

MEETING AGENDA

Meeting: Special Full Board of Trustee Meeting
Date: October 26-27, 2017
Time: 4:15 pm
Location: Trust Authority Building, 3745 Community Park Loop, Anchorage
Teleconference: (844) 740-1264 / Meeting Number: 806 557 134 # / Attendee No: #
<http://thetrust.webex.com>
Trustees: Mary Jane Michael (Chair), Chris Cooke (Vice Chair), Laraine Derr (Secretary / Treasurer), Paula Easley, Greg Jones, Jerome Selby, Carlton Smith

Thursday, October 26, 2017

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- 4:15p** **Call to Order – Mary Jane Michael, Chair**
Roll Call
Approval of Agenda
Ethics Disclosure
- 4:20** **Welcome**
- 4:30** **Public Comment**
- For Public Comment Guidelines click [here](#)

Friday, October 27, 2017

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9:00a	Call to Order – Mary Jane Michael, Chair	
	Announcements	
9:05	Resource Management Committee Report	
9:20	Finance Committee Report	
9:40	Trust Governance – facilitated by Catherine Woods	
	1) Overview	
	2) Bylaws	6
	3) Authorities	
	a. Program and Planning Committee	12
	b. Resource Management Committee	14
11:00	Break	
11:15	Trust Governance	
	1) Charter – Board of Trustees	16
	2) Charters – Board Officers	24
	3) Charters – Board Committees	29
	4) Charter – Chief Executive Officer	46
12:15p	Working Lunch	
12:45	Trust Governance	
3:00	Break	
3:15	Trust Governance	
4:30	Adjourn	
	Other Documents for Reference	
	• Written Public Comment	48

Future Meeting Dates

Full Board of Trustee / Planning / Resource Management / Finance 2017 / 2018 / 2019

(Updated – October 16, 2017)

- Full Board of Trustee November 16, **2017** (Thu) – Anchorage – TAB

- Planning Committee January 4, 2018 (Thu)
- Resource Mgt Committee January 4, 2018 (Thu)
- Finance Committee January 4, 2018 (Thu)
- Full Board of Trustee January 24-25, 2018 (Wed, Thu) – JUNEAU

- Planning Committee April 18, 2018 (Wed)
- Resource Mgt Committee April 18, 2018 (Wed)
- Finance Committee April 18, 2018 (Wed)
- Full Board of Trustee May 9, 2018 (Wed) – TBD

- Planning Committee Jul 31- Aug 1, 2018 (Tue, Wed)
- Resource Mgt Committee August 2, 2018 (Thu)
- Finance Committee August 2, 2018 (Thu)
- Full Board of Trustee Sep 5-6, 2018 (Wed, Thu) – Anchorage – TAB

- Planning Committee October 17, 2018 (Wed)
- Resource Mgt Committee October 17, 2018 (Wed)
- Finance Committee October 17, 2018 (Wed)
- Full Board of Trustee November 15, 2018 (Thu) – Anchorage – TAB

Future Meeting Dates

Full Board of Trustee / Planning / Resource Management / Finance 2017 / 2018 / 2019

(Updated – October 16, 2017)

- Planning Committee January 3, 2019 (Thu)
- Resource Mgt Committee January 3, 2019 (Thu)
- Finance Committee January 3, 2019 (Thu)
- Full Board of Trustee January 30-31, 2019 (Wed, Thu) – JUNEAU

- Planning Committee April 17, 2019 (Wed)
- Resource Mgt Committee April 17, 2019 (Wed)
- Finance Committee April 17 2019 (Wed)
- Full Board of Trustee May 8, 2019 (Wed) – TBD

- Planning Committee July 30-31, 2019 (Tue, Wed)
- Resource Mgt Committee August 1, 2019 (Thu)
- Finance Committee August 1, 2019 (Thu)
- Full Board of Trustee September 4-5, 2019 (Wed, Thu) – Anchorage – TAB

- Planning Committee October 16, 2019 (Wed)
- Resource Mgt Committee October 16, 2019 (Wed)
- Finance Committee October 16, 2019 (Wed)
- Full Board of Trustee November 14, 2019 (Thu) – Anchorage – TAB

Future Meeting Dates Statutory Advisory Boards 2017 / 2018 (Updated – October 16, 2017)

Alaska Mental Health Board / Advisory Board on Alcoholism and Drug Abuse

- April 16-20, 2017 – Utqiagvik / Barrow <dates tentative>

Governor’s Council on Disabilities and Special Education

- Jan. 31-Feb 2, 2018 – Juneau
- May 15, 2018 – Video/Teleconference
- October 4-6, 2018 – Anchorage

Alaska Commission on Aging

- December 12, 2017 – by teleconference/videoconference
- February 5-9, 2018 – face-to-face meeting
- May 2018 – Date to be determined.

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3 ALASKA MENTAL HEALTH TRUST AUTHORITY
4 BYLAWS
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7 ARTICLE I
8 NAME
9

10 The name of this organization is the Alaska Mental Health Trust Authority.
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13 ARTICLE II
14 PURPOSE OF THE AUTHORITY
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16 The Alaska Mental Health Trust Authority acts in the best interest of the beneficiaries
17 of the trust. It is accountable to:

- 18 (a) Provide for sound governance, fiduciary oversight and direction in achieving the
19 mission of the Trust Authority;
20 (b) Ensure an integrated, comprehensive mental health program for the State of Alaska
21 in partnership with Department of Health and Social Services (DHSS); and
22 (c) Preserve, protect, and grow the trust corpus and administer trust assets.
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25 ARTICLE III
26 BOARD OF TRUSTEE MEMBERSHIP AND TERMS OF OFFICE
27

28 Section 1. Trust Authority board of trustees composition:

- 29 (a) The Trust Authority shall be governed by its board of trustees.
30 (b) The Trust Authority board of trustees, hereafter referred to as the board, consists of
31 seven members appointed by the governor in accordance with AS 47.30.016 and
32 confirmed by the legislature.
33

34 Section 2. Term of office, vacancies, and removal:

- 35 (a) The members of the board serve staggered five-year terms. A member shall continue
36 to serve until the member's successor is appointed and confirmed by the legislature.
37 (b) A vacancy occurring in the membership of the board shall be filled within 60 days by
38 appointment of the governor for the unexpired portion of the vacated term.
39 (c) The governor may remove a member of the board only for cause per AS 47.30.021.
40 (d) Except for a trustee who has served two consecutive five-year terms, a member of
41 the board may be reappointed. A member of the board who has served two
42 consecutive five-year terms is not eligible for reappointment to the board until one
43 year has intervened as per AS 47.30.021(d).
44
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ARTICLE IV
BOARD OF TRUSTEE DUTIES

Section 1: The role of the board is to:

- (a) Set the vision for the organization;
- (b) Set policies for the organization, including adoption of regulations as appropriate under AS 47.30.031;
- (c) Adopt charters that define the role, authority, operating procedures, duties, and responsibilities of the board and standing committees; and
- (d) Approve contractual agreements with advisors as defined in statute and the settlement agreement, specifically Alaska Permanent Fund Corporation (APFC), Department of Natural Resources (DNR), and Statutory Advisory Boards.
- (e) Fulfill the duties listed in AS 37.14.007(b)(1)-(12).

Section 2: The board will conduct business in accordance with AS 47.30.036.

