

Bylaws of North Dakota Physical Therapy Association Inc.

ARTICLE I

Name & Territorial Jurisdiction

Section 1. The North Dakota Physical Therapy Association, hereinafter referred to as the Chapter, shall be a chapter of the American Physical Therapy Association, hereinafter referred to as the Association.

Section 2. The territorial jurisdiction of this Chapter will be the geographical boundaries of the state of North Dakota.

ARTICLE II

Object

The object of this Chapter shall be the same as the object of the Association as established in its Bylaws.

ARTICLE III

Functions

The functions of the Chapter shall be the same as the function of the Association as established in its Bylaws.

ARTICLE IV

Membership

Section 1. Categories and Qualifications of Members

The Chapter membership categories and qualifications for Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Student Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, Life Physical Therapist Assistant, and Student Physical Therapist Assistant shall be the same as those of the Association. In addition, the Chapter shall maintain a single Corresponding Member category with rights and privileges as stated in the Association bylaws.

Section 2. Rights and Privileges of Members

The rights and privileges of the Chapter's members shall be identical to those established in the Association Bylaws.

Section 3. Admission to Membership

Admission to Chapter membership is by assignment by the Association's Board of Directors.

Section 4. Good Standing

An individual member is in good standing within the meaning of these Bylaws if the member is in good standing with the APTA.

Section 5. Disciplinary Action

1. Any member of the Chapter who is suspended by the Association shall have their membership privileges suspended from the Association and from the Chapter. Any member who is expelled from membership in the Association shall be expelled from the Chapter membership.

2. Complaints to the effect that a member has violated the ethical principles or standards of the Association shall be processed in accordance with the Association's Procedural Document on Disciplinary Action.

Section 6. Reinstatement

Individuals are reinstated to Chapter membership in accordance with the Association's Standing Rules. The Chapter may not charge a reinstatement fee.

ARTICLE V

Districts

(There are currently no Districts established in North Dakota.)

Section 1. Districts

1. Chapter members residing or working in a specific area may petition the Board of Directors of the Chapter to form a District.

2. The Board may recommend formation of the District, and it shall be recognized after a vote of the membership at the next Chapter meeting.

Section 2. Limitations

Districts are subject to the following limitations:

1. Bylaws and policies of the Association and Chapter.

2. No district shall profess or imply that it speaks for or represents the Chapter or members other than those currently holding membership in the District unless authorized to do so in writing by the Chapter governing body.

3. Each district will submit a procedure manual for its conduct of business and activities (refer to APTA Guidelines for Districts, page 2). This district manual must also be approved by the Chapter's Board of Directors.

4. Dissolution of the District may be by approval of the District membership or by a majority vote of this Chapter's Board of Directors, a quorum being present.

ARTICLE VI

Meetings

1. Number:

A minimum of three regular meetings shall be held during the fiscal year. The fall meeting shall be the annual meeting.

2. Special meetings:

1. Additional meetings as are necessary may be called by the President with the concurrence of the majority of the Board of Directors, provided they do not conflict with APTA functions or meetings.

2. A Special Meeting must be called upon written petition of 50 percent of the membership.

3. Notice of meetings:

Notice of the meeting shall be sent to the members ten days prior to date of meeting.

4. Quorum and voting body:

A quorum shall consist of those members present at the meeting but not less than 25. The voting body shall be the members eligible to vote.

5. Voting between regular meetings:

When a decision is needed between meetings of this Chapter, voting will be done by mail or electronically. The Board of Directors shall have the power to call for a mail or electronic vote. Twenty-five votes shall constitute a quorum for a mail or electronic vote. The majority of the votes received shall constitute a decision.

ARTICLE VII

Board of Directors/Executive Committee/Officers

Section 1. Composition

The Board of Directors shall consist of the elected officers, the Immediate Past President, the Chairmen of all Standing Committees, the Chairman of the Nominating Committee, the student representatives, two members elected from the membership at large, one representing a town of less than 30,000 population, one representing a town greater than 30,000 population, the Chief Delegate, Delegate, PTA Caucus Representative, and the newsletter editor.

The elected officers of the Chapter shall be the President, the Vice-President, Secretary, and Treasurer.

