

Jenkins County Medical Center

Policy Title Board Meeting Public Comment Policy	Policy #
Approved By:	Page <u>1</u> of <u>4</u>
JCMC Medical Executive Committee	Effective: 01/27/2025
Board of the Hospital Authority of Jenkins County	Reviewed:
	Revised:

Purpose:

The Hospital Authority of Jenkins County Board of Directors recognizes the importance of public input on matters affecting constituents relating to Hospital operations. To facilitate an orderly, efficient, respectful, focused, and accessible platform for community members to voice their opinions, the Board establishes standard procedures to be followed during public appearances before the Board.

Definitions:

Proposition(s) before the Board: Item(s) on the Board's Agenda for the meeting at which members of the public are requesting to be heard.

Open Comment(s): Comment(s) directed to the Board, which is given by someone not already on the Board's Agenda for the meeting at which members of the public are requesting to be heard.

Policy Statement:

It is the policy of the Hospital Authority of Jenkins County Board of Directors to provide a reasonable opportunity for members of the public to be heard on propositions before the Board and open comments as determined by the Board Chair.

Procedure:

1. The portion of the meeting during which participating of the public is invited shall be limited to three (3) minutes per person for a total of thirty (30) minutes per meeting, unless extended by the Board Chairperson (or other presiding member in the absence of the Board Chairperson) in their sole discretion.
2. The opportunity to be heard is subject to all Hospital policies and procedures and does not prohibit the Board from maintaining orderly conduct or proper decorum in a Board meeting.
3. If a member of the public has requested to be heard but is unable to be accommodated during such meeting's Open Comment period, they shall be allotted time at the next scheduled Board meeting.
4. Any person or group who wishes to be heard on Agenda items during a Board meeting must observe the following:
 - a. Complete a "Request for Public Comment" form before the meeting. Forms shall be available outside the Board Room at least forty-five (45) minutes before

Jenkins County Medical Center

the scheduled start of the meeting and may also be requested before the meeting at any time from the Board Coordinator.

b. If written materials are requested to be distributed in conjunction with the Request for Public Comment, no less than five (5) copies must accompany the form. Any written materials submitted may be retained as part of the public record of the meeting.

c. Persons may submit completed forms and any related documents to the administrative office during normal operating hours on Monday through Friday, or to the recording secretary or administrative staff member present in the Board Room on the day of the meeting at least thirty (30) minutes prior to the meeting's Call to Order.

d. For meetings to proceed in an efficient and orderly manner, the Board Chairperson may in his or her absolute discretion:

i. Limit the number of speakers, shorten or lengthen the time allowed to speakers, or designate a representative to speak on behalf of a group consisting of 5 or more individuals.

ii. Interrupt, warn, or terminate public comment when a person's allotted time has elapsed, or is unrelated to the agenda item identified by the person's request, or when it is personally directed, abusive, obscene, or irrelevant.

iii. Request any individual to leave the meeting when that person does not observe reasonable decorum.

iv. Request the assistance of security and/or law enforcement in the removal of a disobedient person when that person's conduct interferes with the orderly progress of the meeting.

v. Call for recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such actions.

e. When recognized by the Board Chairperson, an individual or representative shall rise (unless unable to do so by nature of disability), state their name and address for the record, and be heard on the agenda item identified by the individual or representative's Request for Public Comment. Reasonable accommodations will be made for individuals or representatives with a disability who wish to be heard.

f. All statements shall be directed to the Board as a whole, and not to individual members. Staff members shall not be expected to answer questions from members of the public unless called upon by the Board Chairperson.

5. Individuals and representatives will generally be permitted to speak in the order in which their Request for Public Comment forms are received; however, the Board Chairperson shall have the authority to arrange the order of speakers in any manner

Jenkins County Medical Center

deemed appropriate for the orderly conduct of the meeting.

6. Requests to address the Board for items not on the Board's Agenda must be received by the Administrative Office no later than 5:00 p.m. on the Wednesday preceding the Board meeting. Such requests shall be evaluated by the Board Chairperson. In reaching a decision to grant or deny such requests, the Board Chairperson shall consider the following:

- a. The number of items on the Board's Agenda;
- b. The number of requests made or anticipated to speak on Agenda items;
- c. The substantive nature of the requested matter;
- d. The prior presentation or consideration of the matter by the Board;
- e. The likelihood of disruption if the request is granted; and
- f. Whether the interests of the hospital would be advanced by granting the request.

Unless required by applicable law, such request shall be denied with respect to any ongoing legal or personnel matter, or any matter that has not been fully exhausted through internal administrative channels.

7. In addition to the guidelines in this Policy and other applicable the Jenkins County Hospital Authority Board policies, public commentary will not be permitted if:

- a. The topic is excluded by the Open Meetings Act (O.C.G.A. § 50-14-1, et seq.). This includes, but is not limited to, certain land, legal or personnel items.
- b. The speaker makes obscene, profane, vulgar, defamatory, slanderous, or threatening gestures/remarks during their public commentary;
- c. The speaker discusses a specific patient(s) or shares other information that could lead to the personal identification of a patient in violation of the federal Health Insurance Portability and Accountability Act ("HIPAA"), as amended, or other state and federal privacy laws.
- d. The speaker makes untrue, slanderous, or defamatory comments or other unsubstantiated claims about an identified or identifiable employee. While general comments may be appropriate for the public comment session, concerns about specific individuals should be addressed privately to the appropriate Board designee.
- e. The speaker disrupts or attempts to disrupt the Board meeting (see, e.g., O.C.G.A. § 16-11-34).

8. The opportunity to be heard does not apply to the following:

- a. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would

Jenkins County Medical Center

cause an unreasonable delay in the ability of the Board to act.

b. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations.

c. A meeting or portion of meeting exempted from public comment requirements by O.C.G.A. §50-14-3 as may be amended (The Sunshine Law)

d. A meeting at which the Board is sitting in its quasi-judicial capacity.

9. The Public Comment period is designed to gain input from the public and not for immediate responses by the Board to public comments. The Board does not assure any speaker of a specific or individualized response.