ARTICLE V
OFFICERS AND DUTIES

Section 1. The board, by a majority vote of its membership, shall annually elect a Chair, Vice Chair, and Secretary from its membership.

Section 2. The officers will be elected by a majority vote at the annual budget approval meeting, and officers' terms of office commence upon adjournment of that meeting. Officers' terms of office end effective at adjournment of the meeting in which new officers are elected.

Section 3. Officers may be re-elected to the office in which they serve by vote of the membership of the board as above. The board's intention is to allow board members the opportunity to serve in officer roles in support of ongoing board development. To that end, no member may serve more than 2 consecutive terms in the same office except as provided for by affirmative vote of 5 board members.

Section 4. If the office of the Chair becomes vacant, the Vice Chair succeeds to the office of the Chair and serves until an election held at the next board meeting. The newly elected Chair will serve until the next annual election.

Section 5. Except for the office of Chair, if an office of the board becomes vacant, an election shall be held to fill the vacancy at the next regular meeting following the vacancy. The officer will serve until the next annual election.

Section 6. The duties of the officers shall be as follows:

(a) Chair

- 1. Call all meetings. Preside at all meetings.
- 2. Appoint chairs of committees and committee members.

- 1 3. Serve as ex-officio (voting) member of all committees, but may not
- 2 concurrently serve as board Chair and chair of any standing committee, with
- 3 the exception of the Executive Committee.
- 4 4. Act as primary spokesperson for the board.
- 5 5. Act as one of the official spokespersons for the Trust Authority, together with
- 6 the Chief Executive Officer (CEO), when requested by the Chief
- 7 Communications Officer.

8
9 (b) Vice Chair

- 10 1. Assist the Chair in the discharge of his/her duties.
- 11 2. Perform the duties of the Chair in the absence or incapacity of the Chair.
- 12 3. Perform other duties as assigned by the board.

13
14 (c) Secretary

- 15 1. Assume duties of the Chair when Chair and Vice Chair are unavailable.
- 16 2. Perform other duties as assigned by the board.
- 17 3. Assure that the records of board proceedings are maintained in accordance
- 18 with these bylaws and in accordance with AS 37.14.007(b)(2) and the Records
- 19 Management Act (AS 40.21).

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21
22 ARTICLE VI

23 MEETINGS

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25 Section 1. The board will hold four regular meetings each fiscal year. Committees will meet

26 as necessary to accomplish their responsibilities.

27
28 Section 2. Special or emergency meetings of the board may be held at such time and place

29 as the Chair may order; or upon the written request to the Chair of any four

30 trustees.

31
32 Section 3. Reasonable public notice of board and committee meetings shall be provided in

33 accordance with AS 44.62.310. Meetings of the board and its committees are

34 subject to the Open Meetings Act, AS 44.62.310 and 44.62.312.

35
36 Section 4. A quorum at all board meetings shall consist of four board members. A quorum at

37 committee meetings is a majority of the committee's members.

38
39 Section 5. No member of the board may designate a proxy.

40
41 Section 6. The board will schedule at least one period for public comment during each

42 regularly scheduled board meeting.

43
44 Section 7. Formal actions by the board are accomplished through adoption of

45 motions.

ARTICLE VII
COMMITTEES OF THE BOARD

There will be five standing committees of the board. Standing committee chairs and members will be appointed by the Chair after polling the board regarding individual trustee's interest and ability to serve. A member may serve as chair of only one standing committee at any time except as a stand-in until the next regularly scheduled board meeting. Standing committees will have a minimum of 3 committee members. The board chair may designate ad hoc committees to accomplish special purposes. Persons other than board members may serve on the board's ad hoc committees; however, such persons may not be voting members of such committees, only appointed board members may vote on committee actions. Committee recommendations will be reported to the board for action at the next regular board meeting.

Section 1. The Executive Committee of the board is composed of three board officers, the Chair, the Vice Chair, and the Secretary. The Executive Committee will:

- (a) Ensure development of policies for governing the Trust Authority for approval by the board.
- (b) Oversee implementation of governance policies at the direction of and on behalf of the board in accordance with law and the committee charter adopted by the board.
- (c) The Executive Committee will meet only as needed.

Section 2. The Resource Management Committee will, in consultation with the CEO and Executive Director (ED) of the TLO:

- (a) Ensure development of policies for protecting, enhancing, and managing the trust's non-cash resources in the best interests of the beneficiaries for approval by the board.
- (b) Oversee implementation of plans at the direction of and on behalf of the board in accordance with law and the committee charter adopted by the board.

Section 3. The Program and Planning Committee will, in consultation with the CEO and Executive Director (ED) of Mental Health Policy and Programs.:

- (a) Ensure development of policies to meet needs and improve the circumstances of beneficiaries; and recommends to the board for approval.
- (b) Oversee implementation of plans at the direction of and on behalf of the board in accordance with Trust Authority statutes and regulations and the committee charter adopted by the board.

Section 4. The Finance Committee will, in consultation with the CEO and Chief Financial Officer (CFO):

- (a) Ensure development of policies for investment and fiscal management for approval by the board.
- (b) Oversee implementation of approved investment and fiscal management policies on behalf of the board in accordance with Trust Authority statutes and regulations and the committee charter adopted by the board.

- 1 Section 5. The Audit and Risk Committee will, in consultation with the CEO and CFO:
2 (a) Ensure development of policies for managing the annual audit process and
3 identifying and addressing organizational risk for approval by the board.
4 (b) Oversee implementation of approved audit and risk management policies on behalf
5 of the board in accordance with Trust Authority statutes and regulations and the
6 committee charter adopted by the board.
7
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9 ARTICLE VIII
10 CHIEF EXECUTIVE OFFICER
11

12 Section 1. The board shall select and employ a Chief Executive Officer as provided by law.
13

14 Section 2. The Chief Executive Officer is responsible for day-to-day operations of the Trust
15 Authority including planning, organizing, coordinating, and directing all activities
16 necessary to enable the Trust Authority to exercise its powers and duties, and
17 fulfill the purpose of the Trust Authority. The CEO will operate and conduct the
18 business and affairs of the Trust Authority according to the statutes, regulations,
19 bylaws, policies, and charters adopted by the board. The CEO duties and
20 responsibilities shall be set forth in a CEO Job description to be adopted by the
21 board.
22

23 Section 3. The Chief Executive Officer shall oversee administration of the contract with the
24 Trust Land Office on behalf of the Trust Authority to ensure compliance with
25 AS 37.14.009(a)(2).
26

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28 Section 4. The board will evaluate the Chief Executive Officer's performance annually in
29 writing. The board will define the process for conducting annual reviews and
30 include it in the Board Operations Manual.
31

32 Section 5. Termination of employment of the Chief Executive Officer is by majority vote of
33 the board.
34
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36 ARTICLE IX
37 PARLIAMENTARY AUTHORITY
38

39 Unless otherwise provided by law or these bylaws, the board's procedures shall be
40 governed by Robert's Rules of Order Newly Revised. The Chair may appoint an appropriate
41 person to serve as parliamentarian.
42
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44 ARTICLE X
45 ETHICS
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47 Board members are required to comply with the Alaska Executive Branch Ethics Act
48 (AS 39.52) and AS 47.30.016(c)(2).