The Executive Committee shall consist of all the elected officers.

Section 2. Qualifications

Only such members of the Chapter as are provided for in the Association bylaws, Article IV, Section 2, Subparagraph B. (3) b. who have consented to serve, shall be eligible for election to office. Physical Therapist Assistant, Retired Physical Therapist Assistant and Life Physical Therapist Assistants may hold office subject to the limitations specified in the Association bylaws, Article V, Section 4, Subparagraph C. Individuals holding the office of President shall have had prior BOD membership at the chapter level.

Section 3. Terms and Vacancies

Following the term as President, the Immediate Past President shall serve as an advisor to the Board for one year. Elected officers shall serve three-year terms or until the election of their successors. Chairmen of the Standing Committees shall serve one-year terms.

If the President dies, resigns, or is removed or becomes disqualified before the expiration of the term for which she/he was elected, the Vice-President shall succeed to the office vacated for the unexpired portion of the term. Vacancies created by death, resignation, removal, or disqualification of other officers, committee members shall be filled by appointment by the Board of Directors for the unexpired portion of the term.

Section 4. Officers

1. The President shall:

1. Serve as Chairman of the Board of Directors and preside at all meetings of this Chapter's Board of Directors, call Board meetings according to this Chapter's Bylaws or policy rules, prepare and send to Board members agenda for such meetings.
2. Assume leadership of the Chapter's activities and develop, in accordance with the APTA, policies and membership needs and interests and preside at all Chapter meetings.
3. Call any special meetings of this Chapter with the Board of Directors' concurrence. Refer to Article VI 2. 1.
4. Act as ex-officio member of all committees except the Nominating Committee and Ethics Committee.
5. Make an annual report to this Chapter.
6. Review duties and responsibilities of officers and committee chairmen and see that these are carried out for the Chapter and Association.

7. Assign specific duties to the Vice-President in carrying out and sharing Chapter organizational work.

8. Turn over all pertinent correspondence and communication to the Secretary at the end of the year and answer all official correspondence.

9. Confer with successor and provide written outlines of routine duties.

2. The Vice-President shall:

1. Assume the duties of the President in his absence.

2. Assist the President in the discharge of his duties.

3. Attend all Board of Directors meetings.

4. Act as Chair or member of any chapter committee if so appointed.

5. Confer with successor and provide written outlines of routine duties.

6. Be responsible for student representatives' needs for each meeting and make arrangements as necessary.

3. The Secretary shall:

1. Perform all duties usually delegated to the position of secretary at all Chapter and Board of Directors meetings.

2. Submit copies of all Chapter business meeting minutes to Association Headquarters within forty-five days.

4. The Treasurer shall:

1. Perform the duties of the office, be bonded at the expense of the Chapter, his/her books and financial records shall be submitted annually for audit by three members of this Chapter appointed by the President.

2. Act as the custodian of all funds of this Chapter which shall be paid out only upon the approval of the Board of Directors. Keep true and accurate accounts of all receipts and disbursements in a book which shall be the property of the Chapter and make a report in writing at each annual meeting and to the Board of Directors upon request.

3. Serve as the chairman of the Finance Committee.

Section 5. Other elected positions

1. Member-at-large (over 30,000) serves a three-year term.

1. Acts as liaison to the State Examining Committee and the NDPTA Board of Directors.

2. Organizes meetings of the Department Managers/Supervisors of the State, to be held in conjunction with State Meetings as interest dictates.

3. Attends all Board of Directors Meetings.

4. Communicates concerns from membership in large communities to the Board of Directors.

5. Serves on committees, task forces, etc. as appointed by the Chairperson of the Board of Directors.

2. Member-at-large (under 30,000) serves a three-year term.

1. Works with the Nominating Committee to disseminate information and get nominations for the APTA and NDPTA sponsored awards.

2. Attends all Board of Directors meetings.

3. Communicates concerns from the membership in small communities to the Board of Directors.

4. Serves on committees, task forces, etc. as appointed by the Chairperson of the Board of Directors.

Section 6. Duties

Subject to the provisions of these Bylaws, the Association Bylaws, and all resolutions and enactments of the membership, the Board of Directors has full power and complete authority to perform all acts and to transact all business for and on behalf of this Chapter, except as otherwise provided in these Bylaws.

