



Colorado Department  
of Public Health  
and Environment

## **BYLAWS**

### **Cancer, Cardiovascular Disease, and Pulmonary Disease Program Review Committee**

#### **ARTICLE I: Name**

The name of this organization shall be the Cancer, Cardiovascular Disease, and Pulmonary Disease Program Review Committee, herein referred to as the “Review Committee”, created pursuant to House Bill 05-1262, C.R.S. 25-20.5-503 operating within the Department of Public Health and Environment, Prevention Services Division, herein referred to as the “Department.”

#### **ARTICLE II: Purpose**

The purpose of the Review Committee is to oversee program strategies and a competitive grants program for prevention, early detection, and treatment of cancer, cardiovascular disease, and pulmonary disease.

#### **ARTICLE III: Duties of the Review Committee**

- Section 1. The Review Committee shall:
- (a) Oversee program strategies and activities and ensure compliance with C.R.S. Section 25-20.5-302 of HB 05-1262;
  - (b) Make recommendations to the department and the Colorado Board of Health regarding the competitive grants program to provide a cohesive approach to cancer, cardiovascular disease, and chronic pulmonary disease prevention, early detection, and treatment in Colorado;
  - (c) Review grant applications; and
  - (d) Make recommendations for grant approval and amounts to the Colorado Board of Health.

#### **ARTICLE IV: Members**

- Section 1. The composition of the Review Committee shall reflect, to the extent practical, Colorado's ethnic, racial, and geographical diversity.
- Section 2. The Review Committee shall be in accordance with CRS Section 25-20.5-303 (2) and consist of the director of the Prevention Services Division of the department, or the director's designee, and fifteen members appointed as follows.
- (a) The executive director of the department or the executive director's designee.
  - (b) The executive director shall appoint three members, all of whom are department staff with expertise in cancer, cardiovascular disease, or chronic pulmonary disease.
  - (c) The state board shall appoint:
    - (I) One member who is a member of the state board;
    - (II) One member who is a chronic pulmonary disease professional;

- (III) One member who is cardiovascular disease professional;
- (IV) One member who is a cancer professional;
- (V) Two members who are public health professionals;
- (VI) One member who is a recognized expert in health disparities;
- (VII) One member who represents the rural interest in regard to the prevention, early detection, and treatment of cancer, cardiovascular disease, and chronic pulmonary disease; and
- (VIII) One member who is a primary care provider.

- (d) The president of the Senate shall appoint one member of the Senate.
- (e) The speaker of the House of Representatives shall appoint one member of the House of Representatives.

Section 3. Members of the Review Committee shall serve three-year terms; except that, of the members initially appointed to the Review Committee, five members appointed by the state board shall serve two-year terms.

Section 4. Members of the Review Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from moneys deposited in the prevention, early detection, and treatment fund created in section 24-22-117, C.R.S., for their actual and necessary expenses incurred in the performance of their duties.

#### **ARTICLE V: Officers**

Section 1. Elected officers of the Review Committee shall be the Chairperson and the Vice Chairperson:

- (a) These officers shall be elected from among the voting members of the Review Committee.
- (b) The election shall be conducted within 90 days of the establishment of the Review Committee for the first year and annually at the first meeting held after June 30 in each calendar year in subsequent years.
- (c) The Chairperson and Vice Chairperson shall be elected by majority vote of the ballots cast for the office.
- (d) The Chairperson or Vice Chairperson may be removed from office:
  - (I) At any time for cause the Review Committee may deem sufficient, by a vote of three-fourths of the entire voting membership present.
  - (II) Written notice giving time, place and purpose of this meeting shall be mailed to each member of the Review Committee at least ten working days prior to the meeting;
  - (III) If an officer is removed at such meeting, an election for a successor shall take place at the same meeting.

Section 2. The term of office for Chairperson and Vice Chairperson shall be one year commencing at the close of the meeting at which they were elected. For the first year, FY 2005-2006, officers shall serve until the next election.

Section 3. A vacancy in office shall exist in the event of an officer's death, resignation, or removal from office.

