

**NEW JERSEY  
HIV/AIDS PLANNING GROUP**

**BY-LAWS**

**(NOVEMBER 17, 2016)**

**Article I: Name**

The name of the Group shall be "New Jersey HIV/AIDS Planning Group" (NJHPG).

**Article II: Objective**

The overall objective of the NJHPG is to produce a comprehensive plan for the delivery of care and treatment and HIV/AIDS prevention services in the State of New Jersey.

**ROLES AND RESPONSIBILITIES  
HIV/AIDS Planning**

HIV/AIDS planning is an ongoing process that is intended to improve the effectiveness of New Jersey's HIV/AIDS care and treatment and prevention programs. HIV/AIDS services planning is (1) evidence based, objective data such as: HIV/AIDS statistics, epidemiological data, financial data, utilization data, etc and (2) incorporates the views and perspectives of groups at risk for HIV/AIDS such as: those who are living with HIV/AIDS for whom the programs are intended, public policymakers, the public at large and providers of HIV/AIDS services.

This objective will be accomplished in collaboration with the New Jersey Department of Health (NJDH) – Division of HIV, STD and TB Services (DHSTS) by carrying-out the activities required for both the Health Resources and Service Administration (HRSA) and the Centers for Disease Control and Prevention (CDC), which are:

1. **Review the DHSTS HIV/AIDS Epidemiologic Profile:** Assess and describe the impact of HIV/AIDS in defined populations in New Jersey.
2. **Conduct a Needs Assessment:** Conduct an assessment of the HIV/AIDS prevention, care and treatment needs of the populations identified by the NJHPG and the epidemiologic profile.
3. **Maintain a Resource Inventory:** Maintain an inventory of all HIV/AIDS care and treatment and prevention services available in the state to determine its capacity to respond to the HIV/AIDS epidemic.

4. **Conduct a Gap Analysis:** The gap analysis will assess the capacity and resources of the current system in meeting client needs.
5. **Identify Prevention Strategies and Interventions:** Identify potential strategies and interventions used to prevent new HIV infections in the high-risk populations defined in the epidemiologic profile, needs assessment and resource inventory.
6. **Identify Care and Treatment Needs:** Identify service needs and resources from both governmental and nongovernmental sources to fund the needs of those infected/affected with HIV/AIDS. Identify disparity in access and services in historically underserved communities.
7. **Prioritize Populations and Interventions:** Identify and prioritize high-risk populations and their corresponding science-based interventions.
8. **Update as Required the Statewide Coordinated Statement of Need (SCSN) Document:** The SCSN document will prioritize the key issues and provide recommendations for enhancing Statewide HIV/AIDS services funded by the Treatment Modernization Act Programs.
9. **Produce a Statewide Comprehensive HIV/AIDS Services Plan:** This plan will document the NJHPG's activities and recommendations for provision of care and treatment and prevention services within the state. The Statewide Comprehensive HIV/AIDS Services Plan will be updated on an annual basis.
10. **Review the NJDHSS/CDC Application for Federal Funds:** Review NJDHSS's application to the CDC for federal HIV/AIDS prevention funds, including but not limited to, how well the priorities in the Statewide Comprehensive HIV/AIDS Services Plan are represented and how the distribution of funding represents the plan. The NJHPG will then provide a Letter of Concurrence/Concurrence with Reservations or Non-Concurrence.

11. **Maintenance of the NJHPG:** Formulate and implement policies and procedures that address:

- The NJHPG composition, selection and terms of office to ensure that the NJHPG reflects the population characteristics of the epidemic in New Jersey including representatives of each Part of the Treatment Modernization Act and people living with HIV/AIDS.
- Define the roles and responsibilities of the NJHPG group members and committees.
- Define methods for reaching decisions, attendance at meetings, resolution of disputes and resolution of conflict(s) of interest for members of the NJHPG.
- Determine and use the most effective mechanisms for incorporating the public's input into the HIV/AIDS service planning process.
- Provide a thorough orientation for new members.
- The NJHPG, in conjunction with Rutgers University's HIV Prevention Community Planning Support and Development Initiative (CPSDI), will track and evaluate the effectiveness of the planning process.