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3 ARTICLE XI
4 AMENDMENT OF BYLAWS
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6 These bylaws may be amended at any meeting of the board. Amendment of these
7 bylaws requires 5 affirmative votes of board members provided that written notice and
8 copies of the proposed amendment have been submitted to the members 30 days prior to
9 the meeting, or by unanimous vote without notice.
10

11
12 ARTICLE XII
13 DEFINITIONS
14

15 In these bylaws,
16

17 **The Alaska Mental Health Trust** means the sum of all assets owned by the Alaska
18 Mental Health Trust as established by the Alaska Mental Health Trust Enabling Act, P.L. 84-
19 830, 70 Stat. 709 (1956) and the Mental Health Settlement Agreement (June 10, 1994),
20 including cash and non-cash assets.
21

22 **The Alaska Mental Health Trust Authority (the Trust Authority)** means the entity
23 charged with administering the trust, as trustee, is governed by a seven-member board. (AS
24 37.14.007, AS 47.30.011, AS 47.30.016)
25

26 **The Trust Land Office (TLO)** means the unit of the Alaska Department of Natural
27 Resources that is charged with managing the trust's natural resources, land, and other fixed
28 assets. (AS 44.37.050)
29

30 **Regular Meeting** means a board meeting that is scheduled at the annual budget
31 meeting to occur during the succeeding year, provided that a regular meeting that is
32 rescheduled on reasonable notice to the public is still a regular board meeting.
33

34 **Special Meeting** means any board meeting other than a regular meeting, including
35 an emergency meeting.
36

37 **Emergency Meeting** means any board meeting conducted for the purpose of
38 addressing time sensitive matters that may not be capable of resolution within the statutory
39 or delegated authority of the Executive Committee or the CEO. If an emergency meeting is
40 conducted on less than the customary public notice, public notice shall be published as
41 soon as practicable. If the agenda of an emergency meeting is not available in advance, the
42 agenda will be published as soon as practicable after the emergency meeting.

MEMO

To: Mary Jane Michael, Chair
From: Steve Williams, Acting Chief Executive Officer
Date: October 27, 2017
Re: Authority Grant Approval Authority

REQUESTED MOTION:

The full board of trustees:

delegates approval authority to the CEO to allocate grant funds previously approved by the full board, but not allocated to a specific grantee up to \$100,000.

The full board of trustees:

delegates approval authority to the program and planning committee to allocate grant funds previously approved by the full board, but not allocated to a specific grantee up to \$500,000.

Overview

Currently all grant approval authorities are outlined in the Trust bylaws (May 7, 2014). In previous governance work sessions, trustees indicated a desire to move these from the bylaws to newly created charters. During staff review with the governance consultant, staff developed the following recommendations to create more efficiencies and allow the board, finance committee, and program and planning committee to focus on higher-level strategic decisions.

All grant funds for a given fiscal year are approved by the board of trustees as part of that year's budget recommendations. The majority of these funds are awarded to named recipients in the budget, but some such as partnerships and certain focus area strategies are left to be allocated later in the fiscal year. The below tables outline both the current and proposed approval process for unallocated authority grants.

Current authority grant approval process for unallocated authority grants


Grant Amount (in thousands)	Approval Authorization
Partnerships less than \$10.0	CEO approves partnership grants up to \$10.0
Partnerships \$10.0 to \$50.0	Finance committee approves partnership grants up to \$50.0
Partnerships more than \$50.0	Finance committee reviews and recommends approval to the full board for all partnership grants over \$50.0
Focus area allocations up to \$50.0	CEO approves focus area allocations up to \$50.0
Focus area allocations more than \$50.0	Finance committee approves focus area allocations over \$50.0

Staff recommended approval process for unallocated authority grants

Grant Amount (in thousands)	Approval Authorization
All authority grant funds approved by the full board, but not allocated to a grantee, up to \$100.0	The CEO allocates grant funds previously approved by the full board, but not allocated to a specific grantee up to \$100.0.
All authority grant funds approved by the full board, but not allocated to a grantee, up to \$500.0	The program and planning committee allocates grant funds previously approved by the full board, but not allocated to a specific grantee up to \$500.0.
All authority grant funds approved by the full board, but not allocated to a grantee, exceeding \$500.0	The full board approves all authority grants exceeding \$500.0.

A summary of all grants approved by the CEO will be provided to the program and planning committee and full board quarterly.



To: Mary Jane Michael, Chair
From: Wyn Menefee, Executive Director (Acting) 
Date: 10/27/2017
Re: CEO and Resource Management Committee Authorities

Requested Motions:

The full board of trustees:

1. *delegates authority to the CEO to receive consultations on behalf of the Trust Authority from the TLO as required by law regarding projects with projected total sale revenue below \$250,000, or projected total land or mineral lease or easement rental below \$50,000, and to quarterly report such consultations to the board; and*
2. *delegates authority to the CEO to approve project specific expenditures from the principal, budget reserves or facility maintenance account below \$50,000 per approval with a cumulative maximum of \$100,000 per year, and to quarterly report such approvals to the board.*

The full board of trustees:

1. *delegates authority to the Resource Management Committee to receive consultations on behalf of the Trust Authority from the TLO as required by law regarding disposals with an annual lease rental between \$50,000 and \$500,000; and disposals with sale revenues between \$250,000 and \$1,000,000. This authority includes disposals that could produce revenues in the form of royalties that exceed this revenue limit if the disposal is an extension or expansion of an existing lease that has previously been subject to the consultation process, so long as any expansion or addition to that lease does not exceed 25% of the original lease acreage.*
2. *delegates authority to the Resource Management Committee to approve project-specific expenditures from the principal, budget reserves or the facility maintenance account between \$50,000 and \$100,000.*

Proposed limitations to delegated authority for receiving consultations or approving project specific expenditures

Board Procedure	Proposed Action	Current limits	Proposed New Limits	Trust Authority
Consultation	Total sale revenues	Up to \$100,000	Below \$250,000	CEO delegated authority from the Board
Consultation	Total sale revenues	\$100,000 up to \$500,000	\$250,000 up to \$1,000,000	RMC
Consultation	Total sale revenues	\$500,000 or more	Over \$1,000.0	Full Board
Consultation	Total annual land or mineral lease/easement rental	Up to \$50,000	Below \$50,000	CEO delegated authority from the Board
Consultation	Total annual land or mineral lease/easement rental	\$50,000 up to \$200,000	\$50,000 up to \$500,000	RMC
Consultation	Total annual land or mineral lease/easement rental	\$200,000 or more	\$500,000 or more	Full Board
Consultation	Other mineral openings (permits, licenses and agreements) (11 AAC 99.100(b))	Incorporated in lease provisions above	Incorporated in lease provisions above	CEO delegated authority from the Board or RMC
Approval	Project Specific Expenditures		Below \$50,000 per approval with cumulative maximum of \$100,000 per year	CEO delegated authority from the Board
Approval	Project Specific Expenditures	Up to \$50,000	\$50,000 up to \$100,000	RMC
Approval	Project Specific Expenditures	\$50,000 and over	\$100,000 and over	Full Board

CHARTER OF THE BOARD OF TRUSTEES

Introduction

1. The State of Alaska, under AS 47.30.011, has established the Alaska Mental Health Trust Authority to ensure an integrated comprehensive mental health program and administer the trust established under the Alaska Mental Health Enabling Act of 1956. The duties and authority of the board are further described in AS 47.30.036, and AS 37.14.007.
2. The board of trustees consists of seven members appointed by the governor and confirmed by the Legislature. Trustees are appointed based on their ability in financial management and investment, land management, or in services for the beneficiaries of the trust. The governor will consider a list of persons prepared by a panel as outlined in AS 47.30.016.
3. This document is intended to interpret and implement the statutory provisions that created the board of trustees.

