

Texas Respite Advisory Committee Bylaws

- A) Name of the Committee.** The name of the committee is the Texas Respite Advisory Committee (TRAC).
- B) Applicable Statute.** The TRAC is established by the Executive Commissioner (EC) of the Texas Health and Human Services Commission (HHSC) under Texas Government Code §531.012. The Lifespan Respite Care Act (42 United States Code, §300ii) authorizes a state agency to collaborate with a public or private statewide coalition to address the respite needs of family caregivers of adults or children with special needs. Texas Human Resources Code §161.079 directs the Texas Department of Aging and Disability Services (DADS) to coordinate public awareness outreach efforts regarding the role of informal long-term caregivers. Texas Human Resources Code, Chapter 161, Subchapter F, creates the Lifespan Respite Services Program operated by DADS.
- C) Purpose and Tasks.** The TRAC assists DADS or HHSC (In this document, both agencies are referred to as HHSC.) to develop strategies to reduce barriers to access respite services; improve the quality of respite services; and provide training, education and support to family caregivers. The tasks of the TRAC include:
1. assisting HHSC to identify barriers and best practices for providing and coordinating respite services in Texas;
 2. responding to requests from HHSC for information about the respite needs of caregivers;
 3. advising HHSC about effective methods for expanding the availability of affordable respite services in Texas through the use of funds available from respite care programs;
 4. cooperating and sharing resources and knowledge among community stakeholders to facilitate barrier free access for primary caregivers; and
 5. educating the public on the need for community-based options for primary caregivers.
- D) Composition of the TRAC.** TRAC is composed of no more than 24 members appointed by the EC or designee, The 24 appointed members consist of:
1. family caregivers;
 2. primary caregivers;
 3. providers of respite services;
 4. faith-based organizations;
 5. advocacy organizations; and
 6. members of the general public interested in the issue of respite care.

Two appointed members will represent unpaid family caregivers of individuals who have a disability or a chronic condition requiring long-term services and supports.

- E) Appointment of Committee Members.** A TRAC member is appointed, per HHS Circular C-022 or its successor, for a two-year term with an automatic reappointment for an additional two-year term unless the committee member notifies the Chair, in writing, of the intent to no longer continue as a committee member. The EC or designee will solicit applications through GovDelivery, from eligible organizations or individuals, including posting the opening on the HHSC website for a minimum of 10 business days. At the discretion of the EC or designee, the posting may stay on the Department website for longer than 10 business days.
- F) Honorary Members.** Honorary members of the TRAC are Texas state employees. The employees are designated by the highest ranking official of that state agency. Honorary members are non-voting members of the TRAC. The EC or designee reserves the right to limit the number of honorary members that serve on the TRAC and to approve the honorary members that serve on the TRAC.
- G) Chair.** A member of the committee will be designated as the Chair of the Committee.
1. The Chair presides at all committee meetings. If the Chair will be absent from a meeting, and will not participate by telephone, the Chair appoints a temporary Chair to carry out the duties of the Chair.
 2. The Chair does not vote, except in instances of a tie, as noted in Section N.
 3. The Chair may serve on any subcommittee of the TRAC.
 4. The Chair ensures required reports and communications, including the biannual report, committee recommendations, and meeting minutes, are submitted to the designated Department staff person.
 5. An honorary member may not serve as Chair.
- H) Resignations.** A TRAC member may resign from the committee by notifying the Chair or designee, by mail or e-mail.
- I) Removal.** A TRAC member may be removed from the committee at the discretion of the Chair if the member cannot discharge the TRAC duties because the member:
1. is absent from at least two meetings during a calendar year;
 2. violates a provision of the TRAC bylaws; or
 3. commits another form of misconduct that impairs the member's effectiveness as a committee member.

To remove a member, the Chair or designee must send the member a letter by First-Class mail or e-mail informing the member of the removal and the reasons for the removal. The removal is effective seven calendar days after postmark of the letter or timestamp of the e-mail.