**Article III. Membership**

**SECTION 1. MEMBERS**

- The NJHPG shall consist of no more than 40 and no less than 30 members.
- Any person may submit a membership application to the NJHPG.
- DHSTS will appoint two state members of the NJHPG, one representing HIV/AIDS Prevention and one representing HIV/AIDS Care and Treatment Services.
- Strive for 30% membership demographic of People Living with HIV/AIDS (as identified within their membership application to the NJHPG).
- Strive for members who have the following types of expertise:
  - Legal Services
  - Housing
  - Faith Community
  - Minority Based Community Based Organization
  - Health Department STD/Hepatitis/TB

- Substance Abuse Provider
  - Community Based Organization
  - Intervention Specialist/Service Provider
  - Behavioral or Social Scientist
  - Medical Case Management
  - Mental Health
  - Health Planning
  - Epidemiologist
  - Youth
  - Community Representation (e.g. GLBTQ, IDU, Sex Workers, Youth, MSM, Substance Users, etc.)
- In the event that there is a vacancy in the membership, which results in having fewer members than allowed by the By-Laws, the Governance Committee will meet and the vacancy will be filled within two meetings of the full NJHPG. Vacancies shall not stop the NJHPG from conducting business. In the interim, the NJHPG shall establish a quorum for conducting business from the number of bonafide members of the NJHPG, unless that number is below 20.

## **SECTION 2. ELECTION OF NEW MEMBERS AND VACANCIES**

In order to fill vacancies, the NJHPG shall maintain a Governance Committee. The Governance Committee shall follow an open nomination process that the NJHPG has approved by a simple majority vote. Under this process, all NJHPG members will actively solicit applications for membership to the NJHPG, particularly from the groups described above to maintain group Parity, Inclusion and Representation (PIR). The Governance Committee will present a slate of applicants to the NJHPG for ratification.

To ensure that all NJHPG members have the opportunity to participate in the open nominations process there shall be written notification postmarked at least two weeks prior to all meetings at which this open nominations process will be implemented. The Governance Committee will meet and review the previously filed applications, and bring nominations to the NJHPG.

A quorum must be established before voting takes place. New members will be added to the NJHPG by ballot vote upon a simple majority of the quorum.

All individuals who submitted an application for membership will receive written notification of their acceptance/rejection from the NJHPG. All applications that do not meet the current demographic needs of the NJHPG will be returned to the pool of eligible applicants for the next 12 months. Applicants will be contacted on an annual basis by the NJHPG Staff to submit a new application.

### **SECTION 3. MEMBER ORIENTATION**

Members elected to the NJHPG will attend a scheduled orientation prior to being able to participate in any voting process of the NJHPG.

### **SECTION 4. RESIGNATION**

Each member shall have the responsibility of notifying the Chair, Vice-Chair(s) or the NJHPG Staff of his/her resignation in writing.

### **SECTION 5. MEMBERSHIP TERM**

The term of office for each NJHPG member will be for two years with the option of re-appointment by endorsement of the NJHPG, provided the member has fulfilled his/her membership commitments (refer to Article VI. Meetings, Section 3).

The Governance Committee will ensure that no more than half of the NJHPG membership is re-appointed for any given term.

### **SECTION 6. ALTERNATES**

Any member granted a leave of absence may designate an alternate who can carry a proxy vote in the member's absence at the NJHPG main meetings only. To be an alternate, the NJHPG member must provide the NJHPG Executive Committee written notice of the name of the alternate.

In order for an alternate to vote, they must attend at least one of the two preceding main NJHPG meetings or a committee meeting within a 75-day period. Alternates shall not be allowed to vote in any ballot membership vote taken by the NJHPG such as: new member elections; member re-elections; Chair and Vice-Chair elections; election of Regional At-Large Executive Committee members; votes for removal from office; votes for removal from the NJHPG or any proposed By-Law changes. Alternates cannot vote as proxy for a member until after they have attended an NJHPG Orientation session. Alternates cannot attend the Executive Committee or Governance Committee meetings.

## **SECTION 7. LEAVE OF ABSENCE**

All NJHPG members may request, in writing to the Executive Committee, a three-month leave of absence from the NJHPG. Individuals receiving a leave may assign an alternate prior to beginning their leave.

