

IC 12-21-4

Chapter 4. Division Advisory Council

IC 12-21-4-1

"Council"

Sec. 1. As used in this chapter, "council" refers to the division of mental health and addiction planning and advisory council established by this chapter.

As added by P.L.2-1992, SEC.15. Amended by P.L.215-2001, SEC.58; P.L.28-2012, SEC.4.

IC 12-21-4-2

Establishment

Sec. 2. The division of mental health and addiction planning and advisory council is established. Any reference in statute or rule to the "mental health and addiction advisory council" is a reference to the mental health and addiction planning and advisory council.

As added by P.L.2-1992, SEC.15. Amended by P.L.215-2001, SEC.59; P.L.28-2012, SEC.5.

IC 12-21-4-3

Members

Sec. 3. The council consists of the following twenty-nine (29) members, not less than fifty percent (50%) of whom must be individuals who are not state employees or providers of mental health services:

- (1) The director.
- (2) The state superintendent of public instruction or the superintendent's designee.
- (3) The director of the office of Medicaid policy and planning, or the director's designee.
- (4) The director of the bureau of rehabilitation services or the director's designee.
- (5) The executive director of the Indiana housing and community development authority created by IC 5-20-1-3 or the executive director's designee.
- (6) The director of the criminal justice institute or the director's designee.
- (7) The director of the department of child services or the director's designee.
- (8) Twenty-two (22) individuals who:
 - (A) are appointed by the secretary;
 - (B) have a recognized knowledge of or interest in the programs administered by the division, including representatives of parents of children with serious emotional disturbances;
 - (C) are appointed for a term of four (4) years; and
 - (D) serve until a successor is appointed.

As added by P.L.2-1992, SEC.15. Amended by P.L.28-2012, SEC.6.

IC 12-21-4-4

Repealed

(As added by P.L.2-1992, SEC.15. Repealed by P.L.28-2012, SEC.7.)

IC 12-21-4-5

Chairperson

Sec. 5. The director serves as chairperson of the council at the first meeting of the council held after July 1 of each year. At the first meeting of the council after July 1 of each year, the director may appoint a chairperson of the council from among the members of the council for a term of one (1) year.

As added by P.L.2-1992, SEC.15. Amended by P.L.28-2012, SEC.8.

IC 12-21-4-6

Meetings

Sec. 6. The council shall meet at least quarterly and is subject to special meetings at the call of the chairperson.

As added by P.L.2-1992, SEC.15. Amended by P.L.28-2012, SEC.9.

IC 12-21-4-7

Repealed

(As added by P.L.2-1992, SEC.15. Repealed by P.L.28-2012, SEC.10.)

IC 12-21-4-8

Term

Sec. 8. (a) This section applies to a member of the council who is appointed under section 3(8) of this chapter.

(b) Notwithstanding section 3(8)(C) of this chapter, for the appointments made in 2012, eleven (11) members shall be appointed for a term of four (4) years, and eleven (11) members shall be appointed for a term of three (3) years.

As added by P.L.28-2012, SEC.11.

IC 12-21-4-9

Terms of ex-officio members

Sec. 9. An individual serving on the council under section 3(1) through 3(7) of this chapter shall serve until the individual no longer holds the individual's office described in section 3(1) through 3(7) of this chapter. The appointing authority for an individual serving on the council under section 3(1) through 3(7) of this chapter shall appoint a replacement for an appointee who ceases to be a member.

As added by P.L.28-2012, SEC.12.

IC 12-21-4-10

Quorum

Sec. 10. All members of the council are voting members. A majority of the appointed members constitutes a quorum. The affirmative vote of a majority of the appointed members is required for the council to take any action.

As added by P.L.28-2012, SEC.13.

IC 12-21-4-11**Salary per diem; travel expenses**

Sec. 11. Each member of the council who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

As added by P.L.28-2012, SEC.14.