



**BYLAWS  
OF THE  
BRAIN AND SPINAL CORD  
INJURY  
ADVISORY COUNCIL**

**ADOPTED SEPTEMBER 28, 2016  
AMENDED NOVEMBER 07, 2024**

## ARTICLE I – NAME AND PURPOSE

**Section 1 – Name:** The name of the Council shall be the **Brain and Spinal Cord Injury Advisory Council** (BSCIAC) as provided for in section 381.78 (1), Florida Statutes.

**Section 2 – Purpose:** The purpose of the Council is to provide advice and expertise to the Department of Health (DOH) in the preparation, implementation and periodic review of the Brain and Spinal Cord Injury Program (BSCIP) as referenced in section 381.78 (4) (a), Florida Statutes.

## ARTICLE II – COMPOSITION AND MEMBERSHIP

**Section 1 – Composition:** The Council shall be composed of sixteen (16) members as referenced in section 381.78 (1), Florida Statutes, as follows:

- Four (4) persons who have brain injuries or family members of persons with brain injuries;
- Four (4) persons who have spinal cord injuries or family members of persons who have spinal cord injuries;
- Two (2) persons who represent the special needs of children who have brain or spinal cord injuries;
- Two (2) veterans who have brain injuries or family members of veterans with brain injuries;and,
- Six (6) persons composed of physicians, other allied health professionals, administrators of brain and spinal cord injury programs, and representatives from support groups that have expertise in areas related to the rehabilitation of persons who have brain or spinal cord injuries.

**Section 2 – Membership Appointments:** The State Surgeon General shall appoint the members of the Council in accordance with section 381.78 (2), Florida Statutes.

**Section 3 – Membership Terms:** All members shall serve for a term of four (4) years and may serve for no more than two terms (two consecutive or lifetime terms) in accordance with section 381.78 (2), Florida Statutes.

**Section 4 – Membership Resignation, Termination and Absences:** Any Council member who is unwilling, or unable to properly fulfill the duties of the office shall be succeeded by a person chosen by the State Surgeon General to serve out the balance of the replaced Council member's term. If the balance of the replaced Council member's term is less than 18 months, then the State Surgeon General may reappoint the succeeding member twice in accordance with section 381.78 (2), Florida Statutes.

Members may be removed from office by the State Surgeon General for malfeasance, misfeasance, negligence of duty, incompetence or permanent inability to perform official duties or for pleading nolo contendere to or found guilty of a crime. Malfeasance includes, but is not limited to, a violation of any specific prohibition within Chapter 381 in accordance with the provisions of section 381.78 (7), Florida Statutes.

If any Council member is absent for two consecutive meetings, without notice, their second

consecutive absence will be considered as a voluntary resignation. Absence due to military service requirements are exempt from this provision.

**Section 5 – Membership Residency:** All members of the Council shall be residents of the state of Florida.

**Section 6 – Membership Conflict of Interest:** No member shall cast a vote on any matter that would provide direct financial benefit to the member or create a conflict of interest under state law in accordance with the provisions of section 381.78 (6), Florida Statutes.

**Section 7 – Membership Compensation:** No member shall receive any compensation for performance of duties specified in, or arising out of his or her duties as a Council member. Members are entitled to per diem and travel expenses for required attendance at all Council meetings in accordance with section 112.061, Florida Statutes. Reasonable expenses for personal assistant services needed by members during required attendance at Council meetings shall be reimbursed in accordance with provisions of section 381.78 (5), Florida Statutes.

### ARTICLE III - OFFICERS

**Section 1 – Officers and Duties:** There shall be two (2) officers on the Council consisting of a chair and vice-chair. Their duties are as follows:

The chair shall convene regularly scheduled meetings and shall preside or arrange for the vice-chair or another Council member to preside at each meeting.

The vice-chair shall perform the duties of the chair in their absence.

**Section 2 – Election Procedures:** The Council shall conduct the election of officers annually.

Council members shall submit nominations for the chair and vice-chair office to the BSCIP Section Administrator/Council Coordinator.

Council members shall vote by ballot and officers shall be elected by a simple majority vote of the Council.

**Section 3 – Terms:** Officers shall serve for a period of one (1) year and may be re-elected. If an officer is unwilling or unable to fulfill the duties of the office, they shall be succeeded by a person elected by the Council to serve out the balance of the term.