## **SECTION 8. CHAIR AND VICE-CHAIRS**

As of the January 2013 NJHPG Business Meeting, the Chair and Community Vice-Chair will serve for a two-year, staggered term of office. There will be a two-term limit for the offices of Chair and Community Vice-Chair. An individual can run for the same office provided there is a one-year break in service. In order to accomplish the goal of staggering the Chair and Community Vice-Chair offices, the current NJHPG Chair's term shall be extended, without vote, for 12 months in January 2013.\*

DHSTS will appoint one State Vice-Chair to the NJHPG.

The Chair and Vice-Chairs share responsibility for guiding the NJHPG and its committees in accomplishing its objectives and goals.

**\*NOTE:** *An election for the office of Chair will be held at the January 2014 Business Meeting. The current Chair will not have the option to run for the office of Chair in January 2014.*

## **Article IV. Committees**

### **SECTION 1. WORKGROUPS**

Workgroups and their chairpersons are appointed by a simple majority vote of the Executive Committee. Workgroups and chairpersons are then ratified by the full NJHPG. Workgroups do research on specific topics over fixed periods of time. All findings and recommendations of the work groups are reported back to the NJHPG for review and action. Upon completion of its task(s), workgroups will be disbanded. Workgroup Chairpersons must be a member of the NJHPG.

## **SECTION 2. STANDING COMMITTEES - DESIGNATION**

The Executive Committee may designate new standing committees upon recommendation from established workgroups.

Workgroups shall submit a declaration of purpose as to why they should become standing committees with ongoing tasks and responsibilities. Upon approval from the Executive Committee, the Governance Committee shall modify By-Laws accordingly and present the By-Law change to the full membership of the NJHPG for ratification. Upon ratification, the workgroup shall become a standing committee.

The standing committees are as follows:

1. Executive Committee
2. Governance Committee
3. HIV/AIDS Issues Committee
4. HIV/AIDS Prevention and Care Collaborative Committee
5. Gay Men's Committee

## **SECTION 3. STANDING COMMITTEES - PROCEDURES**

1. After election, all members are required to participate in at least one of the following committees:
  - Governance Committee
  - HIV/AIDS Issues Committee
  - HIV/AIDS Prevention and Care Collaborative Committee
  - Gay Men's Committee

The public may serve on the HIV/AIDS Issues Committee, HIV/AIDS Prevention and Care Collaborative Committee, Gay Men's Committee and any assembled Workgroups. The Executive and Governance Committees are open to members of the NJHPG only.

2. The HIV/AIDS Issues Committee, HIV/AIDS Prevention and Care Collaborative Committee and Gay Men's Committee must have at least three NJHPG members. A committee quorum will consist of more than half of the members, two of whom must be NJHPG members.
3. Each committee will elect a chairperson, who must be a member of the NJHPG. The newly elected chairperson will be a member of the Executive Committee. Chairs are responsible for:  
(1) developing the committee agenda; (2) facilitating the committee meetings; (3) reporting



the committee activities at each of the main NJHPG meetings and (4) scheduling the next meeting dates.

4. Each committee may elect up to two Vice-Chairs to assist in conducting its business. The Vice-Chair must be an NJHPG member and cannot hold another Executive Committee position. One of the Vice-Chairs may fill in for the Committee Chair at an Executive Committee meeting.
5. Committee meetings cannot be scheduled concurrently unless a joint committee meeting is called.
6. If a committee member has more than two unexcused absences from the committee meetings or three consecutive absences from committee meetings in a year (whether excused or unexcused), they will be considered to have resigned as a member of the committee. Although personal attendance is preferred, the requirement of this attendance policy may be met via participation through conference call and/or webcast, i.e. Webinar.
7. Only committee members have voting privileges on that respective committee.
8. If a Chair resigns, the committee shall hold an election at the next committee meeting.
9. Each committee may establish subcommittees to accomplish specific tasks.

#### **SECTION 4. STANDING COMMITTEES – MEMBERSHIP, QUORUM, VOTING RIGHTS AND ATTENDANCE POLICIES**

##### Quorum

The Governance Committee stated that a quorum will consist of 3 NJHPG members present at the meeting. The committees are to decide the number of non NJHPG committee members present in order for voting to occur. The by-laws currently state in order for voting to occur, a simple majority (1/2 of the committee members plus 1) is needed.

