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**ROLES AND RESPONSIBILITIES OF BOARD MEMBERS
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When I became a board member I took the Constitutional oath of office that contains this phrase: "I WILL FAITHFULLY EXECUTE THE DUTIES OF OFFICE..." My topic today, "The Roles and Responsibilities of Board Members," is, in a nutshell, the "faithful execution of the duties of office" and nothing more. In considering the duties of office I decided to organize my thoughts two ways: first to whom are board members responsible, and second for what are we responsible?

Before proceeding, however, I need to make an observation. Those of us in this room who serve as board members were appointed for specific reasons. The governor does not make appointments to state boards in a vacuum. We were appointed to state boards because of our views, political or professional. Once we took that oath of office, however, our focus had to shift from self-interest to public interest. It became our responsibility to subordinate personal agendas for public agendas. This is what I refer to as the paradox of public service.

To whom are we responsible?

We are responsible to the governor who appoints us. We are responsible, not because we are Democrats or Republicans, but rather because the state's chief executive officer has placed great faith in us. Faith that we will serve the public interest and faith that our names will not appear negatively in any newspaper's headlines.

We are responsible to the general public. The Optometry Board on which I serve is a licensing board. The public rightly expects and deserves a thorough and complete examination and an accurate diagnosis by licensees of our board. We fail the public if we do not insist that all applicants for licensure exhibit clinical competence, as well as an understanding of our law and board rules. We fail the public if we allow licensees to abuse the doctor-patient relationship or to engage in unethical or fraudulent behavior. We fail the public if we do not insist that all licensees obtain sufficient continuing education to maintain professional competence. We fail the public if we do not insist that all consumer complaints be adequately investigated and that enforcement action be taken against licensees

whose conduct fails to meet the minimum standards imposed by our laws and regulations.

We are responsible to applicants for licensure and the licensees of our board. Applicants are entitled to know that there are no unreasonable hurdles that must be leapt to qualify for licensure. Licensees are entitled to be treated with courtesy and respect by our agency's staff. Their inquiries should be promptly addressed. Licensees are entitled to know that our rules of practice will be fairly administered.

I am responsible to the other members of our board. Obviously we cannot always agree with each other, but I have a duty to consider all views on all issues. I have a duty to see that our meetings are conducted democratically. As chair of the board I have a duty to use all reasonable efforts to schedule our meetings at times and on dates convenient to all board members.

For what are we responsible?

The responsibility to learn. A board member's first responsibility is to review the laws that apply to the specific agency and to state agencies in general. For example the board that I chair is a member of the Health Professions Council, an agency consisting of representatives from 13 licensing agencies and a representative from the governor's office. The Council's enabling legislation provides that before a board member may begin serving or be confirmed by the Senate, he or she must have completed a course developed by the Council consisting of each agency's enabling legislation, the agency's programs, role and functions, agency rules, the current budget and the results of the most recent formal agency audit. In addition to the foregoing, each board member must study the requirements of the open meetings' law, the public information law, the administrative procedure act, plus ethics and conflict of interest laws. I know that most of the subjects to which I just referred will be covered during the Conference, and I applaud Attorney General Morales for affording us this educational opportunity.

The responsibility to attend. Remember that we as board members serve as trustees of the public interest. We took an oath of office to "faithfully" execute the duties of our office. The word "faithful" has been defined as "firm in adherence to duty." Most state agencies are required to meet no more frequently than quarterly. If we miss board meetings, then the public and other board members

are deprived of our insights and views. We fail to uphold the public trust, and we are not faithful.

The responsibility to be aware. We have a duty to become aware of the issues that our agencies face. These issues may be professional issues, budget issues, or personnel issues. As board members we have the unique opportunity to assist, whenever possible, in problem solving. Equally importantly, even if we cannot solve particular problems, as board members we may be able to communicate the problem to individuals who are in a position to solve them. For example, we may learn that our enabling legislation has particular language that cannot be enforced, perhaps because of some ambiguity. As board members we can communicate these problems to persons who are in a position to work on legislative solutions.

We need to be aware of employee morale and any personnel issues, particularly those that could give rise to any liability on the part of the agency. If these personnel issues exist, then we must see that they are promptly investigated and satisfactorily resolved.

We have the duty to be aware of our agencies' appropriations and expenditures. By monitoring expenditures boards can protect themselves from embarrassing or even disastrous shortfalls at the end of the fiscal year or the biennium.

We also have the duty to be aware of the limits of our board's authority as established by the agency's legislation. For example, as board members we may think that a particular rule is a good idea, only to learn that the agency lacks statutory authority to adopt it. In this connection your general counsel or your representative from the Office of the Attorney General plays an important role as legal advisor to the board. Heed their advice!

The responsibility to oversee. We are responsible for understanding the role of our executive director. I believe that the hiring and retaining of a competent executive director is the single most important responsibility of any board. The executive director's role varies from agency to agency, depending primarily on agency size. In many agencies, however, not only is the executive director the chief executive and administrative officer, but also the chief ambassador of goodwill for the agency. Why? Because for these agencies the executive director is the primary person with whom licensees and members of the public have contact. The impressions that the executive director makes are often the only im-

pressions people have of state government: Let's strive for these impressions to be favorable ones.

As board members we serve as stewards of our agencies' performance. By this I mean our role is to have knowledge of the financial health of the agency, the effectiveness of the agency in accomplishing its mission, and the general morale of its employees.

Our role is not to micro-manage the agency or its employees. The executive director is responsible for the day-to-day operations of the agency. Board members should intervene in specific areas of agency operations only if the executive director exhibits the inability to successfully accomplish all goals and performance measures. In this connection board members have the duty to annually evaluate the executive director's performance. This can be a time-consuming task: it can even be a painful task, but it should, no must, be done because the executive director's evaluation not only measures the director's performance but also serves as a mechanism by which boards assess annually the overall health and condition of the agency.

In closing I'll summarize by simply saying that board members are accountable for their conduct. If members understand the laws that apply to them, apply the law and agency rules fairly, and make all decisions conscientiously and ethically, then when their terms are completed, they will know that they "faithfully executed the duties of office."

THANK YOU.