Section 4. Duties of the Chairperson shall be to:

- (a) Preside at all meetings of the Review Committee.
- (b) Observe and enforce the bylaws and policies of the Review Committee.

- (c) Perform all such other duties of the office as provided by these bylaws or prescribed by the Review Committee.
- Section 5. Duties of the Vice Chairperson shall be to:
- (a) Exercise the functions of the Chairperson in absence, or during the inability of the Chairperson to perform.
  - (b) Perform other duties the Chairperson may prescribe.
- Section 6. Duties of the department staff who are responsible for administering the program shall be:
- (a) Prepare background documents and present information to support the work of the Review Committee.
  - (b) Support the grant application and review process of the Review Committee.
  - (c) Prepare requests for applications (RFAs) and requests for proposals (RFPs) following guidance from the Review Committee, consistent with state fiscal rules and department policies.
  - (d) Oversee and monitor the budget.
  - (e) Notify all Review Committee members and announce to the public, in a manner prescribed by the Review Committee, the time and place of Review Committee meetings and meetings of the Review Committee's subcommittees and task forces at least seven working days prior to such meetings and cancellations of such.
  - (f) Record, maintain and distribute accurate minutes of all Review Committee and Review Committee subcommittee meetings.
- Section 7. In the absence of both the Chairperson and Vice Chairperson at any meeting in which a quorum is present, the members present shall elect a Chairperson to serve for that meeting only.

#### **ARTICLE VI: Meetings**

- Section 1. The Review Committee shall meet at least quarterly, and more frequently as needed, at the call of the Chairperson.
- Section 2. A quorum of nine members shall be required for all actions of the Review Committee. In the event of vacancies on the committee, a quorum shall be considered to be a simple majority of current members.
- (a) No proxy or absentee voting shall be allowed;
  - (b) Members may fully participate in a meeting via teleconference or video conference;
  - (c) At the discretion of the Chairperson, issues may be voted upon via email or writing (fax) provided responses are received within 48 hours of the notification.
  - (d) Any meeting may be cancelled by the Chairperson, three working days prior to such meeting, when, in consultation with department staff, the Chairperson determines the meeting is not needed, or when there will not be a quorum present.
- Section 3. In the absence of a quorum, any business transacted is null and void, except to take measures to obtain a quorum or to re-schedule another meeting.

- Section 4. All meetings of the Review Committee shall be open to the public in accordance with regulations of the Colorado Open Records Act and Sunshine Law. The Review Committee may move to Executive Session in accordance with the Colorado Open Records Act. Notice of meetings shall be posted on the program's web site.
- Section 5. All decisions and recommendations from the Review Committee to the Board of Health and to the Department shall have been adopted by majority vote of the Review Committee.
- Section 6. No individual member shall make a statement of policy that purports to be that of the Review Committee unless the Review Committee shall have adopted such policy, but no one shall be prohibited from stating his or her personal opinions, provided they are clearly identified as such.
- Section 7. All discussions of the Review Committee relative to the review of grant applications is to be regarded as confidential information, not to be discussed outside the context of Review Committee meetings.

#### **ARTICLE VII: Subcommittees and Task Forces**

- Section 1. Subcommittees of the Review Committee may be established as needed by majority vote of the Review Committee.
- Section 2. Ad hoc committees and task forces including other individuals, groups, organizations or associations, pursuant to Article III, may be established by majority vote at any meeting of the Review Committee:
- (a) Membership shall be prescribed by the Review Committee;
  - (b) The Review Committee Chairperson shall appoint the chairpersons of ad hoc committees and task forces; that chairperson shall come from Review Committee membership;
  - (c) Ad hoc committees shall be given prescribed purposes and prescribed dates of discontinuance.
- Section 3. Meetings of the subcommittees and any ad hoc committee or task force shall be open to the public, and shall hear testimony from the public in attendance in a manner as prescribed by the Review Committee:
- (a) Meetings shall be at the call of the Chairperson of the subcommittee or task force.
  - (b) Meetings shall be announced at least seven working days prior to the meeting date in a manner as prescribed by the Review Committee.
  - (c) A majority of the current membership of Review Committee subcommittees or of any ad hoc committee or task force shall constitute a quorum.
  - (d) No proxy or absentee voting shall be allowed for any member of a subcommittee or task force; however, a subcommittee member may fully participate and vote by teleconference or video conference;
  - (e) In the absence of the subcommittee or task force chairperson, the members shall elect a chairperson who shall serve for that meeting only.
  - (f) Meetings of Review Committee subcommittees, ad hoc committees and task forces shall be conducted in the manner as prescribed in the parliamentary authority.

