SECTION 10: There shall be an Integrated Work Group

- A. Membership.** The workgroup will be composed of the Ryan White Part A HIV Health Services Planning Council, South Florida AIDS Network (SFAN), the Broward County HIV Prevention Planning Council (BCHPPC), and the Ending the HIV Epidemic Advisory Group, with three members and one alternate representing their respective planning or advisory body, as applicable.
1. Members from the Part A program may include Council members, committee members, or other appropriate community stakeholders, such as Housing Opportunities for People with AIDS (HOPWA) /housing; Federally Qualified Health Centers (FQHC)/Hospital districts; Broward County Public Schools; Funded community-based service providers; Behavioral health provider; Client engagement systems, including linkage and re-linkage to care and retention in care; Community leaders.
 2. Part A members will be selected for recommendation by the Executive Committee but must be approved by the Council.
 3. The desired membership of the workgroup should be reflective of the demographics of the epidemic in Broward County, and consideration shall be given to race, ethnicity, self-acknowledged HIV status and sex.
 4. Term limits will be determined by the Integrated Planning Workgroup.

B. Purpose.

1. The workgroup will be responsible for monitoring and providing recommendations for the completion of the activities outlined in the Broward County Integrated HIV Prevention and Care Plan.
2. The workgroup will conduct a comprehensive analysis and review of data from community stakeholders to provide robust recommendations to the Prevention and Care planning bodies and to the Recipients.
3. The workgroup will serve as the feedback loop for the collaborative implementation of the Plan and make appropriate recommendations to the respective planning bodies and HIV funders.

C. Flow of Information.

1. The work group is expected to interact with numerous Prevention, Part A, and Part B teams, work groups, and committees.
2. The workgroup's main points of contact and coordination will be the designated Integrated Planning consultant, Executive Committees of the Council, BCHPPC, SFAN, and EHE Advisory Board.

D. Ratification. The work of the workgroup is provided to the Council, the BCHPPC, SFAN, and the EHE Advisory Body in the form of recommendations and is subject to the approval of the respective planning body.

SECTION 11: Joint Planning Body Meeting.

A joint planning body meeting does not require a standing membership and may meet on a periodic but not regular schedule. The joint planning bodies are the Ryan White Part A HIV Health Services Planning Council, the South Florida AIDS Network, the Broward County HIV Prevention Planning Council, and the EHE Advisory Board.

SECTION 12: There shall be a Local Pharmacy Advisory Committee (LPAC)

- A. Membership. The members of the committee shall include, but are not limited to, members with pharmacological and medical expertise as well as consumer members.
- B. Mission: To improve the quality, effectiveness, and coordination of pharmacy services within the Part A system by providing strategic recommendations, standardizing policies and processes, analyzing utilization data, and ensuring alignment across funding sources to optimize access and resource allocation.

- C. Purpose: The LPAC provides recommendations to enhance the quality, coordination, and resource allocation of pharmacy services within the Part A system of care by:
1. Developing and standardizing pharmacy processes, including policies, procedures, drug access, formulary management, and impact analysis;
 2. Evaluating pharmacy utilization and related data; and
 3. Reviewing pharmacy services across funded entities (e.g., ADAP, Part A, Part B, Medicaid, and private insurance), as well as current pharmacologic treatment regimens and federal guidelines.

ARTICLE IX: General Provisions

Section 1: Fiscal Year

The fiscal year for the Planning Council shall begin on March 1st and end on the last day of February.

Section 2: Procedures and Governance

When procedures are not addressed by Broward County Ordinance or these By-Laws, the most recent version of the Council's Policies and Procedures shall apply. The Chair of the Council and its committees shall conduct meetings in accordance with *Robert's Rules of Order*.

Section 3: Relationship with the Recipient

Unless otherwise specified in the Ryan White Act or other applicable laws or regulations, the relationship between the Planning Council and the Recipient is outlined in the *Ryan White Part A Manual* and the *Ryan White Part A Planning Council Primer*. The Recipient is responsible for managing relationships between subrecipients/providers and clients.

Section 4: Member Reimbursement

Planning Council Support (PCS) funds may be used to reimburse Council and committee members who are consumers of Ryan White HIV/AIDS Program Part A services for reasonable and allowable expenses incurred while performing their duties. Reimbursements are subject to approved Council policies, applicable laws, and available PCS budget. Eligible expenses include:

- Local travel and transportation (coordinated by PCS staff)
- Parking and mileage
- Childcare costs (babysitter or childcare center) at a reasonable and customary rate
- Meeting refreshments

To receive reimbursement, members or alternates must complete the required forms.

Section 5: Review of By-Laws

The Executive Committee shall ensure that the Council's By-Laws are reviewed every two years, or as needed, in response to changes in County ordinances, HRSA policies, or federal legislation.

Section 6: Virtual Meetings

The Council shall conduct virtual meetings in accordance with applicable County Ordinances or Executive Orders.

ARTICLE X: Adoption and Amendments of By-Laws

Section 1: Authority to Adopt or Amend

These By-Laws may be adopted, amended, or repealed by a majority vote of the Planning Council.

Section 2: Notice of Proposed Amendments

All proposed amendments, along with the full text of the changes, shall be sent to each Council member and alternate—either by mail or electronically—at least ten (10) days prior to the meeting where the amendments will be considered for adoption.

Section 3: Effective Date

Unless otherwise specified, these By-Laws and any approved amendments shall take effect immediately upon approval by the Council.

END OF DOCUMENT

Approved 8/24/09, 11/18/09 (Article VII, Section 1B), 1/28/10 (Article VII, Section 1D), 1/26/12 (Article V, Section 2), 5/23/13 (Article III, Section 15, 18; Article IV, Section 7, 8, 11A,B; Article VI, Section 1, 2, 5A, 8B; Article VIII, Section 1B, 1C, 4A), 12/12/13 (Article IV, Section 11; Article VI, Section 5; Article VIII, Section 4, 5, 7), 5/22/14 (Article III; Article VI, Section 8; Article VIII, Section 1,2,4,5,6,7,8,9), 7/24/14 (Article IV, Section 9; Article V, Section 2; Article VI, Section 5, 8; Article VIII, Section 1,2,5,6,8,10), 3/26/15 (Article IV, Section 9, 11; Article VIII, Section 4; Article X, Section 4), 4/17/17 (Article VIII, Section 2; Article VIII, Section 3, C; Article VIII, Section 6; Article VIII, Section 7, B), 8/31/17 (Article VIII, Section 11); 10/25/18 (Article IV, Section 1; Article X, Section4); 2/23/2023 (Article II, Sections 2 and 3); Article IV Section7&8, 12A,D,F,G,&H; Article V Section 6; Article VI Section 2(c), Article VII Section 1; Article VIII Section 3B, Section 4 A&B, Section 5B, Section 10A, Section 11; Article X Sections 2,3,5, and 6; 1/25/2024 Article IV, Section 7 & 11; Section 13, I; Approved 08/28/25 Article VIII, Section 5, C, Article VI, Section 2, Article IV, Section 11, Article III, Definition 14, Article IV, Section 4, and Article IV, Section 7; 08/27/2026 (Article III, Definition 10-11; Article VI, Section 1A and Section 7(A,B); Article VIII, Section 10 (4) and Section 12 (A-C).

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