##### Definition of Membership

The NJHPG Committees are to determine membership, i.e., the number of times the person is required to attend the meeting in order to be placed on the roster and eligible to vote and determine the number of unexcused absences that would consider that person to have resigned from the committee.

### Governance Committee

#### Quorum

A quorum will consist of 3 NJHPG members being present at the meeting and Robert Rules of Order, simple majority ( $\frac{1}{2}$  the roster present plus 1) in order for voting to occur.

#### Membership of Committee - NJHPG Members

NJHPG members are required to attend 1 Governance Committee meeting and then request to become a member of the committee.

#### Voting Rights

Once membership is established the member will have full voting rights.

#### Attendance Policy

Attendance policy is as follows:

3 unexcused absences in 12 months, 5 total absences in 12 months, 2 unexcused in a row will be considered to have resigned.

### Issues Committee

#### Quorum

A quorum will consist of 3 NJHPG members being present at the meeting and Robert Rules of Order, simple majority ( $\frac{1}{2}$  the roster present plus 1) in order for voting to occur.

#### Membership of Committee – Non-NJHPG Members

Non-NJHPG members are required to attend 3 consecutive Issues Committee meetings and then request to become a member of the committee.

#### Membership of Committee - NJHPG Members

NJHPG members are required to attend 2 consecutive Issues Committee meetings and then request to become a member of the committee.

#### Voting Rights

Once membership is established the member will have full voting rights.

### Attendance Policy

Attendance policy is as follows:

3 unexcused absences in 12 months, 5 total absences in 12 months, 2 unexcused in a row will be considered to have resigned.

### Prevention and Care Collaborative Committee

#### Quorum

A quorum will consist of 3 NJHPG members being present at the meeting and Robert Rules of Order, simple majority ( $\frac{1}{2}$  the roster present plus 1) in order for voting to occur.

#### Membership of Committee – Non-NJHPG Members

Non-NJHPG members are required to attend 3 consecutive Prevention and Care Collaborative Committee meetings and then request to become a member of the committee.

#### Membership of Committee - NJHPG Members

NJHPG members are required to attend 2 consecutive Prevention and Care Collaborative Committee meetings and then request to become a member of the committee.

#### Voting Rights

Once membership is established the member will have full voting rights.

### Attendance Policy

Attendance policy is as follows:

3 unexcused absences in 12 months, 5 total absences in 12 months, 2 unexcused in a row will be considered to have resigned.

### Gay Men's Committee

#### Quorum

A quorum will consist of 3 NJHPG members being present at the meeting and Robert Rules of Order, simple majority ( $\frac{1}{2}$  the roster present plus 1) in order for voting to occur.

#### Voting

A simple majority is needed for voting to occur ( $\frac{1}{2}$  membership plus 1) for non NJHPG members.

Membership of Committee and Voting Rights

Non-NJHPG members are required to attend 3 consecutive Gay Men’s Committee meetings and then request to become a member of the committee.

NJHPG members are required to attend 2 consecutive Gay Men’s Committee meetings and then request to become a member of the committee.

Attendance Policy

3 unexcused absences in 12 months, 5 total absences in 12 months, 2 unexcused in a row will be considered to have resigned.

**Article V. Executive Committee**

**SECTION 1. COMPOSITION**

1. The membership of the Executive Committee will consist of the following individuals:
  - The Chair and Vice-Chairs of the NJHPG,
  - The chairpersons of all the standing committees and workgroups,
  - Three at-large members of the Executive Committee shall be elected by the NJHPG at the Annual Business meeting by majority vote. At-large members shall be selected to represent one of the three regions of New Jersey for a term of one year: (1) North, (2) South and (3) Central.
  - 1. North: Essex, Union, Morris, Sussex, Bergen, Passaic, Warren, Hudson
    2. South: Burlington, Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem
    3. Central: Hunterdon, Mercer, Middlesex, Monmouth, Somerset, Ocean
2. No person may hold more than one Executive Committee position, with the exception of workgroup chairs.

**Article VI. Meetings**

## **SECTION 1. MEETING PROCEDURES**

The NJHPG Staff shall provide written notification of each meeting of the NJHPG at least two weeks in advance of the meeting. The notice shall include a draft agenda, a draft of motions to be voted upon and the minutes of the previous meeting. Items to be included on the agenda shall be determined by the Executive Committee.

