

BYLAWS
of the
UTAH MEDICAL ASSOCIATION



Revised September 11, 2010

BYLAWS OF THE UTAH MEDICAL ASSOCIATION

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**BYLAWS
of the
UTAH MEDICAL ASSOCIATION**

Salt Lake City
Revised
2010

ARTICLE I

1.00 NAME

The name of this organization is the Utah Medical Association.

ARTICLE II

2.00 SEAL

The Association shall have a common seal. The power to modify the seal shall rest with the Board of Trustees, subject to the approval of the House of Delegates.

ARTICLE III

3.00 PURPOSES

The purposes of this Association are:

- 3.01 to be an informational resource for the people of the state of Utah in matters of medical care;
- 3.02 to encourage the advancement and dissemination of medical knowledge;
- 3.03 to strive for the prevention and cure of disease and improvement of public health;
- 3.04 to support the enactment of appropriate medical and health care legislation;
- 3.05 to provide effective representation for the members;
- 3.06 to federate the county and regional medical societies in the state of Utah;
- 3.07 to unite with similar state and component associations to form the American Medical Association;
- 3.08 to regulate ethical conduct among the members.

ARTICLE IV

4.00 MEMBERSHIP

4.10 CATEGORIES OF MEMBERSHIP

Categories of membership are active, associate, affiliate, and honorary.

4.11 ACTIVE MEMBERS

Active members are members in good standing of component county and regional medical societies, (References: 5.21 and 5.22) and are classified in accordance with at least one of the following requirements:

- 4.111 Residents of the state of Utah who hold the degree of Doctor of Medicine, or its equivalent and who hold an unrestricted license to practice medicine and surgery in Utah; or
- 4.112 Physicians who have graduated from a medical school that makes them eligible for Utah medical licensure and have applied to or are presently enrolled in an ACGME (Accreditation Council for Graduate Medical Education)-approved or comparable (as determined by the Board) postgraduate medical education program in the state of Utah; and as such shall constitute the membership of the Utah Medical Association Resident Physicians Section. (Reference: 5.233) Those who have applied to but are not presently enrolled in a qualified postgraduate medical education program may hold membership for at most two consecutive years while in that status.
- 4.113 Medical students presently enrolled in an LCME (Liaison Committee on Medical Education) approved medical school, including in MD-PhD or other MD-joint degree programs, in the state of Utah; and as such shall constitute the membership of the Utah Medical Association Medical Student Section. (Reference: 5.234)
- 4.114 Full-time active duty military physicians on assigned duty in the state of Utah, who hold the degree of Doctor of Medicine or its equivalent, and who hold an unrestricted license to practice medicine and surgery in Utah or another of the United States.
- 4.115 Physicians who were active members under 4.111 or 4.114 at the time they fully retired from their practice, regardless of current residency or license status.

4.12 ASSOCIATE MEMBERS

Associate members are those who

- 4.121 hold the degree of Doctor of Medicine, or its equivalent, and an unrestricted license to practice medicine and surgery in Utah, and i) who are on temporary leave for military service, missionary service, further training, disability, etc.; or ii) who are residents of other states, and practice medicine only on a part time basis in Utah; or
- 4.122 hold the degree of Doctor of Medicine, or its equivalent, and an unrestricted license to practice medicine and surgery in Utah or another state, are former residents of Utah, but who, at the time of leaving Utah, were active members in good standing of the Association; or
- 4.123 are not residents of Utah and either i) hold the degree of Doctor of Medicine, or its equivalent, and an unrestricted license to practice medicine and surgery in a state other than Utah, and have applied for a license to practice medicine and surgery in Utah, or ii) are medical students or recent graduates of an LCME-approved medical school outside Utah and have been accepted into a Utah postgraduate program described in 4.112.
- 4.1231 Physicians who qualify for membership under 4.123 shall be provisional members whose membership application shall be reviewed for approval by the Executive Committee and whose membership expires within 12 months of approval unless converted to another category of membership within that time.
- 4.1232 Provisional members shall pay dues at the dues rate for which they would otherwise qualify based on their position, at the time of their application, in training or in practice.
- 4.1233 When provisional members notify the Association that they have moved to Utah, their applications shall then be reviewed for approval and conversion to a non-provisional category under the usual procedures for an initial application for membership.
- 4.124 Physicians who were associate members at the time they fully retired from their practice, regardless of current residency or license status.

4.13 AFFILIATE MEMBERS

Affiliate members are:

- 4.131 Utah dentists who are members in good standing in their state association.
- 4.132 Utah pharmacists who are members in good standing in their state association.

4.133 Teachers and fellows of medicine and allied sciences in Utah who are not otherwise eligible for membership in the Association.

4.134 Physician assistants licensed by the state of Utah who are members in good standing in their state association.

4.135 Individuals who were affiliate members at the time they fully retired, regardless of current residency or license status.

4.14 HONORARY MEMBERS

Honorary members are those physicians or other persons, who have made an outstanding contribution to the field of medicine, and/or the Utah Medical Association.

4.20 APPLICATION FOR MEMBERSHIP

4.21 An application form for membership shall be approved by the Board of Trustees.

4.22 An applicant shall receive the following:

4.221 an application form; (Reference: 4.21)

4.222 a copy of the Bylaws of the Association;

4.223 an acceptance form which requires the signature of the applicant, and obligates the applicant to abide by the Bylaws of the Utah Medical Association, if elected to membership.

4.30 ADMISSION TO MEMBERSHIP

The Board of Trustees shall have the authority to grant or confer membership, and shall decide the category of membership. (Reference: 4.10)

4.40 RIGHTS AND PRIVILEGES OF ACTIVE MEMBERSHIP

Active members shall have the right to:

4.41 vote;

4.42 hold office;

4.43 serve on committees;

4.44 serve as delegate to the House of Delegates;

4.45 receive publications of the Association without additional cost.

4.50 RIGHTS AND PRIVILEGES OF ASSOCIATE, AFFILIATE AND HONORARY MEMBERSHIP

4.51 Associate, affiliate and honorary members shall have the right to:

4.511 attend meetings of the House of Delegates and its Reference committees;
(Reference: 6.54 and 6.612)

4.512 attend scientific meetings;

4.513 serve on committees, as members only;

4.514 receive publications of the Association by subscription only.

4.52 Associate, affiliate and honorary members shall not have the right to:

4.521 vote;

4.522 hold office;

4.523 serve as a delegate.

4.60 MAINTENANCE OF ACTIVE, ASSOCIATE AND AFFILIATE MEMBERSHIP

Active, associate and affiliate membership in good standing is maintained by:

4.61 compliance with the Bylaws of the Association and the represented component society;

4.62 compliance with the Principles of Medical Ethics of the American Medical Association;

4.63 payment of dues and assessments on a current basis;

4.64 avoidance of other causes for disciplinary action. (Reference: 13.10)

4.70 DUES AND ASSESSMENTS

4.71 Annual dues shall be recommended for active members by the Board of Trustees or the President and shall be approved by the House of Delegates.

