Hardin County Board of Developmental Disabilities
POLICY

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Title: Board Appointed Committees		
Regulatory Authority: ORC 121.22		
Effective Date: 9/18/2018, Review Date: 2/15/2022		
Reviewer/Job Title: Superintendent or designee		

BOARD APPOINTED COMMITTEES

(A) DEFINITIONS

"Direct services contract" means any legally enforceable agreement with a consumer, agency, or other entity that, pursuant to its terms or operation, may result in a payment from the Board to a consumer or to a member of the immediate family of a consumer for services rendered to the consumer. "Direct services contract" includes a contract for supported living pursuant to the Ohio Revised Code, family support services under the Ohio Revised Code, and reimbursement for transportation expenses.

"Family" means parent(s), brother(s), sister(s), spouse, son(s), daughter(s), grandparent(s), aunt(s), uncle(s), cousin(s), or guardian(s) of the consumer. "Family" also means person(s) acting in a role similar to those specified even though no legal or blood relationship exists if the consumer lives with the person(s) and is dependent on him or her to the extent that if the supports were withdrawn another living arrangement would have to be found.

"Former board member" means a person whose service on the Board ended less than one year prior to commencement of services under a direct services contract.

"Former employee" means a person whose employment by the Board ended less than one year prior to commencement of services under a direct services contract.

"Guardian" means the court appointed guardian of the person of a minor or an adult. If no guardian of the person has been appointed for a minor, "guardian" means either parent of a minor unless the parents are separated or divorced or their marriage has been dissolved or annulled, in which case "guardian" means the parent who is the residential parent and legal custodian of the minor. If no guardian of the person has been appointed for a minor and the minor is in the legal or permanent custody of a person or government agency, "guardian" means that person or government agency

(B) SPECIAL COMMITTEES

(1) The Board shall authorize such special committees as are deemed necessary and the members of such committees shall be appointed by the President. A special committee shall report its recommendations to the Board for appropriate action.

(2) No committee shall have more than three Board members assigned to it. No more than three members of the Board shall attend any committee meeting. No legislative or administrative responsibility shall be delegated to a committee. However, a committee may be assigned general duties to study, investigate, consult and make recommendations to the Board.

(C) AD HOC COMMITTEES

(1) Members of the Board may be appointed to ad hoc committees which include citizens, administrators or other governmental officials when it is deemed beneficial to the schools or to the community.

(D) ETHICS COMMITTEE (COUNCIL)

(1) During the annual organizational meeting, the President of the Hardin County Developmental Disabilities Board shall appoint three members of the Board to an Ethics Council. The President may be one of those appointed and the superintendent shall be a non-voting member of the Council. The President shall not appoint a Board Member to the Ethics Council if the member, or any member of the their family, will have any interest in any direct services contract under review by the Council while the member serves on the Council or during the twelve month period after completion of their council service.

(2) The Ethics Council shall recommend approval or disapproval of all direct service contracts which may result in direct payment to an eligible person or to a member of the eligible person's family according to this policy in order to maintain impartiality in the delivery of Board provided or Board contracted supports and services. The Ethics Council shall develop, for recommendation to the Board, policy regarding ethical standards, contract audit procedures and grievance procedures with respect to the award and reconciliation of the direct services contract.

(3) The Board will not enter into a direct services contract that would result in payment to a Board member, former Board member, employee, former employee, or member of the immediate family of a Board member, former Board member, employee or former employee if the person who would receive services under the contract stands to receive any preferential treatment or any unfair advantage over other consumers.

(4) The Board will not enter into a direct services contract for services provided through Family Support Services, Supported Living or other Board funding under which an individual, agency or other entity will employ an individual who is also a Board employee unless all of the following conditions are met:

(a) The employee is not in a capacity to influence the award of the contract;

(b) The employee has not attempted in any manner to secure the contract on behalf of the individual agency, or other entity;

(c) The employee is not employed in a position that requires a management 2 or 3 level certificate and does not complete service and support administration functions;

(d) The employee is not employed by the Board during the period when the contract is developed as an administrator or supervisor responsible for approving or supervising services to be provided under the contract and agrees not to take such a position while the contract is in effect, regardless of whether the position is related to the services provided under the contract;

(e) The employee has not taken any actions that create the need for services to be provided under the contract; and

(f) The individual, agency or other entity seeks the services of the employee because of the employee's expertise and familiarity with the care and condition of one or more consumers and other individuals with such expertise and familiarity are unavailable, or a consumer has requested to have the services provided by that employee.

(5) The prosecuting attorney, at the request of the Board, will prepare a legal review of any direct services contract that has been recommended, or recommended with revisions, by the Council. The Board will enter into only those contracts submitted for review that are determined by the prosecuting attorney to be in compliance with state law.

(6) An additional duty of the Ethics Council is to review outside employment of a service or professional employee of the Board with an agency contracting with the Board and any outside employment dependent upon Board funding.

(7) The Ethics Council shall meet monthly or as needed prior to Board meetings to perform its functions. Any action taken by the Ethics Council shall be in public to afford the affected party the opportunity to meet with the Ethics Council on matters related to the direct services contract or any action taken by the Council. Official minutes will be taken at all Ethics council meeting and shall be part of the Public Records of the County Board. The Board shall not enter into any contract that is not recommended by the Ethics Council.

(8) The Ethics Council shall certify to the Board its recommendations, with any specified revisions, to each contract.