1. The Board of Directors shall:

1. Carry out the mandates and policies of this Chapter as determined by the membership.

2. Create special committees as needed and appoint and direct activities of all committees, except the Nominating and the Ethics Committee.

3. Bring communications from the Association before the members at any regular or special meeting or by correspondence for their information, opinion, and/or vote.

4. Make a report annually to the Board of Directors of the APTA and at such other times as requested.

5. Report to the Headquarters of the Association any member's loss of good standing in this Association.

6. Have the Treasurer's books audited annually.

7. Be responsible for the creation of and facilitation of activities of such councils as it deems necessary.

2. Special members of the Board:

1. Members-at-large shall attend all meetings of the Board of Directors and assume task assignments as designated at the Board of Directors meetings.

2. The Immediate Past President.

3. The Student Representatives shall attend all meetings of the Board of Directors and assume task assignments as designated at the Board of Directors meetings.

4. Chief delegate.

5. PTA Caucus Representative.

6. Delegate.

7. Newsletter editor.

3. Voting

A majority consisting of those eligible to vote shall constitute a quorum. All members shall have one vote with the exception of the student representatives, Nominating Committee chair, Immediate Past President, newsletter editor, and Ethics Committee chair.

Section 7. Conduct of Business

1. The Board of Directors shall meet three times annually.

2. A special meeting must be called upon written petition of 50 percent of the Board.

3. The President may call a special meeting of the Executive Committee to conduct business on behalf of the Chapter.

4. Notice for meetings shall be sent to Board Members ten days prior to date of meeting.

5. Any Board of Directors, committee, or regular meeting of the NDPTA may be conducted by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time. Participation by such means shall constitute presence in person at a meeting and the business conducted shall in all respects be as though it has been conducted in a single room with all participants physically present. A Proctor will be appointed at each site to check participants' APTA membership and report voting results to the Chapter President.

ARTICLE VIII

Committees

Section 1. Names

1. The Standing Committees of this Chapter shall be:

1. Membership Recruitment and Retention Committee — Consisting of at least three members with staggered terms, appointed by the Board of Directors, one will serve as Chairperson. The terms of appointment shall be three years with no more than two expiring in the same calendar year.

2. Legislation and Bylaws Committee — Consisting of three members with staggered terms, appointed by the Board of Directors, one as Chairperson. The term of appointment shall be three years. Two members will be registered as APTA's "key contact" people for the state's Congressional delegates.

3. Quality Assurance Committee — Consisting of five members with staggered terms, appointed by the Board of Directors, one as Chairperson. The term of appointment shall be three years with no more than two terms expiring in the same calendar year.

4. Continuing Education Committee — Consisting of seven members with staggered terms, appointed by the Board of Directors, one as Chairperson. The term of appointment shall be five years.

5. Finance Committee — Consisting of five members, two being the current elected Treasurer and Vice-President and three positions appointed by the Board of Directors. Terms for elected positions are three years. Appointed positions are three-year staggered.

6. Nominating Committee — Consisting of three members serving three year terms. The terms of election shall be staggered with no more than two terms expiring in the same year.

7. Ethics Committee — Consists of three members serving three year staggered terms. One NDPTA member in good standing who has practiced physical therapy in the State of North Dakota for a minimum of five years prior to appointment and who has been an NDPTA member for the five consecutive years prior to appointment. One NDPTA member in good standing who has practiced physical therapy for a minimum of ten years, at least five of which were in North Dakota and who has been an NDPTA member for the five consecutive years prior to appointment. One member shall be an NDPTA member in good standing who is, by the order of preference, either a former President of the NDPTA, former NDPTA Executive Board Member, or former liaison to the State Examining Committee.

8. Public Relations Committee — Consists of minimum of four members who represent, through residence or work, the four major population centers of North Dakota. Members shall serve three-year terms and will be appointed by the Board of Directors.

9. Reimbursement Committee — Consisting of a minimum of three members. The terms of appointment shall be three years with no more than two terms expiring in the same calendar year. Committee members shall be appointed by the Board.