4.72 Special assessments for active members may be recommended by the Board of Trustees or the President and shall be approved by the House of Delegates.

4.73 Annual dues and special assessments for associate and affiliate members may be recommended by the Board of Trustees or the president and may be approved by the House of Delegates.

4.74 DUES MODIFICATIONS

4.741 Members who are in training in an ACGME approved or comparable (as determined by the Board) postgraduate medical education program beyond residency may have dues and assessments reduced by the Board of Trustees.

4.742 Members who are medical students in an LCME approved program or resident physicians in training in an ACGME approved or comparable (as determined by the Board) program may have dues and assessments reduced by the Board of Trustees.

4.743 New members in the first year of membership or in the first two years of practice following residency may have dues and assessments reduced by the Board of Trustees.

4.744 Upon request, members whose professional activities are no more than 20 hours per week shall have dues and assessments at 50% of the usual levy.

4.745 Upon request, members may be excused by the Board of Trustees from payment of dues and assessments for reasons of financial hardship.

4.746 Upon request, members under the age of 65 who are fully retired from the practice of medicine shall have dues and assessments at 20% of the usual levy.

4.747 Upon request, members who have reached the age of 65 and are fully retired from the practice of medicine, or who are fully retired at any age due to physical disability, shall be excused by the Board of Trustees from payment of dues and assessments, with the exception of a reasonable fee that may be charged for subscriptions, publications and financial services.

4.748 Honorary members shall not pay dues or assessments.

4.749 Full-time active duty military physicians on assigned duty in the state of Utah may have dues and assessments reduced by the Board of Trustees.

4.75 PAYMENT OF DUES AND ASSESSMENTS

Dues and assessments are payable in 30 days. Special arrangements for periodic payments may be made to be completed by four months.

4.76 PROTOCOL FOR NONPAYMENT OF DUES AND ASSESSMENTS AFTER 60 DAYS

4.761 Nonpayment after 120 days shall result in automatic suspension of membership, unless special arrangements have been made. (Reference: 4.75)

4.762 Payment, along with reasonable penalty fees, as approved by the Board of Trustees, shall restore the member to previous membership status if received by 12 months.

4.77 PROTOCOL FOR NONPAYMENT OF DUES AND ASSESSMENTS AFTER 12 MONTHS

4.771 Nonpayment after 12 months shall result in automatic expulsion from the Association.

4.772 Payment, along with reasonable penalty fees, as approved by the Board of Trustees, shall be required for reinstatement in the Association.

ARTICLE V

5.00 COMPONENT SOCIETIES

The Utah Medical Association shall be organized and chartered into component medical societies.

5.10 CHARTERS

5.11 A charter shall define jurisdiction of the component society and be approved by the Board of Trustees and signed by the President and Secretary of the Association.

5.12 A charter may be revoked by the House of Delegates upon the recommendation of the Board of Trustees for actions in violation of the Bylaws of the Association.

5.20 CATEGORIES

Component medical societies shall include all county and regional medical societies, and sections.

5.21 COUNTY MEDICAL SOCIETIES

County medical societies are component societies that are geographically composed of a single county.

5.211 DISTRICT BRANCHES

A county medical society that is so large as to make it impractical to function as one society may form district branches that shall be self-governing in problems not involving the entire society. The county society shall apportion its delegate representation among such district branches. (Reference: 5.51)

5.22 REGIONAL MEDICAL SOCIETIES

Regional medical societies are component societies that are geographically composed of more than one county. They may be chartered by the Board of Trustees in areas where the membership in any one county would be too small for organizational viability.

5.23 SECTIONS

Sections are component societies composed of non-geographic segments of medicine. Utah Medical Association sections are:

5.231 ORGANIZED MEDICAL STAFF SECTION

The Hospital Medical Staff Section is a component society composed entirely of physicians who are members of hospital medical staffs. Each hospital in the state shall be entitled to one representative in the Organized Medical Staff Section.

5.232 YOUNG PHYSICIANS SECTION

The Young Physicians Section is a component society composed entirely of physicians who are under age 40, or who are within the first 5 years of medical practice following completion of a residency or fellowship program.

5.233 RESIDENT PHYSICIANS SECTION

The Resident Physicians Section is a component society composed entirely of physicians in training.

5.234 MEDICAL STUDENT SECTION

The Medical Student Section is a component society composed entirely of medical students.

5.235 WOMEN PHYSICIANS SECTION

The Women Physicians Section is a component society composed entirely of women physicians, physicians in training and medical students.

5.236 SENIOR PHYSICIANS SECTION

The Senior Physicians Section is a component society composed entirely of physicians who are over the age of 60.

5.30 BYLAWS OF COMPONENT SOCIETIES

- 5.31 Each component society shall adopt bylaws compatible with the Utah Medical Association and the American Medical Association.
- 5.32 Component society bylaws and amendments thereto shall be subject to the approval of the Board of Trustees as a function of the power of chartering.

5.40 MEMBERSHIP IN COMPONENT SOCIETIES

5.41 UNIFIED MEMBERSHIP

Each active member of the Utah Medical Association shall be a member of a county or regional medical society, and each active member in a county or regional medical society shall be a member of the Utah Medical Association.

5.42 MEMBERSHIP APPLICATIONS

- 5.421 An applicant who meets qualifications for membership in the Utah Medical Association (References: 4.10 and 4.50) shall be eligible for component society membership.
- 5.422 An applicant who is denied component society membership may appeal to the Board of Trustees for a review and final decision.
- 5.423 A component society may also refer an application for membership to the Board of Trustees for a review and final decision. Component societies which do not act on approval or denial of an application within 30 days of submission automatically refer the decision to the UMA Board of Trustees for review and final decision unless they have requested an extension of time for consideration. In no case shall the extension last more than 30 additional days.

5.43 ASSIGNMENT TO COUNTY OR REGIONAL MEDICAL SOCIETY

Each active member shall be assigned to the county or regional medical society that is most conveniently located.

5.44 TRANSFER OF MEMBERSHIP

A member who is in good standing in a component society and who moves to another area shall, upon request, be given a written transfer certificate of good standing from the component society.

5.45 MEMBERSHIP DATA REQUIREMENTS

The secretary of each county or regional medical society shall keep a roster of its members and also of nonaffiliated physicians which shall show the name, address, birth date, medical school, and other information as requested by the Board of Trustees.

5.50 DELEGATES TO THE UTAH MEDICAL ASSOCIATION HOUSE OF DELEGATES FROM COMPONENT SOCIETIES

5.51 ALLOCATION

5.511 Each county or regional medical society shall be entitled to seat one delegate or one alternate delegate in the House of delegates for each thirty active members; and shall be entitled to seat an additional delegate when its membership has a remainder of fifteen or more above the multiple of thirty. Each county or regional medical society shall be entitled to seat at least one delegate or one alternate delegate.