Role

4. The role of the board of trustees is to advance the mission of the Alaska Mental Health Trust Authority and Trust Land Office (AMHTA) by working to:
 - a. Provide for sound governance and fiduciary oversight and direction in achieving the mission of AMHTA
 - b. Ensure an integrated, comprehensive mental health program for the State of Alaska in partnership with Department of Health and Social Services
 - c. Preserve and protect the trust corpus while maximizing income now and in the future
 - d. Engage in philanthropic development
 - e. Manage principal and assets of AMHTA
 - f. Invest income and use assets to fulfill AMHTA's purpose
 - g. Administer Trust assets and mental health trust income account

Authority

5. The board of trustees has authority to:
 - a. Select, hire, and provide direction and oversight of the chief executive officer;
 - b. Retain independent counsel on behalf of AMHTA;
 - c. Solicit and receive gifts, bequests, and contributions;
 - d. Approve annual budgets and monitor budget performance;
 - e. Establish management principles for AMHTA;
 - f. Adopt and amend bylaws governing its meetings, selection of officers, proceedings, and other aspects of board procedure;
 - g. Insure or indemnify and protect the board, a member of the board, or an agent or employee of the authority against financial loss and expense; and
 - h. Provide for approval of grants as outlined in 20 AAC 40.010 – 40.990.

Duties and Responsibilities

GOVERNANCE

6. The board will establish charters setting out the duties and responsibilities of:
 - a. board of trustees
 - b. chair, vice chair, and secretary
 - c. executive committee
 - d. finance committee
 - e. audit and risk committee
 - f. resource management committee
 - g. program and planning committee

7. The board will establish governance policies as necessary, including bylaws and other board policies and processes, to ensure effective operation of the affairs of AMHTA.
8. The board will develop and approve the job description of the chief executive officer.
9. The board will clearly define board and CEO roles and accountabilities and ensures clarity of authority, responsibility, and process for carrying out functions required to meet the needs of beneficiaries.
10. The board will approve contractual agreements with Department of Natural Resources, Alaska Permanent Fund Corporation, and advisory boards as defined in statute and the settlement agreement.
11. The board will establish a board development program to build skills of trustees.
12. The board will evaluate its performance and effectiveness annually and identify opportunities for continuous improvement.

BENEFICIARY IMPACT

13. The sole purpose of AMHTA is to manage its assets (financial, political, human, etc.) to make a positive difference in the lives of beneficiaries through ensuring the integrated, comprehensive mental health program for the state of Alaska. To that end, the board will:
 - a. Maintain awareness of the needs of beneficiaries;
 - b. Invest in programs that are effectively targeted to address those needs, current, future, and preventative;
 - c. Measure the impact of investments to benefit beneficiaries; and
 - d. Serve as community champions for AMHTA and its beneficiaries.
14. The board will define a clear and compelling mission to focus the organization and align stakeholders and will validate it annually. The following mission statement was adopted in May 2009 and was revalidated in August 2017.

The Alaska Mental Health Trust Authority (the Trust) administers the Mental Health Trust to improve the lives of beneficiaries. Trustees have a fiduciary responsibility to protect and enhance trust assets in perpetuity for the beneficiaries. The Trust provides leadership in advocacy, planning, implementing and funding of the Comprehensive Integrated Mental Health Program; and acts as a catalyst for change.

15. The board will define a clear set of guiding principles and will validate them annually. The following guiding principles were adopted in May 2009 and revalidated in August 2017:

To improve the lives of Trust beneficiaries, the Trust is committed to:

- *Education of the public and policymakers on beneficiary needs*
- *Collaboration with consumers and partner advocates*
- *Maximizing beneficiary input into programs*
- *Continually improving results for beneficiaries*
- *Prioritizing services for beneficiaries at risk of institutionalization or needing long-term, intensive care*
- *Useful and timely data for evaluating program results*
- *Inclusion of early intervention and prevention components in programs*
- *Provision of reasonably necessary beneficiary services based on ability to pay*

ASSET MANAGEMENT

16. The board will follow the prudent investor rule.
17. The board shall contract with the Alaska Permanent Fund Corporation for management of the mental health trust fund [AS 37.14.009]. The board will meet with APFC leadership on an annual basis to review results, forecasts, and issues that could affect future returns.
18. The board will approve asset management policies, including the board's overall asset management philosophy, to ensure effective management, investment, and growth of AMHTA assets. Policies will be reviewed annually.
19. In consultation with the chief financial officer, the board will ensure establishment of a framework or process for managing investment risks related to assets.
20. The board will approve the long term or strategic asset allocation for AMHTA.
21. The board shall provide for the management of non-cash assets. Currently this occurs through contract with the Department of Natural Resources, Trust Land Office (TLO) for the management of approximately 1,000,000 acres of

endowment land and management of its investment real estate portfolio. (AS 37.14.009)

22. The board of trustees will ensure that the TLO establishes strategic plans for land stewardship, program related investment, and maximizing revenue from its land, and establishing criteria and goals for investments in income producing real estate.

FINANCE, AUDIT, AND RISK MANAGEMENT

23. The board will ensure that appropriate financial and operational controls and procedures are in place to safeguard assets, ensure adequate financial resources, and provide effective financial oversight and risk management.
24. The board will ensure that audits of these controls and procedures are conducted from time to time by an independent external auditor in order to ensure that the assets are properly accounted for, and that the investments are in accordance with applicable laws and regulations.
25. The board will ensure that annual financial statements of AMHTA are prepared and that these statements are audited by an independent external auditor. It will approve the annual financial statements and audit report.

OPERATIONS AND HUMAN RESOURCES

26. The board will ensure a strong working relationship between board and staff.
27. The board will employ a chief executive officer [AS 47.30.026], set annual performance targets in writing for the CEO at the beginning of each year, and review and evaluate in writing the CEO's performance in carrying out policies, procedures, and directions of the board annually before the November trustee meeting. The board will ensure that the CEO has clear accountabilities and authority and will balance support for achievement with ensuring accountability for performance.
28. The board will establish a CEO review policy and a management succession plan.
29. The board may terminate the CEO.
30. The board will ensure that AMHTA establishes a strategic plan for the Trust in which the board will establish clear and explicit goals to achieve the

mission. The board will ensure rigorous metrics to measure performance and review annually.

31. The board will ensure that AMHTA has policies and procedures that will promote the attraction, hiring, management, development, and retention of qualified and diverse staff.

BRAND, COMMUNICATIONS, AND OUTREACH

32. Working in conjunction with the CEO, the board will ensure a communications policy and processes to guide how the board and individual trustees should communicate with stakeholders including but not limited to:

- (a) AMHTA staff;
- (b) beneficiaries and beneficiary organizations;
- (c) statutory advisory boards and departments;
- (d) service providers;
- (e) prospective partners;
- (f) municipal governments, native corporations, tribes;
- (g) media;
- (h) other external parties; and
- (i) the general public.

