

Bagley-Keene Open Meeting Act

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Overview

- The Bagley-Keene Open Meeting Act regulates the conduct of state bodies and members of state bodies.
- The Hospital Supplier Diversity Commission is a state body as defined and is subject to the Act.
- In California, it is public policy that the people of the state have a right to be informed about the conduct of government. Actions of state agencies must be taken openly, and their deliberation conducted openly.

What is a Meeting

- Any congregation of a majority of the members of the Hospital Supplier Diversity Commission to hear, discuss, or deliberate on any item within their subject matter jurisdiction is a meeting.
 - A meeting of a subcommittee created by the Commission that consists of three or more persons is also subject to the Act.
- A quorum (6 of 11 members) must be present to conduct business.
- Currently all meetings are held remotely:
 - All votes must be taken by roll-call
 - If any attendees have audio-only access, each member must be identified by name each time they speak.

Serial Meetings

- “Serial meetings” are strictly prohibited.
- A serial meeting occurs when a majority of the members of a state body engages in a series of communications of any kind (including email or phone calls), directly or through intermediaries, to discuss or deliberate on any item within the subject matter jurisdiction of the body.
- As long as they do not discuss any business of the body, members of a state body are not prohibited from meeting at social events or other meetings or gatherings.

Meeting Notices and Agendas

- Notice of each meeting of the Commission, and the agenda for the meeting, must be published at least 10 days in advance of a meeting. Agendas will be posted on the OSHPD website.
- The agenda must provide a brief description of all items of business to be transacted or discussed.
 - The description of an agenda item should provide enough information to allow members of the public to understand what issues will be discussed or considered.
 - If an item or issue is not on the published agenda, the Commission is prohibited from discussing it at the meeting.

Conduct of Meetings

- All meetings of the Commission must be open and public.
 - Members of the public have a right to attend any Commission meeting.
 - Members of the public have a right to address the Commission on each agenda item before or during the Commission's discussion or consideration of the item.
- Remote meeting rules must be followed to allow for meaningful public participation.
- The Commission may only discuss issues that were listed on the agenda. If a new issue arises, the Commission may choose to place it on the agenda for the next meeting.

Public Records

- All materials provided to the Commission in connection with a matter subject to discussion or consideration at a public meeting are public records.
- Materials that OSHPD provides to the members in advance of the meetings will be made publicly available on the OSHPD website by the time of the meeting.