5.5111 County and regional medical society trustees shall be counted as part of the allotted delegates from their designated county or regional medical society.

5.5112 Section delegates (Reference: 5.512), specialty society delegates (Reference: 7.20) and ex-officio delegates (References: 6.12 and 6.13) shall not be counted as part of the allotted delegates from a county or regional medical society.

5.5113 Section delegates may only serve as delegates from their designated sections.

5.512 Sections shall be entitled to seat one delegate or one alternate delegate in the House of Delegates; except the Resident Physicians and the Medical Student Sections, which shall be entitled to one delegate or one alternate delegate for each thirty active members of the Section and shall be entitled to seat an

additional delegate when the Section membership has a remainder of fifteen or more above the multiple of thirty.

5.52 TERM OF OFFICE OF DELEGATES (Reference: 6.30)

5.53 SEATING OF DELEGATES (Reference: 6.40)

5.60 TRANSMITTAL OF DUES TO COMPONENT SOCIETIES

The Utah Medical Association shall forward to the component societies the names and remittances of members who have paid their annual dues as soon as is practical following their receipt but no later than May 1.

ARTICLE VI

6.00 **HOUSE OF DELEGATES**

The House of Delegates shall be the policy-making body of the Association.

6.10 COMPOSITION

Delegates to the House of Delegates shall include:

6.11 appointed or elected delegates from component societies, chartered specialty societies and physician practice chapters, provided that the delegate is a member of the Utah Medical Association; (References: 5.50, 7.20, and 8.20)

6.12 ex-officio delegates by virtue of being the elected officers of the Association; namely, the president, the president-elect, all prior past-presidents, honorary president, delegates and alternate delegates to the AMA, secretary, treasurer, speaker and vice speaker of the House, and all trustees;

6.13 ex-officio delegates by virtue of being Vice President for Health Sciences or Dean of the University of Utah School of Medicine, Chair of the Physicians Licensing Board, the highest ranking physician in the Utah Department of Health, the Executive Vice President, the Utah Medical Association Alliance President, any officer of the AMA who is also a member of this Association, the chair of HealthInsight, the chair of the Board of Governors of the Utah Medical Insurance Association, and the chair of the Utah Medical Political Action Committee.

6.20 VOTING

Each delegate, elected and ex-officio, shall have one vote and only one vote in decision-making of the House of Delegates.

6.30 TERM OF OFFICE OF DELEGATES

- 6.31 The term of office of elected delegates shall be for a period to cover two annual elections, except the delegates from the Resident Physicians and Medical Student Sections, which shall be for a period to cover one annual election. Terms may run consecutively.
- 6.32 The term of office for ex-officio delegates shall be for the duration that the office or appointment is held.

6.40 SEATING OF DELEGATES

A list of delegates and alternate delegates shall be forwarded to the Association from the societies they shall be representing, at least 60 days before the annual meeting, for the delegates to be considered properly credentialed. Late-submitted lists may be accepted at the discretion of the Executive Vice President.

6.50 MEETINGS OF THE HOUSE OF DELEGATES

The House of Delegates shall hold an annual meeting at a time and place set by the Board of Trustees and may hold interim and special meetings at the call of the president and the Board of Trustees. (Reference: 12.51)

- 6.51 The presiding officers shall be the speaker and vice speaker of the House of Delegates. (References: 9.28 and 9.29)
- 6.52 A quorum shall be 35 percent of the allotted and named delegates. (Reference: 12.511)
- 6.53 Order of business (Reference: 12.31)
- 6.54 The House shall hold an open meeting. (References: 12.20, 12.21 and 12.512) However, only delegates may speak from the floor, except by special permission from the speaker of the House.
- 6.55 Individual delegates may file resolutions to be considered by the House. Component or specialty societies may also file resolutions if reviewed and approved by the membership or leadership of the societies.
- 6.56 Reports and resolutions for consideration by the House of Delegates shall be filed 30 days prior to the meeting of the House. Filing later than 30 days shall require a majority vote by the House for consideration. (Reference: 12.31, first session, #10)

6.60 COMMITTEES OF THE HOUSE OF DELEGATES

- 6.61 Reference committees:

6.611 shall be appointed from members of the House of Delegates by the speaker of the House for each meeting of the House.

6.612 shall hold open meetings to consider all reports and resolutions that are for consideration by the House of Delegates. Opportunity for discussion shall be offered to all members, staff, and guests.

6.613 shall meet in executive session after discussion has been completed to prepare its report and recommendations for presentation to the House of Delegates. (Reference: 12.31, second session, #4)

6.62 Special committees of the House may be appointed by the Speaker of the House.

6.70 DUTIES OF THE HOUSE OF DELEGATES

The House of Delegates shall:

6.71 receive all reports and resolutions through the Reference committees (Reference: 6.61), and make a determination what action, if any, shall be taken by the Association (Reference: 6.00);

6.72 approve the annual budget (References: 9.263, 10.711, and 11.514);

6.73 approve the annual dues and any special assessments (References: 4.71, 4.72, and 4.73);

6.74 approve the raising of funds by any other manner;

6.75 annually elect three members to the Nominating Committee (Reference: 9.3111) and elect the officers of the Association (Reference: 9.40);

6.76 biennially elect the speaker and vice speaker of the House of Delegates through a process of open nominations from the floor and election by ballot from a minimum of two candidates for each office;

6.761 if a vacancy occurs in the unexpired term of the office of vice speaker (whether or not filled by appointment by the Board of Trustees (Reference: 9.71)), elect the vice speaker and, if a vice speaker appointed by the Board of Trustees has succeeded to the office of speaker, also elect the speaker as first order of business after verification of quorum in the first session of the next annual meeting by a process of open nomination and election by ballot from a minimum of two candidates for each office, who shall take office immediately upon confirmation of the election, and who shall serve for the remainder of the unexpired term of office and, if that term expires at that meeting, for the succeeding term;

- 6.77 have the authority to amend the Bylaws (Reference: 18.30);
- 6.78 have authority to appoint special committees;
- 6.79 have other such powers as are granted elsewhere in these Bylaws.

6.80 LEGAL COUNSEL

Legal counsel shall be in attendance at meetings of the House of Delegates.

ARTICLE VII

7.00 **MEDICAL SPECIALTY SOCIETIES**

Utah state medical specialty societies which have been chartered by this Association shall be entitled to representation in the House of Delegates.

