

## **10A NCAC 28A .0202 MEMBERSHIP**

- (a) Members of human rights committees shall be appointed by the Secretary.
- (b) Recommendations for committee appointments and the appointment process shall be as follows:
  - (1) The State Facility Director shall maintain a schedule of the terms of appointment for committee members and shall request names of possible appointees from voluntary groups serving the mentally ill, mentally retarded or substance abusers, as appropriate, as well as from the Chairperson of the State Facility Human Rights Committee six months prior to the expiration of a committee member's term. The State Facility Director shall submit these nominations, as well as any additional nominations, to the appropriate deputy director in the Division five months prior to the expiration of the Committee member's term.
  - (2) Within two weeks following receipt of the nominations, the Deputy Director shall submit the Committee and voluntary group recommendations for nominations, as well as any other nominations supported by the Deputy Director, to the Division Director.
  - (3) The Division Director shall submit the committee and voluntary group recommendations, as well as any other nominations he supports, to the Secretary four months prior to the expiration of the Committee member's term of office.
  - (4) The Secretary shall contact his choices for potential appointees, explain committee member responsibilities and confirm appointments in writing.
  - (5) The Secretary shall notify the Division Director and the committee chairperson of confirmed committee appointments and the term of office for appointees two months prior to the expiration of the Committee member's term.
  - (6) The Division Director shall notify the State Facility Director of the appointment.
- (c) Appointments shall be made with an effort to consider the geographic distribution, race and sex composition of the Human Rights Committees.
- (d) Members shall represent only one of the organizations or professional groups indicated in Paragraphs (e), (f), (g), (h) and (i) of this Rule during any single term in their capacity as human rights committee members.
- (e) Each regional psychiatric hospital shall have a committee consisting of ten members, none of whom shall be currently employed by the Division or attorney general's office.
  - (1) All members shall be knowledgeable about mental health and mental illness issues as evidenced by interest, experience or education.
  - (2) Appointments shall be made with an effort to consider representation of the needs and characteristics of the state facility clients.
  - (3) Appointees shall include one member from the North Carolina Mental Health Association; one member from the North Carolina Alliance for the Mentally Ill; and one member from the North Carolina Association for Retarded Citizens.
  - (4) Four members shall be appointed at large.
  - (5) At least one member shall be a client and at least one member shall be a family member.
  - (6) One member shall be a licensed attorney.
- (f) Each regional mental retardation center shall have a committee consisting of ten members, none of whom shall be currently employed by the Division.
  - (1) Four of the Committee members shall include the legally responsible person of persons with mental retardation who may or may not reside in a state facility, persons with mental retardation, and at least one client of a regional mental retardation center.
  - (2) Three members shall be professionals from three different associated fields such as social work, education, psychology or medicine.
  - (3) One member shall be a licensed attorney.
  - (4) Two members shall be selected at large.
- (g) Each regional alcoholic rehabilitation center shall have a committee consisting of five members, none of whom shall be currently employed by the Division.
  - (1) Two persons shall be members of voluntary groups representing the interests of persons having substance abuse problems.
  - (2) One person shall be a client or family member of a client of an alcoholic rehabilitation center.
  - (3) Two members shall be selected at large.
- (h) Wright School, Whitaker School and any other like state facility established and administered by the Division to serve emotionally disturbed children and adolescents each shall have a committee consisting of five members, none of whom shall be currently employed by the Division.

- (1) Two persons shall be members of voluntary groups representing the interest of children and adolescents with special needs.
  - (2) One person shall be the legally responsible person of a client of a state facility for emotionally disturbed children.
  - (3) Two members shall be selected at large.
- (i) North Carolina Special Care Center at Wilson and any other like state facility established and administered by the Division shall have a committee consisting of five members, none of whom shall be currently employed by the Division.
- (1) All members shall be knowledgeable about mental health and nursing care issues as evidenced by interest, experience or education.
  - (2) Four members shall be appointed at large.
  - (3) At least one member shall be a client or family member of a client.

*History Note: Authority G.S. 122C-64; 131E-67; 143B-10; 143B-147;  
Eff. October 1, 1984;  
Amended Eff. April 1, 1990; July 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24,  
2017.*