33. The board will ensure that AMHTA has a comprehensive communications plan.

34. The board will ensure that AMHTA has a clearly established policy for handling media requests and responding to published media or requests for interview or comment.

35. The board will assure that the activities of both the Trust Authority Office and the Trust Land Office are coordinated and focused on protecting the brand of AMHTA.

MONITORING AND REPORTING

36. The board, working with the management team, will establish a monitoring and reporting policy which sets out its requirements regarding reports the board will receive on a regular basis in order to meet its responsibility for the oversight of the AMHTA.
37. The board will review on a regular basis the policy, procedures and compliance of the board, its committees, the chair, vice chair, and secretary of the board, with the duties and responsibilities set out in their respective charters.
38. The board will annually submit to the governor and the Legislative Budget and Audit Committee by September 15 a budget for the next fiscal year, as referenced in AS 47.30.046.
39. The board will review progress against the strategic plan annually and update it periodically, but no less than every three years.

BOARD MEETING PRACTICES

40. The board will hold at least four regular board meetings each fiscal year. Committees will meet as necessary to accomplish their responsibilities.
41. Special meetings of the board may be held at such time and place as the chair may order; or upon the written request of any four trustees to the chair.
42. Reasonable public notice of board and committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.
43. A quorum at all board meetings shall consist of four board members. A quorum at committee meetings is a majority of committee members.
44. Meetings of the board may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
45. No member of the board may designate a proxy.

46. The board will schedule at least one period for public comment during each regularly scheduled board meeting. The board will ensure that accommodations are made to enable beneficiary participation as appropriate.
47. Formal actions by the board are accomplished through adoption of motions. Motions must be proposed by a committee or board member.
48. Board members are entitled to an honorarium of \$200 for each day or any part of a day spent at a meeting of the board, at a meeting of a committee of the board, or as a representative of the board. Part of a day is defined as any in-person attendance at a meeting or any telephone contact over 60 minutes. Any conflicts will be resolved by the executive committee.
49. Per diem and travel expenses are authorized for boards and commissions under AS 39.20.180.

Review and Amendment of the Charter

50. The board of trustees will review this charter at least once every three (3) years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
51. The board of trustees adopted this charter on .

CHARTER OF THE CHAIR OF THE BOARD

Introduction

1. Alaska Law, Section 37.13.050 requires the board of trustees to elect a chair annually from among its members.
2. The chair may be reelected to office by vote of the membership of the board as above. The board's intention is to allow board members the opportunity to serve in officer roles in support of ongoing board development. To that end, no member may serve more than 2 consecutive terms in the same office except as provided for by a vote of five board members.

Duties and Responsibilities

2. The chair will perform the duties and responsibilities and exercise the powers as specified below:
 - (a) Call all meetings of the board.
 - (b) Preside at the meetings of the board and ensure that such meetings are conducted in an efficient manner and in accordance with AS 44.62.310 and agreed-upon rules of order.
 - (c) Appoint committee chairs and members for standing and ad hoc committees. Standing committees and their chairs will be appointed by the chair after polling the board regarding individual trustee's interest and ability to serve. The board chair may not concurrently serve as chair of any standing committee.
 - (d) Serve as a non-voting ex-officio member of all committees. The chair may be appointed as a voting member of a committee.
 - (e) Coordinate with the chief executive officer to ensure board meeting agendas include required matters, and utilize board and staff resources effectively and efficiently.
 - (f) Facilitate effective and open communications between the board and CEO.
 - (g) Serve as the primary spokesperson for the board

(h) Act as one of the official spokespersons for AMHTA, together with the CEO, at the request of the chief communications officer.

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- (i) Review and approve travel and other expenses of the members of the board of trustees.
- (j) Review and approve travel and other expenses of the CEO.
- (k) Carry out any other duties and responsibilities as assigned by the board.

Review and Amendment of the Charter

- 3. The board of trustees will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
- 4. The board of trustees adopted this charter on _____.

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CHARTER OF THE VICE CHAIR OF THE BOARD

Introduction

1. The bylaws of the Alaska Mental Health Trust Authority establish the vice chair as an officer of the board.
2. The vice chair is elected annually.
3. The vice chair may be reelected to office by vote of the membership of the board as above. The board's intention is to allow board members the opportunity to serve in officer roles in support of ongoing board development. To that end, no member may serve more than 2 consecutive terms in the same office except as provided for by a vote of five board members.

Duties and Responsibilities

4. The vice chair will perform the duties and responsibilities and exercise the powers as specified below:
 - (a) Assist in the discharge of the duties of the chair;
 - (b) Assume the duties of the chair when the chair is absent, or when the chair designates the vice chair to act in that capacity;
 - (c) Temporarily act as the chair in the event of death, resignation, removal from office, or permanent disability of the chair, until the election of a new chair;
 - (d) Serve as a member of the executive committee; and,
 - (e) Perform other duties and responsibilities as assigned by the board.

Review and Amendment of the Charter

5. The board of trustees will review this charter at least once every three years and make any amendments as necessary to ensure that the charter remains relevant and appropriate.
6. The board of trustees adopted this charter on_____.

CHARTER OF THE SECRETARY OF THE BOARD

Introduction

1. The bylaws of the Alaska Mental Health Trust Authority establish the secretary as an officer of the board.
2. The secretary is elected annually.
3. The secretary may be reelected to office by vote of the membership of the board as above. The board's intention is to allow board members the opportunity to serve in officer roles in support of ongoing board development. To that end, no member may serve more than 2 consecutive terms in the same office except as provided for by a vote of five board members.

Duties and Responsibilities

4. The secretary will perform the duties and responsibilities and exercise the powers as specified below:
 - (a) Assume the duties of the chair when the chair and vice chair are unavailable;
 - (b) Assure that the records of board proceedings are maintained in accordance with applicable law;
 - (c) Approve a list, prepared by staff, of actions taken by motions at each meeting, items referred to committee for review or action, and directions given to staff for follow-up at future meetings;
 - (d) Serve as a member of the executive committee; and,
 - (e) Perform other duties and responsibilities as assigned by the board.

Review and Amendment of the Charter

5. The board of trustees will review this charter at least once every three years and make any amendments as necessary to ensure that the charter remains relevant and appropriate.
6. The board of trustees adopted this charter on_____.

CHARTER OF THE EXECUTIVE COMMITTEE

Introduction

1. The board of trustees of the Alaska Mental Health Trust Authority ("AMHTA") has established an executive committee ("the committee").
2. The board has established this charter which sets out the duties and responsibilities of the committee.

Role

3. The role of the executive committee will be to:
 - (a) Ensure development and implementation of policies for governing the AMHTA.
 - (b) Promptly review emergency grant requests as required by 20 AAC 40.260(f).

Authorities

4. The committee will have the authority to conduct any review appropriate to fulfilling its responsibilities.
5. The committee will have direct access to the chief executive officer, chief financial officer, legal counsel, as well as all advisors, consultants and asset managers of AMHTA.

Operating Procedures

6. The committee will consist of three board officers, the chair, the vice chair, and secretary.
7. The committee will meet at the call of the chair. The committee chair (the chair of the board) will prepare and/or approve an agenda in advance of each meeting.
8. The committee will be supported by the staff as required. The committee may invite other professionals to attend meetings and provide pertinent information as deemed necessary.
9. Reasonable public notice of committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.

10. Committee meetings may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
11. Minutes of committee meetings will be taken and reports of committee actions and meetings will be made to the board of trustees.
12. The committee will assess its performance annually.