7.10 CHARTERS

- 7.11 A state medical specialty society may be chartered by this Association, provided:
 - 7.111 it is recognized as the component state society of the national organization;
 - 7.112 the national organization continuously maintains representation on the AMA Specialty Section Council;
 - 7.113 the majority of its members also maintain membership in this association;
 - 7.114 it meets at least once a year;
 - 7.115 its bylaws have been received by and are maintained compatible with those of the Association;
 - 7.116 and it agrees to abide by the bylaws of this Association
- 7.12 The charter shall be approved by the Board of Trustees and signed by the president and the secretary of this Association.
- 7.13 A charter may be revoked by the House of Delegates upon the recommendation of the Board of Trustees, if the specialty society no longer complies with the requirements for being chartered. A charter may be revoked by the Executive Committee if a majority of the society's members fail to maintain membership in this Association. (Reference: 7.11)

7.20 DELEGATES TO THE UTAH MEDICAL ASSOCIATION HOUSE OF DELEGATES FROM SPECIALTY SOCIETIES

7.21 Each chartered specialty society shall elect or appoint one delegate and be entitled to elect an alternate delegate to the House of Delegates, who shall also be a member of this Association, for each thirty active members of this Association; and shall be entitled to seat an additional delegate when its membership has a remainder of fifteen or more above the multiple of thirty. Each chartered medical society shall be entitled to seat at least one delegate or alternate delegate.

7.211 Each association member shall be represented in the House of Delegates by no more than one chartered specialty society.

7.212 Each Association member may choose one chartered specialty society to represent him/her, regardless of whether the member has membership in that chartered specialty society.

7.22 A specialty society delegate shall not also serve as an elected delegate from a component society.

7.23 Term of office of the delegate. (Reference: 6.31)

7.24 Seating of the Delegate. (Reference: 6.40)

ARTICLE VIII

8.00 PHYSICIAN PRACTICE GROUPS

8.01 A physician practice group category is formed for the purpose of mode of practice representation in the House of Delegates.

8.10 CHAPTERS

8.11 Categories

8.111 The solo practitioner/small practice chapter consists of all active members of the Association that do not belong to a qualified large practice group.

8.112 A qualified large practice group chapter consists of a "qualified large practice group."

8.12 Qualification Requirements. A large practice group may become qualified by this Association provided:

- 8.121 It is a physician practice group of more than thirty active members of the Association;
 - 8.122 The majority of its members also maintain membership in this Association;
 - 8.123 The delegates chosen to represent the group are members of this Association;
 - 8.124 Evidence of membership is provided to the Association for purposes of determining delegate allotment;
 - 8.125 It agrees to abide by the applicable bylaws of this Association;
 - 8.126 Its purposes and actions are not in violation of the Sherman Act; and
 - 8.127 Its delegates are chosen by election or appointment of association members in the group.
- 8.13 Qualification of a large physician practice group shall be approved by the Board of Trustees.
- 8.14 Qualification of a large physician practice group may be revoked by the House of Delegates upon the recommendation of the Board of Trustees, if the physician practice group no longer complies with the requirements of 8.12 above. Qualification of a practice group may be revoked by the Executive Committee if a majority of the group's members fail to maintain membership in this Association.

8.20 DELEGATES TO THE UMA HOUSE OF DELEGATES

- 8.21 The solo practitioner/small practice chapter and each qualified large practice chapter shall be entitled to seat one delegate or alternate delegate in the House of Delegates for each thirty active members of this Association and shall be entitled to seat an additional delegate when its membership has a remainder of fifteen or more above the multiple of thirty.
- 8.22 Delegates from the solo practitioner/small practice chapter shall be elected or appointed by the chapter.
- 8.23 The Board of Trustees may apportion the solo practitioner/small practice delegates geographically and may assign to component societies the election or appointment of delegates to the House of Delegates from the solo practitioner/small practice chapter.
- 8.24 A solo practitioner/small practice chapter delegate or practice group chapter delegate shall not also serve as a delegate from a component society or specialty society.

- 8.25 Term of office of the delegates (Reference: 6.31).
- 8.26 Seating of the delegates (Reference: 6.40).
- 8.27 Each Association member shall be represented in the House of Delegates by either the solo practitioner/small practice chapter or a large practice group chapter, but may not be represented by both or by more than one large practice group chapter.

ARTICLE IX

9.00 OFFICERS AND AMERICAN MEDICAL ASSOCIATION DELEGATES

The officers and delegates of the Utah Medical Association shall be the president, president-elect, immediate past president, honorary president, secretary, treasurer, delegates and alternate delegates to the American Medical Association, speaker and vice speaker of the House of Delegates.

9.10 QUALIFICATIONS

Each officer and AMA delegate shall have been an active member in good standing of the Utah Medical Association for the two years prior to election but need not be a member of the House of Delegates as a condition to being elected.

9.20 DUTIES

9.21 The president shall:

9.211 be the spokesperson for the Association;

9.212 be the chairman of the Board of Trustees and the Executive Committee;

9.213 appoint council chairmen;

9.214 appoint standing committees and their chairmen, unless otherwise provided for in the bylaws;

9.215 appoint special committees as necessary;

9.216 be an ex officio member of all committees that he is not otherwise a member, except the nominating committee;

9.217 file an annual report with the House of Delegates;

9.218 perform other duties specifically listed elsewhere in these bylaws, and perform other usual duties of an executive officer not specifically prohibited

by these bylaws or by the parliamentary authority of the Association.
(Reference: 14.00)

9.22 The president-elect shall:

9.221 act in the absence of the president;

9.222 succeed to the presidency when the president's term expires;

9.223 succeed to the presidency if a vacancy occurs in that office;

9.224 perform other duties as may be assigned by the president.

9.23 The immediate past president shall:

9.231 be available for advice and counsel to the president;

9.232 perform other duties as may be assigned by the president.

9.24 The honorary president shall:

9.241 serve as a member of the House of Delegates and the Board of Trustees;

9.242 perform other duties as may be assigned by the president.

9.25 The secretary shall establish policy and procedure and, working jointly with the Association staff, shall:

9.251 maintain minutes of all House of Delegates, and Board of Trustees meetings;

9.252 maintain all records, books, and papers of the Association except those which belong to the treasurer;

9.253 with the cooperation of the component societies, maintain a roster of all members as well as non-affiliated physicians in the state; (Reference: 5.45)

9.254 oversee the process of member retention and recruitment of new members;

9.255 file an annual report with the Board of Trustees and the House of Delegates;

9.256 perform other usual duties of a secretary not specifically prohibited by these bylaws or by the parliamentary authority of this Association; (Reference: 14.00)

9.257 with discretion, delegate any of these duties to the Executive Vice President.

