

RESOLUTION # _____

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES

CERTIFICATE OF NEED COMMISSION

COMMISSIONERS

RESOLUTION AMENDING BYLAWS

At a Regular meeting of the Michigan Department of Health and Human Services Certificate of Need Commission Commissioners held in person and remote on 12/09/2021 at 9:30 a.m. at 333 S. Grand Ave., 1st Fl., Grand Conference Room, Lansing, MI 48933

WHEREAS, pursuant to MCL 333.22213, the Certificate of Need Commission (hereinafter "CON Commission") adopted Bylaws in part to govern its voting procedures, conflict of interest, and meetings requirements.

WHEREAS, pursuant to ARTICLE X, of the Bylaws, the Department or a CON Commission member may propose a written amendment to the Bylaws.

WHEREAS, the CON Commission may take final action upon the written amendment 30 days after said amendment has been distributed to the CON Commission.

WHEREAS, 30 days have passed since Department distributed its proposed written amendment to the CON Commission Bylaws.

WHEREAS, the amendments are as follows:

1) ARTICLE V - currently reads:

F. Teleconferencing

Commission members may participate in meetings by teleconferencing consistent with the Open Meetings Act (1976 PA 267, as amended, MCL 15.261. et seq). Upon approval of the Chairperson, Commission members may appear at a meeting via electronic device, including speaker phone or interactive television, provided that a quorum is present at the meeting site and all individuals attending the meeting can hear, and can be heard by, the Commissioner(s) attending via electronic device. Commission members participating in meetings by teleconference cannot use teleconferencing to vote but may speak on matters being considered.

ARTICLE V - as amended will read:

F. Remote Participation

Commission members may participate in meetings remotely to the extent permitted by the Open Meetings Act (1976 PA 267, as amended, MCL 15.261. et seq). Commission members shall notify the Commission secretary as soon as possible to arrange for remote participation.

In all other respects it remains unchanged.

2) ARTICLE VII – currently reads:

ARTICLE VII – COMMITTEES

- ...
- C. Members of the NEWTAC and a SAC are subject to the following provisions:
 - ...
 - 2. Teleconferencing consistent with Article V(F) of these Bylaws.
 - ...

ARTICLE VII – as amended will read as follows:

ARTICLE VII – COMMITTEES & WORKGROUPS

- ...
- C. Members of the NEWTAC and a SAC are subject to the following provisions:
 - ...
 - 2. Remote Participation consistent with Article V(F) of these Bylaws.
 - ...
- D. Workgroups. The CON Commission, a NEWTAC, or an SAC may appoint or create a workgroup to the extent permitted by law. Any workgroup established shall be limited to making recommendations to the public body and shall be exempt from the requirements of ARTICLE VII C. A quorum of members of the CON Commission, members of a NEWTAC, or members of an SAC are not allowed to be present at or party to the communications of a workgroup. The workgroup shall provide its recommendations, supporting documentation, progress and updates, and related matters to the secretary of the public body for distribution and review by said body consistent with law and these Bylaws. Representatives of a workgroup may attend a meeting of the public body to present its recommendation and answer questions.

In all other respects it remains unchanged.

THEREFORE, IT IS RESOLVED

- 1) The above amendments are adopted and may be incorporated into the respective provisions in the Bylaws.
- 2) All other resolutions in conflict herewith are repealed to the extent of said conflict.

This RESOLUTION offered by commissioner FALAHÉE.

Supported by commissioner KONDUR.

Upon a roll call vote, the following voted:

Aye: DIMICK, ENGLE-HARDT-KALBFLEISCH, FERBUSON, GUIDO-ALLEN, KONDUR, LALONDE, MACALLISTER, TURNER-BAILEY, FALAHÉE & MCKENZIE

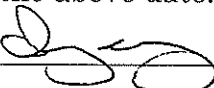
Nay: _____

Abstained: _____

The chairman declared the resolution adopted.

I hereby certify the foregoing constitutes a true and complete copy of a resolution adopted by the Certificate of Need Commission held at a regular or special meeting as indicated above, at the above location, and on the above date.

Date: 12-9-21

by: 

Name: Amy McKenzie

Secretary of Commission


BRENDA ROGERS