Duties and Responsibilities

GOVERNANCE

13. The committee will carry out the following responsibilities in consultation with the chief executive officer and others as required.
 - (a) Ensure implementation of governance revisions is completed.
 - (b) Review CEO and committee charters at least once every three years and recommend amendments to the board for approval to ensure that charters remain relevant and appropriate.
 - (c) Monitor AMHTA's governance practices and suggest amendments or additions to the board for approval.

GRANT APPROVAL

14. The executive committee will promptly review emergency grant requests as required by 20 AAC 40.260(f).

REVIEW AND AMENDMENT OF THE CHARTER

15. The board of trustees, in consultation with the executive committee, will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
16. The board of trustees adopted this charter on_____.

CHARTER OF THE FINANCE COMMITTEE

Introduction

1. The board of trustees of the Alaska Mental Health Trust Authority ("AMHTA") has established a finance committee ("the committee") to assist the board in the financial oversight of and strategic financial planning for AMHTA.
2. The board has established this charter which sets out the duties and responsibilities of the committee.

Role

3. The role of the finance committee will be to complete the following activities in consultation with the chief executive officer, chief financial officer, and others as necessary.
 - (a)) Develop or recommend investment and financial management policies for approval by the board.
 - (b) Oversee the implementation of approved investment and financial management policies on behalf of the board in accordance with Trust statutes and regulations and the committee charter adopted by the board.
 - (c) Monitor budget status and investment performance on an ongoing basis.
 - (d) Advise board regarding improving effectiveness and efficiency of financial management activities
 - (e) Review AMHTA's memorandum of agreement with the Alaska Permanent Fund Corporation and recommend for approval to the board of trustees.
 - (f) Review AMHTA's memorandum of agreement with the Department of Revenue as outlined in the MOA or not less every 3 years and recommend for approval to the board of trustees.
 - (g) Provide written input and feedback to the CEO from the committee as a whole in support of the annual performance evaluation of the chief financial officer.

Authorities

4. The committee will have the authority to conduct any review appropriate to fulfilling its responsibilities.
5. The committee will have direct access to the CEO and CFO, legal counsel, as well as all advisors, consultants and asset managers.

Operating Procedures

6. The committee will consist of at least three trustees appointed by the board chair, each of whom should have, or be willing and able to develop a basic understanding of finance and accounting and be able to read and understand financial statements.
7. The committee will meet at least four times annually, or more frequently by call of the committee chair in consultation with staff. The committee chair will prepare and/or approve an agenda in advance of each meeting.
8. The committee will be supported by the staff as required. The committee may invite other professionals as deemed necessary, to attend meetings and provide pertinent information. It may hold executive sessions as necessary within the requirements of the Alaska Open Meetings Act [AS 44.62.310].
9. Reasonable public notice of committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.
10. Committee meetings may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
11. Minutes of committee meetings will be taken and reports of committee actions and meetings will be made to the board of trustees.
12. The committee will assess its performance annually.

Duties and Responsibilities

FINANCIAL MANAGEMENT

13. The committee will carry out the following responsibilities with respect to the financial oversight AMHTA in consultation with the CEO, CFO, and others as required.

- (d) Ensure development of policies for investment and financial management.
- (e) Advise the board on the implementation of approved investment and financial management policies.
- (f) Review administrative budgets for the Trust Authority Office and the Trust Land Office and then forward a recommended budget to the board for approval.
- (g) Regularly review whether the allocation of principal and interest established in 20 AAC 40.610 remains consistent with AS 37.14.031(d).
- (h) Ensure effective succession planning for the CFO position.

REVIEW AND AMENDMENT OF THE CHARTER

- 14. The board of trustees, in consultation with the executive committee, will review this charter at least once every three (3) years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
- 15. The board of trustees adopted this charter on_____.

CHARTER OF THE AUDIT AND RISK COMMITTEE

Introduction

1. The board of trustees of the Alaska Mental Health Trust Authority ("AMHTA") has established an audit committee ("the committee") to assist the board in managing the annual financial audit process and identifying and addressing organizational risk.
2. The board has established this charter which sets out the duties and responsibilities of the committee.

Role

3. The role of the audit and risk committee will be to complete the following activities in consultation with the chief executive officer, chief financial officer, and others as necessary.

Develop policies for managing the annual financial audit process.

- (a) Ensure systems are in place to conduct a forward-looking analysis of organizational risk in the areas of finance, human capital, operations, technology, reputation, physical, governance, and management and to address identified risk.
- (b) Annually review the organization's risk management plan.
- (c) Monitor the integrity of the financial reporting process and the system of internal controls and procedures regarding finance, accounting, and legal compliance.
- (d) Review the performance and independence of the AMHTA's external auditors.
- (e) Provide an avenue of communication among external auditors, management, chief financial officer, and the board.
- (f) Provide written input and feedback to the CEO from the committee as a whole in support of the annual performance evaluation of the chief financial officer.

Authorities

4. The committee will have the authority to conduct any review appropriate to fulfilling its responsibilities.

5. The committee will have direct access to the external auditors, as well as the CEO and CFO, legal counsel, as well as all advisors, consultants and asset managers of the Trust.

Operating Procedures

6. The committee will consist of at least three trustees, appointed by the board chair, each of whom should have, or be willing and able to develop a basic understanding of audit and risk management.
7. The committee will meet as needed to oversee the audit process. The committee chair will prepare and/or approve an agenda in advance of each meeting.
8. The committee will be supported by the staff of AMHTA as required. The committee may invite auditors, or other professionals as deemed necessary, to attend meetings and provide pertinent information. It may hold meetings with auditors and executive sessions as necessary within the requirements of the Alaska Open Meetings Act [AS 44.62.310].
9. Reasonable public notice of committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.
10. Committee meetings may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
11. Minutes of committee meetings will be taken and reports of committee actions and meetings will be made to the board of trustees.
12. The committee will assess its performance annually.

Duties and Responsibilities

INTERNAL CONTROLS

13. The committee will carry out the following responsibilities with respect to internal controls in consultation with the CEO, CFO, and others as necessary.
 - (a) Monitor audit and risk management policies and practices to ensure that things are carried out according to policy and with adequate controls.
 - (b) Review the Trust Land Office's internal controls and procedures from time to time in order to ensure that the operations of the TLO are

performed in a secure and appropriate manner.

- (c) **Oversee the annual independent audit process, including engaging the independent auditor and receiving all reports and management letters from the auditor.**
- (d) **Review the annual audited financial statements prior to filing or distribution of the final report. This review should include discussion with management and external auditors of significant issues regarding accounting principles, practices, and judgments.**
- (e) **Recommend approval of the audit to the full board.**
- (f) **In consultation with the CEO, CFO, and the auditors, consider the integrity of the financial reporting processes and controls; discuss significant financial risk exposures and the steps management has taken to monitor, control, and report such exposures; and review significant findings prepared by the external auditors and the chief financial officer together with management's responses.**
- (g) **Discuss any significant changes to applicable accounting principles and any items required to be communicated by the auditors.**
- (h) **Periodically review with the AMHTA's counsel any legal matters that could have a significant impact on AMHTA's financial statements, AMHTA's compliance with applicable laws and regulations, and any inquiries received from regulators or governmental agencies.**

EXTERNAL AUDIT

- 14. The committee will have the following responsibilities with respect to the AMHTA's annual external auditors**
 - (a) **Review the external auditors' audit plans.**
 - (b) **Consider the external auditors' judgments about the quality and appropriateness of the AMHTA's accounting principles as applied in its financial reporting.**
 - (c) **Discuss with management and the external auditors the quality of the accounting principles and underlying estimates used in the preparation of the Trust's financial statements.**
 - (d) **Discuss with the external auditors the clarity of the financial disclosure practices used or proposed by the AMHTA.**
 - (e) **Review the performance and independence of the auditors and periodically recommend to the board of trustees the appointment of the external auditors or approve any discharge of auditors when**

circumstances warrant.