The NJHPG will adhere to *Robert's Rules of Order*. A procedural challenge must be presented within 60 days of a decision in order to be a valid appeal.

A parliamentarian may be appointed by the Chair of the NJHPG.

## **SECTION 2. OPEN TO PUBLIC**

All NJHPG main meetings shall be open to the public.

A closed session shall be called for matters of privacy such as the election of new members.

## **SECTION 3. ATTENDANCE**

Members are expected to attend all main NJHPG and committee meetings. Any absences from NJHPG meetings must be in compliance with the following policy:

- For an excused absence, members should call or leave a message with the NJHPG Staff no later than one hour prior to the meeting. Meeting minutes will list those members present, those with an excused absence and those with an unexcused absence.
- Any member with: 1) three unexcused absences within a 12-month period; or 2) five total absences within a 12-month period; or 3) two consecutive unexcused absences shall be considered to have resigned.
- Anyone considered to have resigned under this rule will be notified in writing by the NJHPG Staff and may choose to appeal.

## **SECTION 4. DECISION MAKING**

In order for any decisions to be made, a quorum must be established. A quorum shall be a simple majority of the total membership of the NJHPG.

A simple majority of members present and voting is required to pass regular matters before the NJHPG.

The Chair can only vote to eliminate a tie or in a closed ballot election.

A closed ballot will be used for By-Law changes and Membership Elections.

Each vote shall call for those who recuse themselves, then yeas, nays and abstentions. Anyone may request a roll call vote.

#### **SECTION 5. CONFLICT OF INTEREST**

A conflict of interest exists when an NJHPG member votes upon an issue that is likely to effect compensation for themselves, a close relative, a member of their household, or an individual who has business dealings with the NJHPG member.

##### Type of Disclosure

Each NJHPG member shall disclose, in writing, any and all professional and/or personal affiliations with agencies that pursue HIV/AIDS funding. Annually, each NJHPG member shall complete a conflict of interest statement.

A member with a conflict of interest is required to identify the conflict before discussion on a conflicting issue. Any NJHPG member, who perceives a conflict of interest on the part of another group member, should identify the perceived conflict of interest.

##### Handling Conflict of Interest

The record will reflect those members with a conflict of interest.

On issues where a group member has a conflict of interest, that member may not vote; however, he/she may attend the discussion and may answer specific questions that are posed to him/her.

A group member cannot be paid for services rendered to the group.

#### **Article VII. Lobbying**

The NJHPG operates under direct affiliation with DHSTS, in cooperative agreement with the CDC and

HRSA. Therefore, the NJHPG, its activities and the activities of its designated standing committees, workgroups or task forces must follow restrictions determined by federal guidelines. Under the provisions of 31, U.S.C. Section 1352, recipients and their contractors are prohibited from using appropriated federal funds for lobbying Congress or any Federal agency in connection with the award of a particular contract, grant, cooperative agreement or loan.

This includes grants/cooperative agreements that, in whole or in part, involve conferences for which Federal funds cannot be used directly or indirectly to encourage participation to lobby or instruct participants on how to lobby.

In addition, no part of any appropriation may be used for publicity, propaganda purpose, for the preparation, distribution and of any kit, pamphlet, booklet, publication, radio, television or video presentation designed to influence legislation pending before the Congress or any State legislature. No part of any appropriation contained in Public Law 105-78 can be used to pay the salary or expenses of any grant, contract recipient or agent acting for said recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

#### ***Article VIII. Books and Records***

The NJHPG and its committees shall keep minutes of all proceedings and such other books and records as may be required for the proper conduct of its business and affairs. These documents shall be public record.

#### ***Article IX. Amendments***

Any amendments to the By-Laws shall be channeled through the Governance Committee for research and drafting. Written notice of the proposed By-Law changes shall be mailed or delivered to each member at least two weeks prior to the date of the meeting at which the voting is scheduled. All proposed By-Law votes shall be conducted by closed ballot. By-Law changes require a two-thirds (2/3) majority vote.

#### ***Article X. Ratification***

These By-Laws go into effect upon two-thirds (2/3) majority vote of the NJHPG members.