Section 2. Special Committees

Are appointed as needed by the Board of Directors to accomplish a specific function.

Section 3. Required Reports

Each of these committees shall make an annual report to this Chapter of the activities of the year and shall submit reports to the Board of Directors upon request.

Section 4. Tenure and Vacancies

The Chairs of Standing Committees, unless otherwise provided for, shall be appointed by the Board of Directors and shall serve the term specified or until their successors are appointed and assume office. If an appointed member dies, resigns, is removed, or fails to serve, the Board shall appoint an eligible member to serve the unexpired portion of the term.

Section 5. Duties

1. The Membership Recruitment and Retention Committee shall:

1. Receive for this Chapter's President all materials pertaining to recruitment of NDPTA members.

2. Direct the recruitment program of our Chapter.

2. The Legislation and Bylaws Committee shall:

1. Uphold and promote the enforcement of state physical therapy legislation.

2. Keep abreast of conditions which may require change in the state legislation regarding physical therapy practice and seek legal aid when necessary.

3. Revise or update Chapter Bylaws as needed.

4. Maintain APTA's "key contact" with state congressional delegates.

3. The Quality Assurance Committee shall:

1. Be responsible for developing, monitoring, and evaluating the quality assurance activities at the Chapter level.

2. Communicate and appropriately disseminate information concerning quality assurance in Physical Therapy to the membership.

3. Provide a mechanism of non-punitive peer review. The peer review process shall be reviewed and revised periodically.

4. Serve to assist the Chapter membership in assuring a high acceptable level of quality for consumers of Physical Therapy in North Dakota.

4. The Continuing Education Committee shall:

1. Coordinate educational programs offered at regular scheduled Association meetings.

2. Investigate, promote, and direct educational seminars and short courses offered to members within jurisdiction.

3. Implement and coordinate Chapter standards for continuing education of members.

5. The Finance Committee shall:

1. Report on activities of the committee annually at Chapter and Board meetings as well as upon request and in the NDPTA Newsletter as appropriate.

2. Review and/or revise fiscal matters of the Chapter as necessary with one formal goal setting meeting at least annually.

3. Advise the Chapter regarding savings, investments, and other financial matters, for which final decisions must be approved by the Board of Directors.

4. Adhere to and review policies/procedures annually or as directed by the Board of Directors.

5. Coordinate fund raising activities for the Chapter as deemed appropriate or as necessary by the Board of Directors.

6. Comply with financial obligations to APTA.

6. The Nominating Committee shall:

1. Recruit candidates for all committee vacancies and Chapter Association offices.

2. Devise and implement proper voting procedures for elections.

3. Chairperson shall attend Board of Directors meetings as a non-voting member.

7. The Ethics Committee shall:

1. Uphold the APTA Code of Ethics and the ethical tenants of the North Dakota Physical Therapy Practice Act in the State of North Dakota.

2. Monitor national ethics issues and provide guidance on issues of conflict or potential conflict of interest that may affect physical therapists practicing in North Dakota.

3. Serve as the clearinghouse and recognized conduit for addressing individual ethical concerns among Chapter members.

4. Maintain and confidentially document a record of issues addressed, rationale of disposition, and record of disposition facts.

5. Above all, conduct its business in a confidential, impartial, and judicious manner.
6. Chairperson shall attend Board of Directors meetings as a non-voting member.
8. The Public Relations Committee shall:
 1. Promote the physical therapy profession.
 2. Review and distribute APTA materials for use by members.
 3. Develop and maintain media contacts.
 4. Assist NDPTA members in search of appropriate PR materials.
9. The Reimbursement Committee shall:
 1. Promote Physical Therapy to health care market place decision-makers to ensure appropriate reimbursement for physical therapy services.
 2. Shall be knowledgeable in and responsive to reimbursement issues and their implication for the practice of physical therapy.
 3. Shall influence payer activity on a local and/or regional level.

ARTICLE IX

Delegates to the Association's House of Delegates

Section 1. Qualifications

1. The Chapter must be represented in the House of Delegates at least every third year.
2. Only Physical Therapist members may serve as chapter delegates.
4. Only Physical Therapist members who have been Association members in good standing in any category of membership for no fewer than two years immediately preceding the start of the House session may serve as active member chapter or section delegates.
3. A delegate may not in the same year serve as a section delegate.
4. The qualifications of delegates shall be the same qualification of the Association as established in its Bylaws.