**Section 4 – Removal of Officers:** Officers may be removed from office by a three-fourths affirmation vote of Council membership. Voting for removal from office shall be based upon just cause.

### ARTICLE IV - MEETINGS

**Section 1 – Regular meetings:** The Council shall meet at least two (2) times annually in

accordance with section 381.78 (3), Florida Statutes.

**Section 2 – Special meetings:** The BSCIP Section Administrator/Council Coordinator, in coordination with Chair, may call additional meetings as necessary to meet the needs of the Council.

**Section 3 – Notice of meetings:** The BSCIP shall provide members with an electronic or written notice of each meeting not less than two weeks prior to the meeting.

**Section 4 – Quorum:** Nine (9) Council members or a simple majority of the total number of Council positions currently filled shall constitute a quorum. A quorum is required before voting occurs.

**Section 5 – Voting:** All motions to be voted on shall be decided by a simple majority of the Council members present at the meeting in which the vote takes place. Council members may not vote by proxy.

## **ARTICLE V – SPECIAL COMMITTEES**

The Council, in coordination with the BSCIP Section Administrator/Council Coordinator from DOH may establish special committees as deemed necessary to carry out the work of the Council. The Council, in coordination with the BSCIP Section Administrator/Council Coordinator shall determine the purpose and objectives of the special committees, the number of members and areas of expertise required to carry out the objectives of the special committees, the number of members necessary for a quorum, and other rules governing Special Committees.

**Section 1 – Special Committee Chair:** The Council may elect, by a majority vote of the members present, the Special Committee chair for each Special Committee in coordination with the BSCIP Section Administrator/Council Coordinator. The Special Committee chair may be a member of the Council.

The Special Committee chair will serve until the conclusion of the Special Committee's stated objective(s) and purpose.

Duties of the Special Committee chair shall include:

- Develop agendas for each Special Committee meeting/conference call.
- Submit quarterly status reports to the BSCIP Section Administrator/Council Coordinator and the Council regarding the activities of the Special Committee and its progress towards meeting the objective(s) and purpose of the Special Committee.

**Section 2 – Special Committee Membership:** Special Committee members shall be appointed by the Council in coordination with the BSCIP Section Administrator/Council Coordinator. Special Committee members may be non-council members, if determined as being necessary to achieve the goals of the Special Committee by the Council and BSCIP Section Administrator/Council Coordinator.

Special Committee members will serve until the conclusion of the Special Committee's stated

objective(s) and purpose.

No Special Committee member shall receive any compensation for performance of duties specified in, or arising out of his or her duties as a Special Committee member. Special Committee Members are not entitled to per diem and travel expense reimbursement.

Special Committee members may be removed from service on the Special Committee by the Special Committee chair, in coordination with the Council chair and the BSCIP Section Administrator/Council Director, for malfeasance, misfeasance, negligence of duty, incompetence or permanent inability to perform official duties or for pleading nolo contendere to or found guilty of a crime.

A Special Committee members position on a subcommittee will be vacated if the council member is unable to attend two consecutive subcommittee meetings. At any point in time, a council member has the option to be reinstated by making a request and attendance of the subsequent subcommittee meeting.

**Section 3 - Special Committee Meetings:** Special Committee meetings must be publicly noticed through the DOH public meeting notice process.

Special Committee meetings will be held in conjunction with an Advisory Council meeting or via conference call or webinar.

Minutes should be taken at all Special Committee meeting and once approved should be disseminated to all council members.

Written or electronic notice of Special Committee meetings/conference calls shall be given as far in advance of the meetings/conference calls as possible.

## **ARTICLE VI - AMENDMENTS**

**Section 1 – Bylaw Amendments:** These bylaws may be amended at any meeting by a simple majority vote of the Council members present, with concurrence of the Department of Health, Division of Emergency Preparedness and Community Support, Bureau of Emergency Medical Oversight, Brain and Spinal Cord Injury Program.

**Section 2 - Amendment Submittal:** Proposed amendments to the by-laws shall be submitted to the Council Director and distributed to Council members at least two (2) weeks prior to the meeting for review.

## **CERTIFICATION**

These bylaws were approved by the Brain and Spinal Cord Injury Advisory Council by a majority vote on September 28, 2016.

*Kimberly Reane*

November 7, 2024

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BSCIP Section Administrator/Council Coordinator

Date

*Bern Hill*

November 7, 2024

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Council Chair

Date