

Bylaws  
Adult Protection Coordinating Council

Article I.      Name

The name of the group shall be the Adult Protection Coordinating Council herein referred to as the Council.

Article II.      Mission and Purpose

**Section 1:**

Section 43-35-320 of the S.C. Code of Laws provides that the Council shall generally:

1.      Coordinate the planning and implementation efforts of the entities involved in the adult protection system.
2.      Facilitate problem resolution and develop action plans to overcome problems identified within the system.
3.      Develop methods of addressing the ongoing needs of vulnerable adults, including increasing public awareness of adult abuse, neglect and exploitation.
4.      Remain abreast of new trends in adult protection from national clearinghouses and appropriate entities.

**Section II:**

Section 43-35-330 of the S.C. Code of Laws requires the Council to specifically:

1.      Provide oversight in adult protection and to recommend changes in the system.
2.      Identify and promote training on critical issues in adult protection.
3.      Facilitate arrangements for continuing education seminars and credits, when appropriate.
4.      Coordinate agency training when possible to avoid duplication.
5.      Coordinate data collection and conduct analyses including periodic monitoring and evaluation of the incidence and prevalence of adult abuse, neglect and exploitation.

6. Determine and target problem areas for training based on the analysis of the data.
7. Promote resource development.
8. Assist with problem resolution and facilitate interagency coordination of efforts.
9. Promote and enhance public awareness.
10. Promote prevention and intervention activities to ensure quality of care for vulnerable adults and their families.
11. Provide technical assistance for developing memoranda of agreement among involved entities.
12. Promote coordination and communication among groups and associations that may be affected by the Adult Protection Coordinating Council's actions through the use of memoranda of agreement.

**Section III:**

The Council has no authority to direct or require any implementing action from any member or entity.

**Section IV:**

Duties of the Council are subject to the appropriation of funding and allocation of personnel sufficient to carry out the functions of the Council.

**Section V:**

The Council shall review within two years studies or reports that have not been implemented. The purpose of this review will be to determine the pertinence or appropriateness of the subject matter for follow-up study or action.

Article III.     Membership

**Section I:**

Membership shall include:

1. One member from the institutional care service provision system or a family member of a consumer of the system, to be appointed by the Governor for a

term of two years.

2. One member from the home and community-based service provision system or a family member of a consumer of that system, to be appointed by the Governor for a term of two years.
3. Attorney General or a designee.
4. Board of Long Term Health Care Administrators, Executive Director or a designee.
5. State Board of Nursing for South Carolina, Executive Director or a designee
6. Division on Aging, Office of the Governor, Director or a designee (now the Bureau of Senior Services, Department of Health and Human Services).
7. Criminal Justice Academy, Executive Director or a designee (now the Criminal Justice Academy Division, Department of Public Safety).
8. South Carolina Department of Health and Environmental Control, Commissioner, or a designee.
9. State Department of Mental Health, Director, or a designee.
10. South Carolina Department of Disabilities and Special Needs or a designee.
11. Adult Protective Services Program, Director or a designee.
12. Health and Human Services Finance Commission, Executive Director or a designee (now the Department of Health and Human Services).
13. Joint Legislative Committee on Aging, Chair, or a designee.
14. Police Chiefs' Association, President, or a designee.
15. Prosecution Coordination Commission, Executive Director, or a designee.
16. South Carolina Protection and Advocacy System for the Handicapped, Inc., Executive Director or a designee (now Protection and Advocacy for People with Disabilities, Inc.).
17. South Carolina Sheriffs' Association, Executive Director or a designee.
18. South Carolina Law Enforcement Division, Chief, or a designee.

19. Long Term Care Ombudsman or a designee.
20. South Carolina Medical Association, Executive Director, or a designee;
21. South Carolina Health Care Association, Executive Director, or a designee.
22. South Carolina Home Care Association, Executive Director, or a designee.

**Section II:**

Each Commissioner, Executive Director, Director or manager of a member entity shall be entitled to one vote. Interim and Acting Commissioners, Executive Directors, Directors or managers of a member entity, or their designees, will be full voting members of the Council for the duration of their appointments.

**Section III:**

Members appointed by the Governor shall serve without compensation. State employees shall serve in the course of their regular duties and are not eligible for compensation from the Council.

Article IV. Officers

**Section 1:**

The officers shall be Chairman and Vice Chairman.

**Section II:**

The term of office shall be one two-year term.

**Section III:**

Election of new officers shall be held at the meeting immediately prior to the expiration of the current officers' two-year term. Duties will be assumed at the meeting following the meeting in which elections were held.

**Section IV:**

The Chair will assume the following duties:

1. Preside at all meetings.
2. Be the spokesperson of the group.

3. Appoint committees as necessary.
4. Be responsible for working with designated staff that provide support for the Council's activities.
5. Perform other duties as necessary.

The Vice Chair shall perform duties of the Chairman in his or her absence or disability and other assigned or delegated duties at the request of the Chair.

**Section V.**

Service in any one office shall be limited to no more than two full two-year terms. After a break in service, a member may again be considered for an office.

**Section VI:**

If the office of the Chair should become vacant, the Vice-Chair shall assume the position of Chair. If the office of the Vice-Chair becomes vacant, the remaining members shall vote at their earliest convenience on the vacancy to fill the unexpired term. Election to an unfulfilled term shall not be considered in determining the two consecutive two-year terms.

**Section VII:**

Officers shall be elected by simple majority of the membership.

Article V.     Meetings

**Section I:**

The Council shall meet at least once each calendar quarter. Meetings may be called by a petition of two-thirds of the Council membership.

**Section II:**

Meeting dates shall be established by consensus of the Council members. A regularly scheduled meeting may be canceled and rescheduled.

**Section III:**

All material relevant to agenda items shall be mailed two weeks in advance of the meeting date. Exceptions may be made when this is absolutely unavoidable.

**Section IV:**

Actions voted on in the previous meeting may not be reconsidered due solely to the absence of any member.

**Section V:**

A quorum is twelve voting members. Members shall sit in the areas designated for members.

**Section VI:**

A simple majority of the members shall represent the desire of the Council.

**Section VII:**

Staffing for the Council shall be the responsibility of the State Health and Human Services Finance Commission. Staff from member and non-member agencies may be requested to provide expertise at the pleasure of the Council and the convenience of the manager of the agency or organization.

Article VI: Committees

Standing committees shall not be created by the Council unless: (1) there is an appropriation of funding and allocation of personnel sufficient to carry out the functions of the Council as mandated in Section 43-35-330 or, (2) member entities agree to provide staff support until the Council is funded and has a staff allocation.

Article VII: Amendments

Bylaws may be amended by a two-thirds majority of the voting membership of the Council, provided the proposed changes are not in conflict with the South Carolina Statutes. Such changes shall be presented at the regularly scheduled meeting preceding the meeting at which the proposed change is voted on.

Article VIII: Parliamentary Authority

Roberts Rules of Order shall constitute the ruling authority in all cases in which they are not inconsistent with the Bylaws or any other statute of this State.

Adopted February 7, 1994

Revised February 11, 2002 (Article II, Section V added, technical changes made)