Section 2. Election and Term

1. One member is elected at the Fall Annual Meeting to serve a three-year term to the House of Delegates of the APTA. The first year shall be as delegate. The member with the most consecutive years of experience as delegate will be the Chief Delegate.
2. The additional number of delegates which this Chapter is entitled to shall be elected at the Fall Annual Meeting. If it appears that all delegates to which it is entitled will not attend the House of Delegates, this Chapter shall confer on the delegates attending the session the right to cast vote/votes of the delegates not attending the session.
3. If this member is unable to attend, the President will act as an alternate.
4. The Chapter shall notify Association headquarters of the name of the Chapter's Delegate(s), as required by the Association and the Standing Rules of the House of Delegates.

Section 3. Rights and Duties

1. The Chief Delegate, who shall be a Physical Therapist member, shall:
 1. Be the principal representative of this Chapter in the APTA House of Delegates.
 2. Attends all Board of Directors meetings.
 3. Be responsible for this Chapter's total voting delegation at the Annual Session of the House of Delegates.
2. All delegates shall:
 1. Attend the annual and special meetings of the House of Delegates of the APTA.
 2. Present to the House of Delegates such matters as are ordered by the Board of Directors and/or voting body.
 3. Vote at the meetings of the House of Delegates, or in accordance with instructions and/or policies of this Chapter.

ARTICLE X

Representative to the Physical Therapist Assistant Caucus (PTA Caucus)

Section 1. Qualifications

1. The qualifications of the representative shall be as stated in the APTA Board policies and procedures.
2. The Chapter shall notify Association headquarters of the name of the Representative, as required by the Association.

Section 2. Elections and Terms

One member is elected at the Fall Annual Meeting prior to the annual session of the PTA Caucus serving a three-year term. The Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistants members of the Chapter shall elect the representative to which the Chapter is entitled.

Section 3. Duties of Representative

1. To attend the annual and special meetings of the PTA Caucus. If this member is unable to attend, the President will appoint another Physical Therapist Assistant as representative.
2. To present to the PTA Caucus such matters as are ordered by the Executive Committee (or Board of Directors) and/or voting body.
3. To vote at meetings of the PTA Caucus or in accordance with instructions and/or policies of the Chapter.
4. To assist the recruitment committee in recruiting and retaining Physical Therapist Assistant, Retried Physical Therapist Assistant and Life Physical Therapist Assistant members to the Chapter.

ARTICLE XI

Elections

Section 1. Terms

1. In the first year following approval of the revised bylaws the President, Vice-President, Nominating Committee, and Delegate positions will be elected(2002,2005,2008...). In the second year the Treasurer, Member-at-large (over 30,000), Delegate, and Nominating Committee positions shall be elected(2003,2006,2009...). In the third year following the Secretary, Member-at-large (under 30,000), Representative to the PTA Caucus and Nominating Committee positions shall be elected(2004,2007,2010...). Thereafter positions will be elected in a cyclical fashion on a three-year rotation.
2. No officer shall serve more than three consecutive terms in the same office.
3. The Nominating Committee members shall be elected as follows: one year one member, the next year two members, with no more than two members in a calendar year.
4. The Delegate shall be elected at the Fall Annual Meeting the year the Chief Delegate's term expires.

Section 2. Procedure

1. Election of officers, delegates, representative to the PTA Caucus, members-at-large, and Nominating Committee shall be done by mail ballot or electronically

prior to the Fall Annual Meeting. No later than four weeks prior to the election, the Nominating Committee shall send a ballot or notify electronically all Life, Physical Therapist, Retired Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistants members in good standing. Members shall return ballots to the NDPTA Executive Secretary postmarked no later than fourteen days prior to the Fall Annual Meeting or vote electronically within the same time limits.

2. Nominations from the floor will be accepted by the Nominating Committee following the announcement of nominations by the committee during the Chapter's spring meeting prior to the Fall Annual Meeting.

