

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

AGENCY: DIVISION OF VOCATIONAL REHABILITATION

RULE TYPE: PROCEDURAL

RULE TITLE: FOUR SETS OF RULES WILL BE OPEN FOR PUBLIC COMMENT

1. CONSUMER ADVISORY COMMITTEES FOR GENERAL REHABILITATION SERVICES-MEETINGS AND DUTIES
2. CONSUMER ADVISORY COMMITTEE FOR ATTENDANT CARE SERVICES-MEETINGS AND DUTIES
3. RULES OF PROCEDURE FOR HEARINGS INVOLVING APPLICANTS WHO HAVE BEEN FOUND NOT ELIGIBLE TO RECEIVE REHABILITATION SERVICES
4. RULES OF PROCEDURE FOR HEARINGS INVOLVING APPLICANTS WHO HAVE BEEN DENIED ATTENDANT CARE SERVICES

A PUBLIC HEARING ON THE ABOVE PROPOSED RULES WILL BE HELD AT 1:30PM ON OCTOBER 22, 1986 AT THE P & P BUILDING, SMALL CONFERENCE ROOM, WEST VIRGINIA REHABILITATION CENTER, INSTITUTE, WEST VIRGINIA 25112, ATTENTION DAVID F. GREENE.

COMMENTS ARE LIMITED TO: ORAL _____ WRITTEN _____ BOTH XXX

COMMENTS MAY ALSO BE MAILED TO THE ABOVE ADDRESS PRIOR TO THE HEARING DATE.

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THE PROPOSED RULES.


David F. Greene

FILED
SEP 17 PM 3:51
OFFICE OF THE
SECRETARY OF LABOR

WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION
PROCEDURAL RULES

Consumer Advisory Committees for General Rehabilitation Services
Meetings and Duties

Chapter 18-10A-1 through 15

FILED
1986 SEP 17 PM 3:12
DEPT. OF LABOR
SECRETARY OF STATE

WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION
PROCEDURAL RULES

Consumer Advisory Committees for General Rehabilitation Services
Meetings and Duties

Chapter 18-10A -- 1 through 15

INDEX

	Page
Section 1. General	1
Section 2. Application	1
Section 3. Definitions	1
Section 4. Regular Meetings Established; Time, Place	1
Section 5. Special Meetings; Notice Required, Time, Place, and Purpose	2
Section 6. Proceedings to be Open; Exceptions, Executive Session Permitted	2
Section 7. Minutes	2
Section 8. Quorum; Majority Vote Required; Vote by Proxy Prohibited	3
Section 9. Records of the Committee to be Public	3
Section 10. Election of Officers; Vacancies	3
Section 11. Membership	3

WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION
PROCEDURAL RULES

Chapter 18019A - 1 through 15

Title: Consumer Advisory Committees for General Rehabilitation Services
Meetings and Duties

Section 1. General

1.1. Scope - These procedural rules set forth the means by which the time and place of all regularly scheduled meetings of the Consumer Advisory Committees for General Rehabilitation Services and the time, place and purpose of all special meetings are made available in advance to the public and the news media, except in the event of an emergency requiring immediate official action, and also sets forth certain bylaws of the Committees. These procedural rules also outline the basic purposes of the Committees and the make-up and responsibilities of its membership.

1.2. Authority and Related Code Citations - 18-10A 1-through 15 - 18-10-4A West Virginia Code.

1.3. Filing Date -

1.4. Effective Date -

Section 2. Application - These procedural rules shall apply to the Committees and any and all individuals desiring to attend or to address the Consumer Advisory Committees for General Rehabilitation Services.

Section 3. Definitions.

3.1. Committees - The Consumer Advisory Committees for General Rehabilitation Services.

3.2. Division - The West Virginia Division of Vocational Rehabilitation.

3.3. Director - Director, West Virginia Division of Vocational Rehabilitation.

3.4. Meeting - The convening of a governing body of a public body for which a quorum is required.

3.5. Quorum - A simple majority of the constituent membership of the Committees.

3.6. Officers - Individuals who serve on the Board of Directors of the Committees.

Section 4. Regular Meetings Established; Time, Place.