Honorary members may not be removed by the Chair and are exempt from the attendance requirements.

- J) Filling Vacancies for Unexpired Terms on the Committee.** Vacancies will be filled using the procedures in Section E. If a TRAC member resigns or is removed before

the member's term has expired, the successor member appointed to fill the vacancy serves for the duration of the unexpired term.

K) Meetings. The TRAC committee will meet quarterly:

1. The committee may meet more frequently as determined by the Chair.
2. The EC or designee determines the time and place of meetings.
3. For purposes of transacting business, a quorum of the TRAC consists of five TRAC members.
4. The TRAC conducts meetings in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551 and applicable HHSC policy.

L) Attendance. A TRAC member may attend TRAC meetings in person or by telephone. A TRAC member must notify the Chair and the designated HHSC staff person no later than 24 hours in advance of the scheduled meeting if the member is unable to attend the meeting. Missing a meeting will still count as an absence under Section I. If a TRAC member is unable to attend a committee meeting, the member may designate a representative to observe the meeting in the place of the member, after notifying the Chair and the designated HHSC staff person. The representative is not permitted to vote on behalf of the TRAC member and the representative's presence at the meeting does not count towards a quorum.

M) Compensation. HHSC does not compensate TRAC members for conducting TRAC business.

N) Procedures.

1. The TRAC uses Robert's Rules of Order, Newly Revised, as the basis of parliamentary decisions, except where otherwise provided in the bylaws.
2. The TRAC makes decisions by a simple majority vote, after a quorum has been obtained.
3. The Chair facilitates the discussion of issues, formulates a decision proposal on the issue and calls for a motion to vote.
4. In the event of a tie, the Chair will call for a second vote. If the second vote results in a tie, the Chair will cast the deciding vote.
5. The Chair ensures that notes of the meeting are taken and provided to the committee members for review.
6. The notes will be posted on the HHSC Take Time Texas website.

O) Subcommittees.

1. The Chair may establish subcommittees as necessary to assist the TRAC in carrying out its duties.
2. The Chair appoints members of the TRAC to serve on subcommittees and to serve as subcommittee Chairs.
3. Subcommittees meet when called by the subcommittee Chair or when directed by the TRAC Chair.

4. The subcommittees post meeting notices as required by the Open Meetings Act, Texas Government Code, Chapter 551, and applicable HHSC policy.
5. A subcommittee Chair makes regular oral reports to the TRAC at a scheduled TRAC meeting or submits interim written reports to the Chair as needed. The reports must include a summary of each subcommittee meeting.

P) Activities of Members.

1. The TRAC is not bound by any statement or action on the part of any committee member except when a statement or action is authorized by the TRAC Chair and TRAC.
2. The TRAC and individual committee members may not, on behalf of the committee, influence or attempt to influence the passage or defeat of any legislative measure or the outcome of any election. However, the TRAC or an individual committee member may inform and educate legislators and others about matters within the TRAC's purview. TRAC members are not prohibited from representing themselves in a personal capacity in the legislative process; however, TRAC members must not appear to represent the TRAC when acting in a personal capacity through written communication, oral communication or other forms of communication.
3. A TRAC member cannot disclose confidential information acquired through his or her committee membership.
4. A TRAC member who has a personal or private interest in a matter pending before the TRAC must publicly disclose the interest in a TRAC meeting. The member is prohibited from voting or otherwise participating in decisions regarding the personal or private interest. For purposes of this section, the phrase "personal or private interest" means the TRAC member has a direct pecuniary interest in a matter pending before the TRAC but does not include the member's engagement in a profession, trade or occupation when the member's interest is the same as all others similarly engaged in the profession, trade, or occupation.

Q) Adoption of Bylaws and Amendments to Bylaws. In accordance with HHS Circular C-022 or its successor, HHSC maintains bylaws for use in providing operational guidance to the TRAC.

Bylaws are effective on June 3, 2016.