

# Bylaws of the Hawaii Chapter of the American Physical Therapy Association

(As Voted and Revised by the Membership on May 14, 2016)

## Article I. NAME AND RELATIONSHIP TO AMERICAN PHYSICAL THERAPY ASSOCIATION

### Section 1:

The Hawaii Chapter of the American Physical Therapy Association, hereafter 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 is that for the State of Hawaii, which includes the islands of Oahu, Maui, Hawaii, Kauai, Lanai, Molokai, Niihau, Kahoolawe, and other Pacific jurisdictions by petition from those jurisdictions (Guam, American Samoa and the Commonwealth of the Northern Mariana Islands).

## Article II. OBJECT

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

## Article III. FUNCTIONS

The functions of the Hawaii Chapter shall be the same as the functions of the Association as established in the Association 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, Physical Therapist Assistant, Retired Physical Therapist Assistant, Life Physical Therapist Assistant, Student Physical Therapist, 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 and a single Corresponding Student Member category with rights and privileges as stated in the Association bylaws (Article V, Section 1.D.8).

### 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's bylaws.

### Section 3: Voting Rights

All Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, Life Physical Therapist Assistant members will have the right to cast a one vote at the Chapter level.

### Section 4: Admission to Membership

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

### Section 5: Good Standing

An individual member is in good standing within the meaning of these bylaws if the member is in good standing in the Association.

**Section 6: Disciplinary Action**

- A. Any member of the Chapter who is suspended by the Association shall have their membership privileges suspended in the Chapter. Any member who is expelled from membership in the Association shall be expelled from Chapter membership.
- B. 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 7: Reinstatement**

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

**Article V. DISTRICTS AND SPECIAL INTEREST GROUPS**

**Section 1: Districts:**

- A. A district shall:
  - 1. Operate under bylaws or rules of order that shall not be inconsistent with chapter or Association bylaws and that shall be approved by the Chapter Board of Directors.
  - 2. Not establish dues.
  - 3. Not levy special assessments that carry punitive action or loss of good standing.
- B. A district of the Chapter may be established and/or dissolved in accordance with the rules and conditions specified by the Chapter's Policy and Procedure manual.

**Section 2: Special Interest Groups**

- A. A special interest group shall:
  - 1. Operate under bylaws or rules of order that shall not be inconsistent with Chapter or Association bylaws and that shall be approved by the Chapter Board of Directors.
  - 2. Not levy special assessments that carry punitive action or loss of good standing.
- B. A special interest group of the Chapter may be established and/or dissolved in accordance with the rules and conditions specified by the Chapter's Policy and Procedure Manual.

**Section 3: Limitations**

Districts and special interest groups are subject to the following limitations:

- A. Bylaws and policies of the Association and the Chapter.
- B. No district or special interest group shall profess or imply that it speaks for or represents the Chapter or members other than those currently holding membership in the district or special interest group unless authorized by the Chapter's governing body.

**Article VI. MEETINGS**

**Section 1: Regular and Annual Meetings**

There shall not be less than two meetings of the Chapter during the calendar year.

The Chapter shall hold one general meeting during the Spring Conference and the other during the Fall Conference. The annual meeting shall be the fall meeting.

**Section 2: Special Meetings**

The President and/or the Board of the Chapter has the authority to call special meetings. In addition, special meetings of the Chapter shall be called upon written petition of 50% of the membership.

**Section 3: Notice of Meeting Requirements**

Notice of each biannual chapter meeting shall be submitted to all members at least 10 days prior to the date of the meeting.

**Section 4: Chapter Quorum**

A quorum shall consist of ten members.

**Section 5: Meeting Minutes**

All meeting minutes shall be submitted to the Association within 45 days after the date of the meeting.

**Article VII. BOARD OF DIRECTORS**

**Section 1: Composition and Term**

The Board of Directors (BOD) for this Chapter shall consist of the President, Secretary, Treasurer, Chief Delegate, and Physical Therapist Assistant Representative. Each of the five Officers will have one vote. The President-Elect will represent the President at meetings if s/he is absent, and may vote when filling in for the President. In the absence of a President and a President-Elect, the assembly will elect a president pro tem to preside over the meeting.

Committee chairs, who are appointed, will have a voice in all BOD meetings and affairs, but no vote.

All officers for the Chapter, as well as the President-Elect, are elected during the (Annual) Fall Chapter meeting. The term of office begins on January 1 of the following year.

A. The President: The term of office shall be two years following the year as President-elect or until the election and assumption to office of their successor on the January 1 following the election. The President shall serve as official head and public spokesman of the Chapter and shall preside at all meetings of the Chapter and of the Board of Directors. Additional duties and responsibilities are outlined in the position description in the Chapter policy and procedure manual.