4.1. Regular meetings shall be held on the third Friday of the months of January, April, July, and October, starting with the year 1987.

4.2. The Committees shall convene all regular meetings in the Small Conference room of the P & P Building at the West Virginia Rehabilitation Center.

Section 5. Special Meetings; Notice Required, Time, Place, and Purpose

5.1. The Committees may convene special meetings in accordance with procedures established herein.

5.2. Special meetings of the Committees may be called by the Chairman, the Secretary-Treasurer, or by two members of the Board of Directors of the Committees upon written request to the secretary.

5.3. The secretary shall send to all members at least 10 days in advance of a special meeting, if possible, a written notice setting forth the time and place of such special meeting and the matter to be considered at such special meeting. Provided that such written notice is not required if the time, place, and matter for consideration has been fixed in a regular meeting or if all the members are present at a special meeting.

5.4. The secretary shall cause the notification of the public and the news media by filing a notice of such special meeting at least ten days in advance of such meeting, if possible, with the secretary of state. The notice shall contain the time, the place, and the matter to be considered.

5.5. The provisions of this section shall not apply in the event of an emergency requiring immediate official action by the Committees.

Section 6. Proceeding to be open; Exceptions Executive Session Permitted

6.1. Notwithstanding any other provision of law or regulation all meetings of the Committees shall be open to the public, except as provided in Chapter 6, Article 9A, Section 4 of the West Virginia Code.

6.2. An executive session may be held only upon a majority affirmative vote of the members present.

Section 7. Minutes

7.1. The Consumer Advisory Committees for General Rehabilitation Services shall provide for the preparation of written minutes of all its meetings. All such minutes shall be available to the public within a reasonable time after the meeting and shall include the following information:

- (a) The date, time and place of the meeting;
- (b) The name of each board member present or absent;
- (c) All motions, proposals, resolutions, orders, ordinances and measures proposed, the name of the person proposing the same and their disposition;
- (d) The results of all votes and, upon request of a member the vote of each member, by name;

(e) Minutes of executive sessions may be limited to material which is not inconsistent with the provisions of Chapter 6, Article 9A, Section 4 of the West Virginia Code.

7.2. A minority report may be included in the minutes upon request of a member.

Section 8. Quorum; Majority Vote Required; Vote by Proxy Prohibited

8.1. A majority of the constituent members of the Committees shall constitute a quorum.

8.2. The vote of a majority of all members present at any meeting of the Committees shall be necessary to take any action. The Committees shall authorize the chairman to poll absent members by telephone regarding the release of a rule for public hearing if a quorum is not present.

8.3. Proxy voting is hereby prohibited.

Section 9. Records of the Committees to be Public - All records and proceedings of the Committees are public records and shall be available to the public during the usual customary business hours of the department.

Section 10. Election of Officers; Vacancies

10.1. There shall be a chairman, a vice-chairman, and a secretary-treasurer elected by the whole Committees to serve one-year terms and be eligible for reelection to succeed themselves.

10.2. Elections shall be held the first meeting of the calendar year.

10.3. All officers shall be members of the board of directors. The Director of Vocational Rehabilitation shall serve as a non-voting member.

10.4. A vacancy shall occur due to death; resignation; failure to attend three consecutive meetings; or removal by the board of directors for misconduct, incompetence, or deemed in the best interest of the organization.

Section 11. Membership

11.1. The Committees shall consist of disabled citizens who may, or may not, be recipients of Vocational Rehabilitation services. Members of disabled persons' families, advocates and members of disabled advocacy organizations, service providers, professionals in the field of Vocational Rehabilitation, and citizens who are in support of the purpose and policy of the Consumer Advisory Committee for General Rehabilitation Services shall be eligible for membership.