- 9.26 The treasurer shall establish policy and procedure and, working jointly with the Association staff, shall:
- 9.261 effect the accounting, reviewing, and auditing of Association funds;
 - 9.262 receive all funds for the Association (Reference: 4.75) through procedures approved by the Board of Trustees; (Reference: 10.713)
 - 9.263 prepare the annual budget of proposed expenditures for the Board of Trustees and the House of Delegates; (References: 6.72 and 10.711)
 - 9.264 annually render a report of a review of financial statements by an independent firm of Certified Public Accountants to both the Board of Trustees and the House of Delegates; (Reference: 9.714)
 - 9.265 be chairman of the Budget Committee; (Reference: 11.221)
 - 9.266 perform other usual duties of a treasurer not specifically prohibited by these Bylaws or by the parliamentary authority of this Association. (Reference: 14.00)
- 9.27 Delegates and alternate delegates to the American Medical Association.
- 9.271 Delegates shall represent the Utah Medical Association in deliberations of the House of Delegates of the American Medical Association.
 - 9.272 Alternate delegates shall, if requested, represent the Utah Medical Association in deliberations of the House of Delegates of the AMA and shall succeed to the office of delegate if a vacancy occurs.
- 9.28 The Speaker of the House of Delegates shall:
- 9.281 preside at meetings of the House of Delegates;
 - 9.282 appoint the House of Delegates Reference committees and their chairmen and other special committees and their chairmen as is felt to be necessary by the speaker; (Reference: 6.60)
 - 9.283 appoint tellers for the elections; (References: 6.75 and 6.76)
 - 9.284 vote as any other member when the vote is by ballot, and in all other cases may only vote if it will affect the result;
 - 9.285 succeed to the presidency if any vacancy occurs in the offices of both president and president-elect.

9.29 The Vice Speaker of the House of Delegates shall:

9.291 act in the place of the speaker in the speaker's absence or at his request;

9.292 succeed to the office of speaker if a vacancy occurs in that office.

9.30 NOMINATIONS

9.31 The Nominating Committee shall:

9.311 be composed of five active members of the Association, excluding the president, (Reference: 9.216) and be elected to the committee in the following manner:

9.3111 the House of Delegates shall elect three members to the Nominating Committee from a minimum of four candidates, by a process of open nominations from the floor, and election by ballot. (Reference: 6.75)

9.3112 the Board of Trustees at a meeting at least four months before the annual meeting shall elect two members to the Nominating Committee from a minimum of three candidates by a process of open nominations from the floor, and election by ballot. (Reference: 10.75)

9.312 from the committee members elect a chairman;

9.313 meet three months before the annual meeting to nominate candidates for election. (Reference: 9.314). Prior to this meeting, the committee shall make written solicitation to all active members and component societies, inviting suggestions for nomination but not limited by them.

9.314 nominate two or more active members to each of the following offices:

9.3141 president-elect,

9.3142 secretary,

9.3143 treasurer,

9.3144 delegates to the AMA,

9.3145 alternate delegates to the AMA,

9.3146 and also president if a vacancy exists in the office of president-elect.

9.315 further nominate one or more active members to the office of Honorary President.

9.316 inform the membership at least 30 days prior to the election, which candidates have been nominated for the various offices.

9.40 ELECTIONS

9.41 Except as otherwise provided in these Bylaws, officers of the Association shall be elected at annual meetings of the House of Delegates. Each nominee for president-elect shall be allowed an oral presentation to the House of Delegates.

9.42 VOTING

Election of officers shall be by ballot. A majority of the votes cast is necessary to elect. In case no nominee for a particular office receives a majority of the votes on the first ballot, the three nominees receiving the highest number of votes shall be retained and the remaining nominees shall be dropped and a new ballot taken. If none of the three nominees receives a majority of the votes cast on the second ballot, the nominee receiving the lowest number of votes shall be dropped and a new ballot taken.

9.43 The House of Delegates shall elect delegates to the House of Delegates of the American Medical Association in accordance with the Constitution and Bylaws of the American Medical Association.

9.50 TERMS OF OFFICE

9.51 Each officer and delegate shall serve a term of two years except:

9.511 The president-elect, who shall serve one year each as president-elect, president, and immediate past president;

9.512 The honorary president, who shall serve one year;

9.513 The secretary and treasurer shall be elected in alternating years;

9.514 If an annual meeting is held less than nine months after the previous annual meeting, the Board of Trustees may defer the election of officers until the next annual meeting; and

9.515 The terms of office shall only expire when the election of the respective new officer becomes final.

9.52 Officers shall assume office immediately upon the election becoming final and shall hold that office until such time as their successors are elected. Delegates and

alternate delegates to the AMA shall assume office three months following their election or as otherwise provided by the Bylaws of the American Medical Association. In the event that the number of delegates and alternate delegates exceeds the number apportioned to the Association by the AMA and no delegate resigns the delegates serving uncompleted terms shall remain in office and the remaining available delegate positions shall be filled by lot from among the most recently elected delegates and the remaining available alternate delegate positions shall be filled by any delegates remaining after all delegate positions have been filled. Any remaining alternate delegate positions shall be filled by lot from among the alternate delegates until all available positions are filled and the remaining alternate delegates shall not assume office or shall forfeit their office.

- 9.53 Members of the nominating committee shall serve a term of one election cycle. Several terms may run consecutively.

9.60 LIMITATION OF CONSECUTIVE YEARS IN OFFICE

No member may serve more than seven consecutive years in the office of secretary, treasurer, speaker, vice speaker, or president-elect, or any combination of these.

9.70 VACANCIES

- 9.71 Vacancies occurring between meetings of the House of Delegates in the offices of secretary, treasurer, and vice speaker shall be filled until the next annual election through an appointment by the Board of Trustees. (References: 6.76 and 9.72)
- 9.72 The nominating committee shall then, when meeting in accordance with 9.31, further nominate members to fill any remaining unexpired terms of secretary and treasurer that would exist beyond the annual election.

ARTICLE X

10.00 **BOARD OF TRUSTEES**

The Board of Trustees shall be the executive body of the Utah Medical Association. Its decisions and actions shall be subject to policy direction or ratification by the House of Delegates (References: 6.00 and 10.79) and in conformance with the purposes of the Association. (Reference: 3.00)

10.10 COMPOSITION

Members of the Board of Trustees shall include both trustees and ex-officio members.

- 10.11 Trustees, one for each component society (Reference: 5.20), shall be elected in accordance with component society bylaws.

10.12 Elected ex-officio members shall be the elected officers and AMA delegates; namely, the president, president-elect, immediate past president, honorary president, secretary, treasurer, speaker and vice speaker of the House of Delegates, the president of the UMA Alliance, and delegates and alternate delegates to the AMA;

10.13 Appointed ex-officio members shall be the following: Vice President for Health Sciences or Dean of the University of Utah School of Medicine, chair of the Physicians Licensing Board, the highest ranking physician in the Utah Department of Health, the Executive Vice President, any officer of the AMA who is also a member of this Association, the chair of HealthInsight, the chair of the Board of Governors of the Utah Medical Insurance Association, and the chair of the Utah Medical Political Action Committee.

10.20 VOTING

10.21 Each elected and elected ex-officio Board of Trustees member shall have one vote in decision-making of the Board of Trustees provided the member is a voting member of the Association or is the president of the UMA Alliance.

10.22 The president shall vote as any other member when the vote is by ballot. In all other cases the president may vote only if it will affect the result.

10.30 TERMS OF OFFICE:

10.31 for trustees shall be three years; except the trustees from the Resident Physicians and the Medical Student Sections, which shall each be for one year. A trustee may serve no more than two consecutive terms.