B. The President-elect: The term of office is one year, preceding the two-year term as President. The President-elect shall serve in the absence of the President, and shall represent the Chapter on external panels, committees and other activities as directed by the Board of Directors. Additional duties and responsibilities are outlined in the position description in the Chapter policy and procedure manual. The President-Elect shall only serve as a member of the Board of Directors if the President is absent.

C. The Secretary: The term of office is two years or until the election and assumption to office of their successor on the January 1 following the election. The incumbent shall initiate the newly elected official in the time between the election and January 1<sup>st</sup> of the new term of office. The Secretary shall be the recording secretary of the Board of Directors of all meetings of the Chapter. Additional duties and responsibilities are outlined in the position description in the Chapter policy and procedure manual.

D. The Treasurer: The term of office is two years or until the election and assumption to office of their successor on the January 1 following the election. The incumbent shall initiate the newly elected official in the time between the election and January 1<sup>st</sup> of the new term of office. The Treasurer shall be custodian of all funds of the Chapter, which shall be paid out only by approval of the Chapter Membership or the Board of Directors. The treasurer shall serve as chairman of the finance committee. Additional duties and responsibilities are outlined in the position description in the Chapter policy and procedure manual.

E. The Chief Delegate: Term of office and duties are as outlined in Article X. The Chief Delegate shall represent the Chapter at the Annual and special meetings of the American College of Physical Therapists-House of Delegates on such matters as are ordered by the Chapter of the Board of Directors and vote by voice or ballot in accordance with instruction from the Chapter.

F. The Elected Physical Therapist Assistant Representative: Term of office shall be for two years, with duties as outlined in Article XII.

## **Section 2: Qualifications of Officers**

Only such members of the Chapter as are provided for in the Association bylaws, Article IV, Section 2, subparagraph B. (3). b, who have been members in good standing for a period of at least one (1) year immediately preceding their election, and who have consented to serve, shall be eligible for election to office.

## **Section 3: Vacancies**

A. If the President dies, resigns, is removed or becomes disqualified before the expiration of the term for which s/he is elected, the President- elect shall succeed to the office vacated for the unexpired portion of the term, then assuming his elected term as President for the following two years. In years where there is no president-elect, the Chief Delegate will succeed to the office of President, where s/he shall serve the remainder of the current President's term. The open Chief Delegate position shall be filled by special election for the unexpired portion of the term.

B. Vacancies of officers other than President created by death, resignation, removal or disqualification shall be filled by special election for the unexpired portion of the term.

## **Section 4: Duties of the Board of Directors**

A. Rights, Duties, and Responsibilities

1. The Board of Directors (BOD) shall carry out the mandates and policies of the Chapter/APTA as determined by the membership.
2. Subject to the provisions of the APTA bylaws, the Chapter bylaws and all resolutions and enactment's 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 the Chapter.
3. The BOD shall endorse on behalf of the Chapter nominees for APTA, courses and organizations as approved by the Board of Directors.
4. The BOD shall create, appoint and direct the activities of the standard and special committees, except the Nominating Committee and Ethics Committee.
5. The BOD shall bring before the members at any regular or special meeting or by correspondence, communications from the Board of Directors of the American Physical Therapy Association, the APTA Headquarters, the American College of Physical Therapists-House of Delegates and other matters pertaining to policy and procedures for their information, opinion and/or vote.
6. The BOD shall have Chapter and District accounts audited/reviewed by a Certified Public Accountant annually.
7. Duties and responsibilities of the Committee Chairs are outlined in the position description in the Chapter policy and procedure manual.

B. Meetings

1. The Board of Directors shall meet no fewer than four meetings per year.
2. All meetings of the Board of Directors shall be called by the President or in absence, the President-elect or by the request of three officers of the Board of Directors.

C. Special Meetings:

Special meetings of the Board of Directors may be called by the President or by the request of four or more voting members of the Board (officers).

D. Quorum

The quorum for the transaction of business shall be 3/5 of the voting members of the Chapter Board of Directors.

E. Notice Requirements:

Notice of regularly scheduled Board meetings shall be 10 days prior to meeting.

## Article VIII. THE ADMINISTRATOR

The Administrator shall be employed by the Chapter as selected by majority vote of the members of the Board of Directors present and voting.

A. The terms and compensations to be decided by the Board and executed by the contract.

B. The Administrator shall be charged with the control and management of the operations of the chapter as determined by the Board of Directors.

C. The Administrator may be removed according to termination clause of contract.

D. The Administrator is not considered a member of the Board of Directors and shall have no veto/voting power in Chapter affairs.

