

## **HAYWOOD COUNTY MEDICAL SOCIETY BYLAWS**

### **Article I – Policies**

1. The principles set forth in Declaration of Principles and Ethics of the American Medical Association shall govern the conduct of members in their relations to others and to the public.
2. Agreements and schedules of fees shall not be made by this Society, but consideration and discussion of the business affairs of the profession may be held when appropriated.

### **Article II – Membership**

All new members shall be familiar with the Constitution and By-Laws of this Society.

#### **Section 1 – Qualifications**

The Society shall be the judge of the qualifications of its members. Every legally registered Doctor of Medicine or Doctor of Osteopathy in Haywood County who does not practice or claim to practice any exclusive system of healing shall be eligible for membership in one of the following classifications.

#### **Section 2 – Classifications**

1. Active – Those members who are engaged in the practice of medicine in Haywood County shall be classified as active. Active members shall be required to assume regular dues and assessments.
2. Honorary – Those members who have had thirty years of membership in the North Carolina Medical Society shall be classified as Honorary. No dues or assessments will fall upon them.
3. Associate – Those members who are retired from active practice shall be associate members. Those members whose practices are primarily within the framework of the Veterans Administration, the United States Armed Forces, of a governmental agency who do not desire active membership, may be classified as Associate members upon request. Dues from Associate members will be the same as that of an Active member, and no assessments will fall upon an Associate member.
4. Cum Laude – The Society recognizes that from time to time there will reside in Haywood County a physician with whom none of the above classifications will be appropriate, but upon whom the Society will wish to bestow a special distinction. Upon such a physician, at the pleasure of the Society, will be conferred the title of “member, Cum Laude”. The Society would be honored by the presence of such a member at any of its functions and his/her counsel would be valued. No dues or assessments will fall upon Member, Cum Laude.
5. Student-Intern-Resident – Any medical student, intern or resident participating in a teaching program in Haywood County on a full-time basis shall be eligible for this classification. No dues or assessments will fall upon this classification of member.

### **Section 3 – Privileges**

1. All active and honorary members shall be equally privileged to attend and take part in all proceedings and shall be eligible to any office or honor within the gift of the Society as long as they conform to this Constitution and Bylaws, except that no member under sentence of expulsion shall take part in any of the proceedings or be eligible to any office until relieved of such disability. None of the privileges of membership shall be extended to any person not a member of this Society, except as provided in these ByLaws or upon majority vote of the Society in regular session.
2. Associate members shall be provided to attend all the meetings and take part in all discussions and proceedings of a scientific and social nature. They shall have no voice or vote in any proceedings or discussion pertaining to the conduct of this Society relation to the public welfare, excepting that they may be invited upon vote of the Society to take part in such discussion.
3. Student-Intern-Resident – Privileges of this classification shall be the same as the Associate members.

### **Section 4 – Application for Membership**

1. A candidate for active membership shall make application to the Secretary-Treasurer in writing and shall state his age, medical college and date of graduation, any place in which they have practiced, and the date and registration in this State; or use application form for the North Carolina Medical Society. The application must be endorsed by two members of this Society. Election shall be by two-thirds majority of the members of the Society present and voting. The application, together with a notation of the action taken upon it, shall be returned to the Secretary-Treasurer who shall forward the approved application to the North Carolina Medical Society and file it for future reference. Re-application for rejected candidates shall not be received within six months of the rejection.
2. A non-member applying for membership in the classification of 'Honorary' shall present their application in the same manner as a candidate for active or associate membership. An active or associate member who develops the required qualification for Honorary membership, shall present evidence of their qualification to the Secretary-Treasurer; their change of classification shall be automatic and the Secretary-Treasurer will file a record of this change for future reference.
3. A candidate for Associate membership shall present a written application accompanied by appropriate evidence of the facts constituting his/her eligibility which shall be transmitted to the Advisory Committee who shall inquire into the standing of the applicant and report at the next meeting of the Board of Directors. The Board of Directors will then make a recommendation to the Society at the next regular meeting. Election to Associate membership shall be by majority vote. The application, together with a record of the action taken upon it, shall be returned to the Secretary-Treasurer, who shall forward the approved application to the North Carolina Medical Society and file it for future reference.

4. A candidate for Student-Intern-Resident classification may be granted membership in this classification by the President of the Society, after certification of the qualifications of the candidate.