- (f) On an annual basis, review and discuss with the external auditors all significant relationships the auditors have with the AMHTA that could impair the auditors' independence.

REVIEW AND AMENDMENT OF THE CHARTER

- 15. The board of trustees, in consultation with the executive committee, will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
- 16. The board of trustees adopted this charter on _____.

DRAFT

CHARTER OF THE RESOURCE MANAGEMENT COMMITTEE

Introduction

1. The board of trustees of the Alaska Mental Health Trust Authority ("AMHTA") has established a resource management committee ("the committee") to assist the board in advising the Trust Land Office (TLO) on managing AMHTA's non-cash assets including land and natural resources.
2. The board of trustees has, for greater clarity, established this charter which sets out more specific terms, duties and responsibilities of the resource management committee (RMC).

Role

3. The role of the resource management committee will be to complete the following activities in consultation with the CEO, executive director (ED) of the TLO, and others as necessary.
 - (a) Ensure development of policies for protecting, enhancing, and managing AMHTA's non-cash resources in the best interests of the beneficiaries for approval by the board.
 - (b) Oversee implementation of policies at the direction of and on behalf of the board in accordance with Trust statutes and regulations and the committee charter adopted by the board.
 - (c) In consultation with the CEO and ED of the TLO, ratify the goals and objectives of the Trust Land Office and forward them to the board of trustees for their approval.
 - (d) Review the Trust Authority memorandum of agreement with Department of Natural Resources for management of the Trust Land Office as outlined in the MOA or not less than every 3 years and recommend for approval to the board of trustees.
 - (e) Provide written input and feedback to the CEO from the committee as a whole in support of the annual performance evaluation of the ED of the Trust Land Office as per the MOU.

Authorities

4. The committee will have the authority to conduct any review appropriate to fulfilling its responsibilities.

5. The committee will have direct access to the CEO and ED of the TLO, legal counsel, as well as all advisors and consultants of AMHTA.

Operating Procedures

6. The committee will consist of at least three trustees appointed by the board chair, each of whom should have, or be willing and able to develop a basic understanding of natural resource development and real estate management as well as a basic understanding of finances and investment/return.
7. The committee will meet at least four times annually, or more frequently by call of the committee chair in consultation with staff. The committee chair will prepare and/or approve an agenda in advance of each meeting.
8. The committee will be supported by staff as required. The committee may invite other professionals as deemed necessary, to attend meetings and provide pertinent information.
9. Reasonable public notice of committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.
10. Committee meetings may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
11. The committee will maintain minutes of committee meetings and periodically report to the board of trustees on significant results of the committee's activities.
12. The committee will assess its performance annually.

Duties and Responsibilities

PLANNING

13. The committee will provide support to the ED of the TLO in establishing the policies of the TLO.
14. Review and provide input for revising the resource management strategy not less than every three years.

TRUST LAND MANAGEMENT

15. The committee will carry out the responsibilities below with respect to management of AMHTA lands through the authority of the TLO.
 - a. Ensure that AMHTA land is managed in the best interest of the beneficiaries of the Trust so as to ensure that the overall value of the Trust's assets not be diminished through management actions or disposals.
 - b. Focus on maximizing and diversifying revenue, both principal revenue and income, in the management of Trust lands.
 - c. Work with the ED of the TLO to report the TLO's efforts and results in this regard at regular intervals established by the board.

REAL ESTATE INVESTMENTS

16. The committee will carry out the following responsibilities with respect to the real estate investments:
 - (a)) Define a real estate investment policy and strategy, and review annually.
 - (b) Monitor investment activities and performance, and report to the board.

FINANCIAL

17. The committee will carry out the following financial responsibilities:
 - (a) Review and consult, as delegated by the board, disposals with an annual lease rental more than **\$50,000 and not to exceed \$500,000**; and disposals with sale revenues more than **\$250,000 and less than \$1,000,000**. This authority includes disposals that could produce revenues in the form of royalties that exceed this revenue limit if the disposal is an extension or expansion of an existing lease that has previously been subject to the consultation process, so long as any expansion or addition to that lease does not exceed 25% of the original lease acreage.
 - (b) Approve project-specific expenditures from the principal, budget reserves or the facility maintenance account **between \$50,000 and \$100,000**.

FINANCE, ACCOUNTING AND AUDIT

18. The committee will work with the ED of the TLO to assure that appropriate financial and operational controls and procedures are put in place to safeguard AMHTA assets. The committee will coordinate with the CEO and ED of the TLO to prepare any necessary management response to any issues of significant concern related to the TLO on the part of the external auditor.

COMMUNICATIONS

19. The committee will:
 - (a) Ensure that TLO activities support the mission of AMHTA.
 - (b) Review communications plan regarding resource management related issues requiring legislative or public advocacy.

Review and Amendment of the Charter

20. The board of trustees, in consultation with the executive committee, will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
21. The board of trustees adopted this charter on _____.

CHARTER OF THE PROGRAM AND PLANNING COMMITTEE

Introduction

1. The board of trustees of the Alaska Mental Health Trust Authority ("AMHTA") has established a program and planning committee ("the committee") to assist the board in the program and planning oversight of the AMHTA.
2. The board has established this charter which sets out the duties and responsibilities of the committee.

Role

3. The role of the program and planning committee will be to complete the following activities in consultation with the chief executive officer, executive director of mental health policy and programs, and others as necessary.
 - (a) Ensure development of program policies to meet needs and improve the circumstances of beneficiaries; and recommend to the board for approval.
 - (b) Oversee implementation of plans at the direction of and on behalf of the board in accordance with AMHTA statutes and regulations and the committee charter adopted by the board
 - (c) Work with the executive director of mental health policy and programs to identify and forecast the status and needs of beneficiaries.
 - (d) Review program policies and plans to meet needs and improve circumstances of beneficiaries; and recommends to the board for approval as appropriate.
 - (e) Evaluate the implementation of approved policies and plans affecting beneficiaries.
 - (f) Assure that the Trust Authority Office is working with the Department of Health and Social Services to complete and review status of / monitor status and outcomes annually update the comprehensive integrated mental health program.
 - (g) Serve as the primary interface for statutory advisory boards
 - (h) Review AMHTA's memoranda of agreement with statutory advisory boards as outlined in the MOAs or not less every 3 years and recommends for approval to the board of trustees.

- (i) Provide written input and feedback to the CEO from the committee as a whole in support of the annual performance evaluation of executive director of mental health policy and programs.

Authorities

4. The committee will have the authority to conduct any review appropriate to fulfilling its responsibilities.
5. The committee will have direct access to the CEO and executive director of mental health policy and programs, legal counsel, as well as all advisors and consultants of AMHTA.