10.32 for ex-officio members shall be for the duration that the position is held.

10.40 SEATING OF TRUSTEES

10.41 Names of trustees shall be submitted to the Utah Medical Association prior to the Board of Trustees meeting to be considered properly credentialed.

10.42 An alternate trustee may attend and vote at the Board of Trustees meetings in the absence of the trustee provided that the designated alternate is a member of that component society.

10.43 If a vacancy occurs in the office of trustee, it shall be filled in accordance with the bylaws of the trustee's component society.

10.50 MEETINGS

The Board of Trustees shall meet at the call of the president or on petition of three

trustees.

10.51 The presiding officer shall be the president. (Reference: 9.212)

10.52 A quorum shall be a majority of the voting members.

10.53 The Board shall hold a closed meeting. (References: 12.20 and 12.22) Nonmembers of the Association may attend by invitation of the president or the Board.

10.54 Order of business (Reference: 12.32)

10.60 COMMITTEES OF THE BOARD OF TRUSTEES

10.61 Executive Committee

An Executive Committee shall:

10.611 be established to assist the Board of Trustees in its duties;

10.612 be composed of the president, who shall be chairman, the president-elect, the immediate past president, secretary, treasurer, speaker of the House of Delegates, and the Executive Vice President.

10.613 meet at the call of the president;

10.614 have its actions subject to ratification by the Board of Trustees.

10.62 Special committees may be appointed by the Board of Trustees.

10.70 DUTIES

The Board of Trustees shall:

10.71 have charge of and manage the property and financial affairs of the Association which shall, among other necessary things, include the following:

10.711 recommend, concomitantly with the treasurer, an annual budget to the House of Delegates; (References: 6.72, 9.263, and 11.224)

10.712 be responsible for expenditures not previously approved by the House of Delegates;

10.713 approve procedures for collection of dues and assessments; (Reference: 9.262)

10.714 annually require a report of a review of financial statements by an

independent firm of Certified Public Accountants, which shall be made available to both the Board of Trustees and the House of Delegates. (Reference: 10.264)

10.715 have power to purchase, take, receive, lease or otherwise acquire, own, hold, improve and deal in and with real or personal property or any interest therein, wherever situated and to sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of said property; upon the condition that all property or proceeds thereof are used solely in furtherance of the stated purposes of the Association (Reference: 3.00); and in the event of liquidation, shall dispose of all property in the furtherance of the stated purposes of the Association.

10.72 perform duties and administer to the affairs of the Association as directed by the House of Delegates (References: 6.00 and 10.00), which shall, among other necessary things, include the following:

10.716 implement the policies and the directives for action of the House Delegates;

10.717 report at each House of Delegates meeting on the implementation of both the policies of the House of Delegates and the directives for action;

10.73 monitor the activities of the councils and committees;

10.74 have jurisdiction over disciplinary problems; (Reference: 13.00)

10.75 temporarily fill vacancies in the offices of secretary and treasurer (Reference: 9.71); and elect other members annually to the Nominating Committee. (Reference: 9.3112)

10.76 serve as the long range planning body of the Association;

10.77 determine the time and place of all House of Delegates meetings; (References: 6.50, and 12.51)

10.78 appoint, direct, and be solely responsible for an Executive Vice President who shall:

10.781 be the Association's chief executive officer;

10.782 advise and assist in the actions of the House of Delegates, Board of Trustees, Executive Committee, and all councils and committees;

10.783 assist officers in the formulation of policy and performance of duty; (Reference: 9.20)

10.784 supervise the expenditure of funds

10.785 assist the secretary in maintaining the roster of all members as well as non-affiliated physicians in the state; (References: 5.45 and 9.253)

10.786 notify members of their elections or appointments and inform them of those meetings they are expected to attend;

10.787 file an annual report with the House of Delegates and other reports with the Board of Trustees and the Executive Committee as requested;

10.788 appoint and direct the Association staff;

10.789 serve in other assigned duties and responsibilities as requested by the House of Delegates, the Board of Trustees, and/or the president.

10.79 be the interim policy-making body of the Association, with its decisions and actions subject to ratification by the House of Delegates (Reference: 10.00), and further, conduct all other affairs of the Association as designated by and not otherwise prohibited by these Bylaws.

10.80 LEGAL COUNSEL

Legal counsel may be secured by the Board of Trustees on any matters affecting the interests of the Association.

ARTICLE XI

11.00 **COMMITTEES**

There shall be two classes of committees:

11.01 Standing Committees

11.02 Appointive Committees

11.10 APPOINTIVE COMMITTEES

All appointive committees shall consist of the number of members appropriate to fulfill their mission, unless otherwise prescribed by the Bylaws. Committees and their chairs shall be appointed by the President and the appointments shall be renewed yearly. Any vacancy occurring on an appointive committee shall be filled by appointment by the President. The President may assign members of the Executive Committee to oversee and report on the activities of appointive committees. The chair of each appointive committee shall submit a written report of the committee's accomplishments and policy recommendations to each annual meeting of the House of Delegates.

11.20 STANDING COMMITTEES

The Standing Committees shall be:

11.21 Executive Committee (Reference: 10.61)

11.22 Budget Committee

The Budget Committee shall:

11.221 be composed of the treasurer, who shall be chair (Reference: 9.265), the president, president-elect, immediate past president, secretary, Speaker of the House of Delegates, and the Executive Vice President;

11.222 review the report of the review of financial statements by an independent firm of Certified Public Accountants and submit it to the Board of Trustees and to the House of Delegates; (References: 9.264 and 10.714)

11.223 Review the past fiscal year's expenditures and note for the Board of Trustees and the House of Delegates those items that fell outside approved budgetary guidelines;

11.224 Propose an annual budget for each fiscal year for consideration by the Board of Trustees and submit for approval to the House of Delegates (Reference: 6.72), disclosing any budgetary modifications on items that previously fell outside approved budgetary guidelines.

11.23 Nominating Committee (Reference: 9.31)

11.24 Ethics and Judicial Committee

11.234 The Ethics and Judicial Committee shall consist of a chair and members appointed annually by the President; shall investigate allegations of malfeasance, misfeasance, or nonfeasance of any officer or delegate, or misconduct of any member; and shall forward a confidential written report of the investigation, along with any recommendations, to the Board of Trustees. (Reference: 13.53)

11.25 Bylaws Committee

11.251 The Bylaws Committee shall consist of a chair and members appointed annually by the President; shall assist the Association in maintaining current Bylaws; shall annually recommend to the House of Delegates whether to reaffirm, amend, delete, or rescind those resolutions of the Association which are still in effect; and shall evaluate and prepare proposed

amendments to the Bylaws and make recommendations on them.
(References: 18.11 and 18.12)

11.27 Credentials Committee shall:

11.271 be appointed annually by the Speaker of the House of Delegates from the members of the House;

11.272 be responsible for all matters relating to the registration and certification of delegates as the meetings of the House of Delegates;

11.273 report at meetings of the House of Delegates the number of delegates that are in attendance and whether they have been properly registered and credentialed. (Reference: 12.31)

ARTICLE XII

12.00 MEETINGS

The House of Delegates, the Board of Trustees, and committees shall hold meetings in accordance with these bylaws.

