

Guiding Factors

Roberts Rules of Order

- guides advisory committee meetings and decisions

Circular C-022: Health and Human Services Enterprise Policy for Advisory Committees

- Establishes system-wide guidelines regarding HHS agency advisory committees
- Notes that advisory committees are responsible for following all applicable laws and agency rules including the Texas Open Meetings Act and the Texas Public Information Act as well as the Ethics rules, laws, and HHS Ethics Policy
- Takes public comment

2016 Texas Open Meetings Act

"The term "public comment," however, provides sufficient notice of a "public comment" session, where the general public addresses the governmental body about its concerns and the governmental body does not comment or deliberate, except as authorized by section 551.042 of the Government Code.209 "Public comment" will not provide adequate notice if the governmental body is, prior to the meeting, aware, or reasonably should have been aware, of specific topics to be raised." (pg 30)

The Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting, but any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting. Section 551.042 of the Act provides for this procedure:

(a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

(1) a statement of specific factual information given in response to the inquiry; or

(2) a recitation of existing policy in response to the inquiry.

(b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. (pg 41)

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