Operating Procedures

6. The committee will consist of at least three trustees appointed by the board chair, each of whom should have, or be willing and able to develop a basic understanding of services for AMHTA beneficiaries.
7. The committee will meet at least four times annually, or more frequently by call of the committee chair in consultation with staff. The committee chair will prepare and/or approve an agenda in advance of each meeting.
8. The committee will be supported by the staff as required. The committee may invite other professionals as deemed necessary, to attend meetings and provide pertinent information.
9. Reasonable public notice of committee meetings shall be provided as they are subject to the Open Meetings Act, AS 44.62.310 and AS 44.62.312.
10. Committee meetings may be conducted by teleconference or videoconference in accordance with AS 44.62.312(a)(6) provided that with respect to a matter which requires the consideration of documents a member participating by teleconference or videoconference may vote only on those matters to which he or she has access to said documents.
11. Minutes of committee meetings will be taken and reports of committee actions and meetings will be made to the board of trustees.
12. The committee will assess its performance annually.

Duties and Responsibilities

REPORTING

13. The committee will carry out the responsibilities below with respect to the program operations of the Trust Authority and will execute them in consultation with the CEO and executive director of mental health policy and programs.
 - (a) Review the status of the Trust Authority's mission, corporate goals, objectives and performance measures, and annual report to the Office of Management and Budget.
 - (b) Review the performance of Mental Health Trust Authority Authorized Receipts (MHTAAR) and authority grant funded projects annually.
 - (c) Review the status of the comprehensive integrated mental health program and planning efforts.

PLANNING

14. The committee will have the responsibilities below with respect to the AMHTA's strategic planning and program development and will execute them in consultation with the CEO and executive director of mental health policy and programs.
 - (a) Review program related policies or initiatives including the State of Alaska's comprehensive integrated mental health program plan.
 - (b) On an annual basis, review and monitor the development of the Trust Authority's budget related process and recommendations.
 - (c) Invite statutory advisors, key stakeholders, and relevant content experts to participate in discussions and planning activities.

FINANCIAL

15. **Allocate grant funds previously approved by the full board but not allocated to a specific grantee up to \$500,000.**
16. As delegated by the board, approve changes of intent for MHTAAR grants involving the carry-over from one state fiscal year to another.

COMMUNICATION

17. Review communications plan regarding beneficiary related issues requiring legislative or public advocacy.

REVIEW AND AMENDMENT OF THE CHARTER

18. The board of trustees, in consultation with the executive committee, will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
19. The board of trustees adopted this charter on .

DRAFT

CHARTER OF THE CHIEF EXECUTIVE OFFICER

Introduction

1. Alaska Law, AS 47.30.026(b), requires the board of trustees of the Alaska Mental Health Trust Authority (“AMHTA”) to employ a chief executive officer (“CEO”) and set the minimum salary for that position.
2. The bylaws state that the CEO will be the chief executive officer of the corporation and serve at the pleasure of the board of trustees. They set out, in general terms, the duties of the CEO.

Duties and Responsibilities

3. The board has approved a position description that is filed with the State of Alaska that describes the accountabilities, characteristics, and minimum qualifications expected of the chief executive officer.
4. The board has, for greater clarity, established this charter to set out the following specific authorities of the chief executive officer.

Authorities

5. The board delegates approval authority to the CEO to allocate grants previously approved by the full board but not allocated to a specific grantee up to **\$100,000**. A summary of all grants approved by the CEO will be provided to both the program and planning committee and to the full board quarterly.
6. The board delegates authority to the CEO to receive consultations on behalf of AMHTA from the TLO as required by law regarding projects with projected total sale revenue **below \$250,000**, or projected total land or mineral lease or easement rental **below \$50,000**, and to quarterly report such consultations to the board.
7. The board delegates authority to the CEO to approve TLO project expenditures **below \$50,000** per approval with a **cumulative maximum of \$100,000 per year**.
8. The CEO has authority to raise issues to the board at any board or committee meeting.
9. The CEO may delegate duties to staff.

10. The CEO will actively consult with the board and receive their consent to the employment or termination of the following key roles: executive director of mental health policy and programs, executive director of the Trust Land Office, and chief financial officer.

Review and Amendment of the Charter

11. The executive committee will review this charter at least once every three years and recommend any amendments to the board for approval as necessary to ensure that the charter remains relevant and appropriate.
12. The board of trustees adopted this charter on _____.

DRAFT

The Alaska Mental Health Trust Authority is proposing to amend its by-laws. The public is encouraged to comment on the proposed changes prior to or at the October 27th Special Full Board of Trustee meeting in Anchorage.

In our opinion, the Trust Authority by-laws should be amended to require the establishment of a standing committee that would catalogue the rights of the disabled and the number and type of complaints. Without the basic knowledge of beneficiaries rights and complaints, the Trust Authority will find it difficult to fund the advancement of rights for the disabled to best practice. The Trust committee should also be required to actively work to help improve rights for the disabled (Trust beneficiaries).

The Trust Authority is a state corporation with approximately five hundred million in cash assets and one million acres of land, the profits from the assets approximately thirty million annually is designated to aid approximately fifty thousand Trust Authority beneficiaries. Thirty million is a significant amount of money to help bring Alaska in line with best treatment practices for the disabled.

The Trust Authority beneficiaries fall into five main categories: individuals with a mental illness, individuals with developmental disabilities, individuals with brain injuries, persons with Alzheimer's and persons who have alcoholism and other substance abuse disorders. A common thread is individuals needing assistance from the state because of their disability.

Improving the rights for the disabled in Alaska to at least best practice in other states would save lives by reducing suicides, recidivism and poor treatment outcomes. From the point of being picked up by the police and provided forced treatment in a psychiatric facility or unit, up to 47% of the patients "reported experiencing fear, helplessness or horror in response to these events," as reported by Dr. Karen J. Cusack and others in "Trauma within the psychiatric setting: A preliminary empirical report."

Alaska is about twenty years behind best practice when it comes to protecting the disabled. The Alaska government has never produced a grievance procedure and appeal process requirements specifically designed for individuals with a cognitive disability: The due process for disabled patient complaints and appeals in locked facilities is too long. The Alaska government does not adequately require that assistance is provided for the disabled when they are filing a complaint. AS47.30.847 only applies to some facilities. The law does not state when the patient advocates must be available.

There is a clear unavoidable tension between providers of services for the disabled seeking convenience/ economics and rights for the disabled which can manifest into patient abuse. All the more reason for the Trust Authority to establish a standing committee that will keep track of the number and type of complaints filed by Trust beneficiaries and work to improve the basic rights for Trust beneficiaries.

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Reference: State-run Alaska Psychiatric Institute over ten years ago had a 10 bed forensic unit--It still does. Overcrowding in the API forensic unit meant that in the past API management dumped criminals in with voluntary patients for evaluation, etc.

Alaska psychiatric institutions and units do not have a requirement to recognize and treat institutional trauma and that causes damage to the patients.

With little or no state oversight, staff in psychiatric institutions has removed rights from patients for minor infractions of hospital rules.

There is no standard amount of time that psychiatric patients in Alaska in locked institutions can go outdoors.

Psychiatric hospital patient policies are not readily available to patients and guardians in written form or on the computer.

Every improvement for the disabled mentioned was being done in other states twenty years ago—just not in Alaska even today.