### **Section 5 – Change of Status**

1. **Transfer membership:** A physician accompanying their application for active membership with a transfer card from another component of this or any other State may be admitted without fee after complying with the laws regulating the practice of medicine in this State. Election in such cases shall be by a simple majority, by open vote, of the members of the Society present and voting. No annual dues for the current year shall be charged against such members provided dues have been paid to the Society from which the applicant comes.
2. **Withdrawal:** A member in good standing who is free from all indebtedness to this Society, and against whom no charges are pending, and who wishes to withdraw shall be granted a transfer card. This card shall state the date the member associated himself with this Society and the state of the issuance of the card, and it shall be signed by the President and Secretary-Treasurer.
3. **Censure, Suspension, and Expulsion:** A member who is guilty of criminal offense, or gross misconduct, either as a physician or a citizen, or who violates any of the provisions of this Constitution and Bylaws shall be liable to censure, suspension, or expulsion. Charges against a member must be made in writing. The charges shall be delivered to the Secretary-Treasurer who shall immediately furnish a copy to the accused and to the chairman of the Advisory Committee. The copy of the charge shall be sent to the accused by Registered Mail and properly receipted. No action shall be taken by the Advisory Committee within ten days of the charge against the accused. The Advisory Committee shall investigate the charges and assemble pertinent information noted in the charges.

A formal hearing shall be conducted by the Board of Directors to consider the facts. Arrangements to insure the presence of the accuser, the accused, and any designated attorneys at this hearing shall be made by the President. If the accused elects not to appear at the hearing after two Registered Mail notices, the Board of Directors may proceed with the hearing in the absence of the accused. The findings of the Advisory Committee shall be presented at this hearing. The accused shall be permitted to present any information or call any witnesses as the accused may elect at this hearing.

After all facts have been considered by the Board of Directors with the exclusion of the Advisory Committee, the Board of Directors shall deliberate and by majority vote of those members present shall recommend to the Society at the time of a regular meeting of the Society: 1) That the charges are not sustained; or 2) That the charges are sustained and that the accused be either censured, suspended for a definite time, or expelled. Censure or suspension requires a three-fourths majority vote of the voting members present. No general membership vote shall be taken until at least six weeks have elapsed since the filing of charges. If charges are sustained by the general membership, the summary charges and recommendations shall be forwarded to the State Medical Society of North Carolina Board of Medical Examiners.

A member suspended for a definite time shall be reinstated at the expiration of that time without further action.

Members expelled from the Society shall be eligible to apply for membership after one year from the date of expulsion.

### **Section 6 – Adjoining Counties**

A physician residing in an immediate adjoining county may become a member of this Society in like manner and on the same terms as a physician living in this county on the permission of the County Society in which the applicant lives, if there is one, or the State District Counselor for this jurisdiction.

## **Article III – Officers**

### **Section 1 – Nomination and Election**

The officers of this Society shall be elected at the annual meeting. The Nominating Committee will be the Advisory Committee (see Article V., Section 2 of these Bylaws). The Nominating Committee shall submit at the annual meeting a slate of names for the offices of President-elect, Secretary-Treasurer, and a candidate to replace each retiring delegate and alternate. Other nominees may be made from the floor at the annual meeting. All election shall be made by voice vote. The vote of a majority of members present at the annual meeting, assuming a quorum is present, shall be necessary for the election. The officers shall assume their duties on the first day of January following their election.

### **Section 2 – Duties of the Officers**

- a) All reports of the officers must be submitted in writing to the Board of Directors, and after being read and accepted, such reports shall be turned over to the Secretary-Treasurer for entry in the minutes.
- b) President: The President shall preside at all meetings of the Society, and he/she shall perform such other duties as custom and parliamentary usage may require.

He/she shall have the power to appoint all standing and special committees whose members are elected by the Society.

He/she shall be responsible for the preparation of a suitable program at each meeting. He/she shall arrange with the members of the Society for invited guests, for the presentation of essays or addresses and shall announce the title or topic prior to the meeting at which it is to be presented.

At least two weeks prior to the annual meeting he shall appoint an auditing committee of two members who shall either audit the books of the Secretary-Treasurer or shall employ at the Society's expense, a certified public accountant and report the results of the audit to the Society at the next regular meeting.

- c) President-Elect: The President-Elect shall familiarize himself with the work of the Society. He/she shall assume the office of the President one year after his election as President-Elect, succeeding the president in office. In the event the President is unable to fulfill his/her term, the President-Elect may choose to assume the un-expired term of the President or request the Society to elect a President-Pro-Tem at the next regular meeting.
- d) Secretary-Treasurer: The Secretary-Treasurer shall receive and care for the records and papers belonging to the Society which may come to his/her hands. He/she shall make and keep a correct list of the members in good standing in this Society, noting of each correct name and address, membership classification, place and date of graduation, and the date and number of certificate entitling member to practice medicine. The Secretary-Treasurer shall be responsible for coordinating membership rosters with the North Carolina Medical Society and shall keep for the Society all funds of the Society and the records thereof. The Secretary-Treasurer shall give written notice to each member at least seven days before each regular meeting and shall notify all duly elected members of their election.

The official copy of the Constitution and Bylaws, countersigned by the President and the Secretary-Treasurer in office at its passage shall be kept by the Secretary-Treasurer along with all amendments thereto. Such insertions are to be signed by the President and the Secretary-Treasurer and dated. Such insertions are to be read to the Society at the next regular meeting after passage.

Reference to the official copy of the Constitution and Bylaws kept by the Secretary-Treasurer shall be final in all disputes.