3. A minimum of 25 ballots or electronic votes is required for a valid election. The rule of a majority shall be effective in all elections.

4. Three appointed Chapter members will tally the ballots or electronic votes. In the event of a tie, a second ballot or electronic notification shall be sent to all appropriate members in good standing for a second vote.

5. Election results shall be forwarded to Association headquarters within forty-five days.

ARTICLE XII

Finance

Section 1. Fiscal Year

The fiscal year of the Chapter shall be from January 1 to December 31.

Section 2. Limitation on Expenditures

1. No officer, employee, or committee shall expend any money not provided in the budget as adopted or spend any money in excess of budget allotment, except by order of the Board. The Board shall not commit the Chapter to any financial obligations in excess of its current financial resources.

2. The Continuing Education Committee shall see that speakers are paid according to Continuing Education Committee policies which are approved by the Board of Directors every other year.

Section 3. Dues

1. Physical Therapist: \$60

Physical Therapist – Post Professional Student \$60

Life Physical Therapist \$0

Physical Therapist Assistant \$40

Life Physical Therapist Assistant \$0

Student Physical Therapist and

Student Physical Therapist Assistant \$0

Retired Physical Therapist \$0

Retired Physical Therapist Assistant \$0

Corresponding Members \$30

2. Student Physical Therapist and Student Physical Therapist Assistant dues are for 12 months from the time of renewal date. As of the last day of the graduation month, the Student Physical Therapist or Student Physical Therapist Assistant automatically converts to the Physical Therapist or Student Physical Therapist Assistant category for the remainder of the 12 months of membership. Once the membership remainder expires, these new Physical Therapist and Physical Therapist Assistants are eligible for one year of membership at 50% of the Association and chapter dues rate for a Physical Therapist or Physical Therapist Assistant.

3. All dues changes approved by the Chapter membership and approved by the Association's Board of Directors before August 1st shall become effective on the first of the Association's next fiscal year.

Section 4. The Chapter shall submit its annual financial statements, tax returns, and audit reports to the Association when and as directed by the APTA headquarters.

ARTICLE XIII

Dissolution

Chapter dissolution shall be prescribed by the Association's Bylaws (Article V, Section 1, G). The Chapter may dissolve subject to a recommendation to dissolve supported by no less than two-thirds of the members of the Chapter's Board of Directors and adopted by two-thirds of the Chapter's members.

ARTICLE XIV

Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order adopted by the Chapter.

ARTICLE XV

Amendments

These Bylaws may be amended in whole or in part by a two-thirds vote, a quorum being present at any meeting of this Chapter and provided that at least ten days prior to that meeting a copy of the proposed amendment has been sent out by mail to its members.

Upon Chapter approval, the amended Bylaws must be submitted to the Association Board of Directors and, if approved, may be considered in effect. (Exception: Changes in Chapter dues which become effective on the first of the Chapter's next fiscal year following approval.)

There will automatic approval of Chapter Bylaw changes made in order to comply with the APTA Bylaws. If the intent of an amendment is editorial or to bring the Chapter's Bylaws into agreement with those of the Association, the amendment shall be made as required by the Legislation and Bylaws Chairman and shared with the Board of Directors. The Legislation and Bylaws Chairman shall notify the Chapter's membership that such amendments have been made.

ARTICLE XVI

ASSOCIATION AS HIGHER AUTHORITY

In addition to these Bylaws, the Chapter is governed by the Association Bylaws and Standing Rules, and by Association House of Delegates and Board of Directors policies.

ARTICLE XVII

Publications and Communications

The *NEWSLETTER* is the official publication of the Chapter. It will be published a minimum of four times per year. A directory will be published annually and included in one of these newsletters. The *NEWSLETTER* will also contain information on Physical Therapy business around the state and nation. The *NEWSLETTER* shall publish notices of issues to be voted upon by the membership provided the *NEWSLETTER* has been mailed the required three weeks prior to the meeting date. The deadline for the following *NEWSLETTER* will be quoted in the *NEWSLETTER*.

Revised and updated August 1996

April 1998

October 1998

October 1999

June 1999

January 2000

January 2001

June 2001

April 2003

February 2006

September 2008