12.10 NOTICE OF MEETINGS

Notices shall:

12.11 be given for all meetings a reasonable time in advance to allow a substantial percentage of the affected members to attend;

12.12 clearly state the date, time and place of the meetings;

12.13 be sent by the member responsible for the notice of the meeting or by the designate;

12.14 always state the special business to be considered at a special meeting and any special business to be considered at a regular meeting;

12.15 not be required for adjourned meetings.

12.20 TYPES OF MEETINGS

Types of meetings include open, closed, and executive. Notwithstanding any other provision of these Bylaws, the type of meeting may be changed to any other by a majority vote of the members present and entitled to vote at the assembled meeting.

12.21 An OPEN meeting is one to which any person may be admitted.

12.22 A CLOSED meeting is one to which only members and staff of the Association may be admitted and invited persons.

12.23 An EXECUTIVE meeting is one to which only members of the body in session, and any necessary staff, may be admitted.

12.30 ORDERS OF BUSINESS

Orders of business shall provide a systematic plan for conducting regular meetings and orders of business ordinarily shall be followed. The order of business, however, for any particular regular meeting may be changed by majority vote of the assembly.

12.31 The order of business for regular meetings of the House of Delegates shall be the following:

FIRST SESSION

1. Call to order.
2. Report of the Credentials Committee.
3. Verification of quorum
4. Approval of minutes
5. Reports
 - Auxiliary President
 - President
 - Secretary
 - Treasurer (Budget Committee report. References: 11.222, 11.223, and 11.224)
 - AMA Delegates
 - Other AMA officers and/or trustees
 - Executive Vice President
6. Nominations and elections (References: 6.75, 6.76, 9.3111, 9.283 and 9.40)
7. Unfinished business
8. New business
9. Special orders
10. Request for consideration of late resolutions
11. Adjourn to Reference committees

SECOND SESSION

1. Call to order
2. Presentation of the names of those deceased
3. Announcement of all election results. (References: 6.75, 6.76, and 9.43)
4. Presentation and consideration of Reference committee reports
5. Component society reports
6. Remarks by the president
7. Remarks by the president-elect

8. Remarks by the new president-elect
9. General good and welfare
10. Announcements
11. Adjournment

12.32 The order of business for regular meetings of the Board of Trustees, councils and committees shall be the following:

1. Verification of quorum
2. Call to order
3. Approval of minutes
4. Regular reports
5. Special reports
6. Special orders
7. Unfinished business
8. New business
9. General good and welfare
10. Announcements
11. Adjournment

12.33 The order of business for special meetings shall be the following:

1. Verification of quorum
2. Call to order
3. Special orders of business (Only the special orders of business listed in the notice of the meeting may be considered and voted on. Reference: 12.14)
4. Adjournment

12.40 THE RIGHT TO VOTE

The right to vote is limited to the active members present and in good standing at the time a quorum is present. Absentee voting is not permitted unless expressly stated elsewhere in these Bylaws.

12.50 MEETINGS OF THE OFFICIAL ASSEMBLIES

12.51 HOUSE OF DELEGATES MEETINGS

The House of Delegates shall hold an annual meeting at a time and place set by the Board of Trustees. Interim and special meetings may also be called by the president and the Board of Trustees. (Reference: 6.50)

12.511 Quorum

A quorum shall be 35 percent of the allotted and named delegates. (Reference: 6.52)

12.512 Type of meeting

The House of Delegates shall hold an open meeting. (Reference: 6.54)

12.513 Order of business (References: 12.31 and 12.33)

12.52 BOARD OF TRUSTEES MEETINGS (Reference: 10.50)

The Board of Trustees shall hold meetings at the call of the president or upon petition by three trustees. (Reference: 10.50)

12.521 Quorum

A quorum shall be a majority of the voting members. (Reference: 10.52)

12.522 Type of meeting

The Board shall hold a closed meeting. (Reference: 10.53)

12.523 Order of business (References: 12.32 and 12.33)

12.53 COMMITTEE MEETINGS

Committees shall hold meetings at the call of their chair.

12.531 Quorum

A quorum shall be the active members present at a duly called meeting.

12.532 Type of meetings

Committees shall hold closed meetings. Nonmembers may attend by invitation from the chair.

12.533 Order of business (References: 12.32 and 12.33)

ARTICLE XIII

13.00 DISCIPLINARY PROCEDURES

13.01 The Board of Trustees shall have exclusive jurisdiction over allegations of malfeasance, misfeasance, or nonfeasance of any officer or delegate. The Board of Trustees may remove any officer or delegate from such office upon finding malfeasance, misfeasance or nonfeasance after the notice and hearing procedures specified in this article have been afforded to the officer or delegate, but

membership privileges shall not otherwise be adversely affected. The Board of Trustees shall also have concurrent jurisdiction over allegations of misconduct of any Association member.

13.02 The Board of Trustees may assist both members and component societies, when requested, where allegations indicate that grounds may exist for disciplinary action.

13.03 The Board of Trustees shall have exclusive jurisdiction to consider appeals from disciplinary proceedings of component societies. (Reference: 13.81)

13.10 GROUNDS FOR DISCIPLINARY ACTION

Disciplinary action which adversely affects membership rights in the Association or any component society shall only be taken if the action is taken in the furtherance of quality health care, after reasonable effort has been made to obtain the facts, after adequate notice and hearing procedures are afforded to the member, and in the reasonable belief that the facts warranted the action which was taken. Specific grounds for disciplinary action include the following:

13.11 conviction in a court of competent jurisdiction of a crime which involves moral turpitude or conviction in such a court of violation of a state or federal narcotics law or of violation of the state Medical Practice Act;

13.12 immoral or dishonest conduct or conduct which is unbecoming to a member of the medical profession;

13.13 adherence to principles and methods not in accordance with the principles and methods of the science of medicine;

13.14 the use by a member of untruthful or improbable statements or flamboyant to extravagant claims concerning the member's professional excellence or abilities;

13.15 incompetence or repeated malpractice;

13.16 conduct amounting to a breach of professional ethics;

13.17 failure to comply with the Principles of Medical Ethics of the American Medical Association. (Reference: 4.62)

13.20 RECEIPT OF WRITTEN ALLEGATIONS

Only written and signed complaints of misconduct regarding a member shall be considered. These will be immediately forwarded to the Ethics and Judicial Committee, which shall make an initial determination whether further inquiry into allegations is warranted.