The Secretary-Treasurer shall receive all dues and monies belonging to the Society and pay out the same only on order of the Society. He/she shall submit to the President names of all members delinquent in payment of special assessments.

- e) Delegates: The delegates shall attend and faithfully represent the members of the Society and the profession of the County in the House of Delegates of the North Carolina Medical Society. He shall make a report of the proceedings of that body to this County Society at the earliest opportunity.

## **Article IV – Board of Directors**

### **Section 1 – Personnel**

There shall be a Board of Directors as provided in the Constitution and Bylaws and it shall consist of:

- a) The officers of the Society as designated: President, President-Elect, and the Secretary-Treasurer
- b) Three immediate past Presidents of the Society (Advisory Committee)

## **Section 2 – Duties**

- a) The Board of Directors of the Society shall have and may exercise the powers and authorities pertaining to such Board and shall act for the Society in the interval between meetings of the Society except as otherwise specified in this Constitution and Bylaws.
- b) The Board of Directors shall meet upon the request of the President of the Society or of any member of the Board of Directors, but there shall be at least one meeting each year.
- c) The Quorum of the Board of Directors shall be a majority of the membership of the Board.
- d) Every member of the Society is eligible to attend all Board meetings and may bring up any business matter for action by the Board.

## **Article V – Committees**

There shall be such special committees as may be deemed necessary from time to time. These committees may consider any problems deemed necessary and appropriate by the President.

## **Section 1 – Advisory Committee**

The Advisory Committee shall receive from the Secretary-Treasurer all applications for membership, shall examine the qualifications of all applicants for membership subjecting each applicant to such examination as it may deem necessary and shall report on its findings and recommendations to the Board of Directors.

The Advisory Committee shall receive from the Secretary-Treasurer the names of members delinquent in special assessments and shall recommend to the Society what action should be taken.

The Advisory Committee shall investigate completely all complaints of a professional, moral or ethical nature against any member of the Society and in the event of dispute shall see that the defendant member shall be properly represented by legal counsel if he so wishes, and that due process will be closely adhered to. The Advisory Committee shall make its findings and recommendations to the Board of Directors for final action by the Society.

The Advisory Committee will also serve as the Nominating Committee.

## **Section 2 – Education and Social Committee**

This committee shall consist of three members (including the Chairman) and will be elected by the membership at the annual meeting. Its duties shall be to promote the post graduate education of the Society members by arranging for programs, workshops, extension courses and symposia at suitable times. It shall also oversee the annual Mountaintop Medical Conference arranging for the speakers and scientific program.

This committee shall also arrange for society functions of the Society.

## **Article VI – Fiscal Policies**

### **Section 1 – Annual Dues and Assessments**

The amounts of annual dues and the special assessments shall be set by a vote of the Society at such times as may be appropriate. Notice shall be sent to each member by mail at least seven days prior to a meeting at which dues or assessments are to be considered. A two-thirds majority shall be required of those voting to levy a special assessment or to change the amount of existing dues.

In the event that more than one-half of a fiscal year has elapsed at the time of election of a member, provided he is not a transfer from another Society, his dues for that year shall be prorated, he being required to pay one-twelfth of the dues for each month of that year he is a member.

### **Section 2 – Fiscal Year**

The fiscal year of this Society shall be from January 1<sup>st</sup> to December 31<sup>st</sup> inclusive.

### **Section 3 – Fines and Penalties**

- a) If any officer is absent without an excuse satisfactory to the Society in three consecutive meetings, his office shall be declared vacant. This does not apply to the Advisory Committee.
- b) Any active member in arrears at the annual meeting shall not be entitled to a vote. The report of the Secretary-Treasurer on the standing members as to dues and fines shall be final on this point.

## **Article VII – Standing Rules**

### **Section 1 – Parliamentary Order**

- a) The deliberations of this Society shall be governed by parliamentary usage as contained in Robert's Rules of Order unless otherwise determined to vote.
- b) Any member may call for a ballot vote.

## **Article VIII – Amendments**

These Bylaws may be amended at any regular meeting of the Society by a two-thirds majority vote of those members present and authorized to vote, provided that a notice of the proposed amendment has been sent to each member of the Society by the Secretary-Treasurer seven days in advance of the meeting at which the action is to be taken.

### **Haywood County Medical Society Constitution and Bylaws Amendment**

These amendments was/were adopted by the members effective September 12, 2017. The number of votes cast for these amendments by the members was/were sufficient for approval.

#### **Amendment 1.**

The Haywood County Medical Society will conduct operations doing business as the Smoky Mountain Medical Society.

#### **Amendment 2.**

Any legally registered Physician Assistant or Nurse Practitioner licensed in North Carolina and practicing in Haywood, Jackson, Swain, Clay, Macon, Cherokee or Graham County shall be eligible for membership upon proper application.

#### **Amendment 3.**

A physician, physician assistant or nurse practitioner residing in or practicing in Haywood, Jackson, Swain, Clay, Macon, Cherokee or Graham County may become a member of this Society upon proper application.