- (g) Minutes of all subcommittee meetings shall be made, copies of which shall be remitted to the members of the subcommittee and the Review Committee.

**ARTICLE VIII: Voting and Balloting Procedures**

- Section 1. In any instance in which a majority vote is called for
  - (a) The Chairperson may call for a show of hands, voice vote, standing vote, or a secret ballot, and such voting method shall determine the result of the vote; except,
  - (b) In the case of election of the Chairperson and Vice Chairperson, the vote shall always be by secret ballot as outlined in Sections 2 and 3 of this Article.
  - (c) No proxy or absentee voting shall be allowed.
- Section 2. Ballots shall be pieces of paper on which the member prints his or her choice.
- Section 3. If no candidate or issue receives a majority of the votes cast, another ballot shall be taken. If further ballot needs to be cast to determine a single majority winner, it shall be between the two candidates or issues receiving the highest number of votes on the immediate preceding ballot.

**ARTICLE IX: Parliamentary Authority**

Meetings shall be conducted generally in keeping with Robert's Rules of Order, but shall be as informal as circumstances permit.

**ARTICLE X: Adoption of Bylaws**

These Bylaws shall take effect immediately upon majority vote of the Review Committee and signature of Chairperson.

**ARTICLE XI: Amendment of Bylaws**

- Section 1. The bylaws may be amended in whole or in part at a meeting of the Review Committee:
  - (a) By three-fourths vote provided that such amendment was submitted to the Review Committee at least ten working days prior to the meeting at which such amendment is to be offered and remitted to all members of the Review Committee.
- Section 2. Adopted amendments shall take effect immediately upon adoption.

**ARTICLE XII: Conflict of Interest**

- Section 1. Where a personal, professional, or financial conflict of interest may exist, participation by members of the Review Committee, including engaging in tasks or duties of the Review Committee, shall be determined under this Section.
  - (a) A conflict of interest means engagement in an official act or recommendation of the Review Committee which may be influenced by a real or perceived direct economic benefit from an enterprise in which the member has a direct or substantial financial interest. A conflict of interest may also exist in circumstances where the member has a personal or

professional interest that would interfere with participating objectively in an official act or recommendation.

- (b) A member shall disclose the conflict of interest before the discussion begins or as soon thereafter as the conflict is perceived, and disclose to the Review Committee the basis of the conflict. The member can then either disqualify him or herself from any further participation or voting on the matter at hand, or upon disclosure of the conflict, the Chairperson will ask for comments from any members or any member of the public present. Except for the member disclosing the potential conflict of interest, the Review Committee shall vote on whether a conflict of interest exists, and the member disclosing the potential conflict of interest shall be bound by the Review Committee's vote.
- (c) If a conflict is found to exist, the member disclosing the conflict of interest may be disqualified from discussion and/or voting on the matter at hand depending on the degree of conflict of interest. Conflicts of interest may range from a committee member being a principal investigator for a grant application, a writer or key partner in the writing of a grant application, or part of an organization submitting an application and receiving a benefit from the application.
- (d) A conflict of interest may also be raised by other Review Committee members or any member of the public in attendance.
- (e) Any member wishing to abstain from voting shall notify the Review Committee according to the Review Committee's procedural policy.
- (f) Any Review Committee member wishing to disengage from a required task or duty of the Review Committee shall notify the Review Committee and give citation of possible conflict of interest to the Chairperson.
- (g) Dispensation from voting or duty shall pertain only to the specified vote or duty.

Bylaws revised November 10, 2006

Signed: \_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Vice Chairperson

Attest: \_\_\_\_\_