13.30 INITIATION OF THE INQUIRY PROCESS

If the Ethics and Judicial Committee determines that an inquiry into allegations relating to conduct of an officer or a delegate or relating to alleged misconduct specified in 13.101 through 13.107 is warranted, the Committee shall so notify the Board of Trustees. A summary of the allegations shall then be forwarded to the accused member along with notification of the inquiry.

13.40 NOTICE OF PROPOSED ACTION

The member shall be given a notice stating that a disciplinary review action has been proposed to be taken and an explanation of the reasons for the proposed review. The member shall be advised that a hearing may be requested and the member shall be given at least 30 days to decide whether or not to request a hearing. The member shall also be given a summary of the rights afforded at the hearing. If a hearing is requested, the member shall be given a notice at least 30 days prior to the hearing of the date, time and place where it will be held. A list of witnesses expected to testify in support of allegations of misconduct shall be given to the member prior to the hearing.

13.50 HEARINGS OF THE ETHICS AND JUDICIAL COMMITTEE

13.51 The Ethics and Judicial Committee shall conduct hearings to make a thorough inquiry into the allegations. Any member of the Committee who is in direct economic competition with the accused member shall not participate in the hearing or review process. The Board of Trustees may select additional Committee members to replace those Committee members who are disqualified because of direct economic competition with the accused member.

13.52 At the hearing, the member has a right to be represented by an attorney or someone else of the member's choice and to have a tape-recorded record made of the proceedings. The member may obtain a transcription of the proceedings by payment of a reasonable transcription charge. The Committee may call witnesses and the accused member has the right to call witnesses and to cross-examine witnesses called by the Committee. The member may also submit a written statement and other relevant evidence in other forms which need not necessarily be admissible in a court of law.

13.53 At the completion of the hearing, the Committee shall prepare a written recommendation which includes a statement of the basis for the recommendation and shall provide a copy of the report to the accused member and to the Board of Trustees.

13.60 BOARD OF TRUSTEES' INQUIRY

The Board of Trustees, upon receipt of the Ethics and Judicial Committee's report, shall:

- 13.61 take the report under advisement; or
- 13.62 conduct whatever further hearings are believed necessary provided that the same notice and hearing requirements required of the Ethics and Judicial Committee are afforded by the Board of Trustees to the accused member.

13.70 BOARD OF TRUSTEES' DECISION

The Board of Trustees shall prepare a written report which shall state the basis for its decision and which shall enumerate the specific grounds for disciplinary action found to exist.

- 13.71 The Board of Trustees may elect to take the following action on the basis of the disciplinary review:
 - 13.711 dismissal of the charges;
 - 13.712 censure, with or without probation;
 - 13.713 suspension of membership in the Association for a period not to exceed three years;
 - 13.714 expulsion from the Association.
- 13.72 A copy of the report shall be forwarded to the accused member within 10 days following its completion.

13.80 APPEALS

13.81 APPEAL FROM THE DECISION OF A COMPONENT SOCIETY

An accused member may appeal within 30 days a decision of a component society to the Board of Trustees or the component society's decision shall become final (Reference: 13.03). The appeal may be heard by the Board of Trustees without referral to the Ethics and Judicial Committee. The notice and hearing requirements governing the Board of Trustees' inquiry and decision on the report of the Ethics and Judicial Committee shall apply to proceedings on appeal from the component society.

13.82 APPEAL FROM THE DECISION OF THE BOARD OF TRUSTEES

An accused member may request within 30 days a rehearing with the Board of Trustees based either on the presentation of new evidence or a change in any legal interpretation; otherwise the decision of the Board of Trustees shall be final and there shall be no appeal except as what otherwise may exist through the American Medical Association.

13.90 IMPLEMENTATION OF THE DECISION OF THE BOARD OF TRUSTEES

If no request is received for an appeal from the decision of the Board of Trustees by 30 days, the Board shall then act to implement its decision.

13.95 DISCLOSURE OF INFORMATION

All information, interviews, statements, documents and results of disciplinary procedures are confidential and shall not be disclosed except as approved by the Board of Trustees or as required by law.

ARTICLE XIV

14.00 **DISCLOSURE OF CONFLICTS OF INTEREST**

14.10 Officers, Trustees, committee members, employees, and agents of the Association shall act in their positions in the best interest of the Association. Persons of authority in the Association who have outside interests that may conflict with those of the Association are obligated to be aware of those potential conflicts, to disclose actual conflicts to the Association, and to prevent their conflicting outside interests from influencing the actions or decisions of the Association.

14.20 When speaking on an Association matter in which a delegate to the House of Delegates has actual knowledge that he or she has a conflict of interest, the delegate shall orally declare to the House of Delegates before which the matter is pending what that conflict of interest is. This declaration of conflict of interest shall be noted in the minutes of the House of Delegates meeting.

ARTICLE XV

15.00 **PARLIAMENTARY AUTHORITY**

The parliamentary rules and usages contained in the then current edition of *The Standard Code of Parliamentary Procedure* (Sturgis) govern this organization in all parliamentary situations that are not provided for in the law or in the Bylaws or in any adopted rules.

ARTICLE XVI

16.00 **PUBLICATIONS**

16.10 The House of Delegates shall specify the nature of Association publications and shall approve the budget for all publications as part of the Association's annual budget. (Reference: 6.72)

16.20 The Board of Trustees shall superintend the issuance of all publications of the Association; and may appoint editors and assistants as it deems necessary.

ARTICLE XVII

17.00 BONDING

Employees and officers of the Association shall be bonded in such amounts as the Board of Trustees deems necessary.

ARTICLE XVIII

18.00 AMENDMENTS

18.10 PROPOSAL AND DRAFTING

18.11 Amendments may be proposed to the Bylaws Committee by any officer, Utah Medical Association delegate, voting member of the Board of Trustees, or any component society, council, or committee.

18.12 The Bylaws Committee shall evaluate and draft the proposed amendments and make a recommendation on each amendment for presentation to the next House of Delegates meeting.

18.13 Proposals must be received at least 90 days prior to the ensuing House of Delegates meeting to assure that they will be ready for consideration at this meeting, provided however that the Board of Trustees may waive this requirement for a proposal i) that is received after that date but in time to be prepared, reviewed, and sent to delegates as required in 18.20, and ii) that the Board decides is a proposal that merits consideration by the House of Delegates at its ensuing meeting.

18.20 PRIOR NOTICE REQUIREMENT

Copies of proposed amendments and the Bylaws Committee's recommendations shall be sent to all voting members of the House of Delegates at least 10 calendar days prior to the House of Delegates meeting at which the proposed amendments are to be considered.

18.30 VOTE REQUIREMENT FOR ADOPTION

Proposed amendments shall be adopted at any properly called meeting of the House of Delegates by a two-thirds vote of the delegates present and voting at the time a quorum is present.

18.40 EFFECTIVE DATE

Amendments shall become effective immediately upon adoption.

18.50 SUSPENSION OF THE BYLAWS

Suspension of these Bylaws is prohibited.