## Article IX. COMMITTEES

Except for the standing committees: Nominating Committee, Finance Committee, and Ethics Committee other committees shall be named and constituted as defined by the Board of Directors.

### Section 1: Finance Committee

A. Shall be responsible for preparing and auditing the Chapter's budget.

B. Shall be structured to include the Treasurer as Chairperson.

C. Shall prepare the budget for the forthcoming fiscal year.

D. Shall communicate with the districts and special interest groups on financial matters.

E. There shall be three members to the Finance Committee. In addition to the Treasurer/Chair, the President and an additional Board-appointed member shall also serve. Both the Treasurer and the President shall serve on this committee during their respective terms of office, and the appointed member shall serve two years, or until an appropriate appointee is named to the position by the Board.

### Section 2: Ethics Committee

The Ethics Committee shall be a three-person committee, one person appointed annually by the Board of Directors immediately after the Annual/Fall meeting. One of the committee members may be a Physical Therapist Assistant member. The individual with the most seniority in the committee shall serve as chairperson. The committee shall be charged with investigating any ethics complaints according to the Association's stated procedures.

### Section 3: Nominating Committee

The Nominating Committee shall consist of three eligible members; one member shall be elected each year, at the Annual/Fall Meeting, who shall serve a term of three years or until the election of his successor. The senior member of the committee shall serve as Chairman. Any vacancies shall be filled by appointment through the Board of Directors until the next regular election at which time the vacant position shall be filled for the remainder of the term.

A. Duties

1. Shall present a slate of qualified candidates for available office of President, President-elect, Secretary, Treasurer, Delegate, and the members of the Nominating committee at the Fall/Annual Meeting.
2. Shall consider for nomination only those consenting to serve.
3. Shall oversee the election process, including communicating nominees' biographical information and qualifications to members, organizing and distributing ballots, and acting as Tellers at the Meeting to tally and announce election results to members.
4. Shall accept nominations from the floor at the Annual/Fall Meeting, as long as nominees meet the qualifications for office as stated above and are willing to serve if elected.

**Section 4: Required Reports**

Each of these standing committees except the Ethics Committee shall make an annual written report one month prior to the scheduled business meeting to the Chapter and all named committees shall submit quarterly reports to the Board of Directors and/or Chapter membership.

**Section 5: Other Chapter Committees**

Such other committees, standing or special, may be appointed by the Board, as the Board deems necessary to carry on the work of the Chapter.

Each chair of the Chapter's committees shall sit on the Board of Directors, providing an active voice in Chapter activities and decisions. Committee chairs do not have a vote on the Board.

**Section 6: Term Limits**

HAPTA Committee chairs, with the exception of standing committees listed above, shall serve in that capacity not more than three successive years, unless there is no alternative individual available and qualified for appointment by the board. Individuals may serve additional three-year terms after a two-year hiatus and successful reappointment to the chair position.

**Article X. DELEGATES TO THE ASSOCIATION'S HOUSE OF DELEGATES**

(or any subsequent name of this policy body adopted by the APTA)

**Section 1: Qualifications**

Chapter members as defined eligible and governed by APTA bylaws may be nominated to the House of Delegates.

- A. The qualifications of delegates shall be as stated in the Association's bylaws.
- B. A Chapter Delegate may not, in the same year, serve as Section or Assembly Delegate.
- C. The Chapter shall notify Association headquarters of the names of Chapter Delegates, as required by the Association and the Standing Rules of the House of Delegates.
- D. The Chapter must be represented in the House of Delegates at least every third year.

**Section 2: Election and Term**

A. Delegates: Election of one delegate will be held annually at the Annual/Fall Meeting. In odd-numbered years the term of office is three years. The person elected to this position will serve as Chief Delegate during the 2nd two years of the term. In even-numbered years, the term of office is one-year. In the event that Hawaii becomes entitled to more than two delegates, an additional 1-year term position will be filled each year at the Chapter Fall Conference. The roles of the Chief and component delegates are defined in the APTA Delegates Handbook. Additional duties designated by the chapter are outlined in detail in the Chapter policy and procedure manual.

B. Chapter shall elect the additional number of delegates to which the Chapter is entitled. If it appears that all delegates to who the Chapter is entitled will not attend the annual session, the Chapter will confer on the

delegates attending the session the right to cast the vote or votes of delegates not attending the session. Such transfer shall be shown on the credentials of the delegates attending.

- C. If the Chief Delegate is unable to attend, or in case of emergency, the Board of Directors shall appoint a substitute or substitutes.
- D. The Chapter shall notify Association headquarters of the names of the Chapter delegates by the dates required by the Association.

### **Section 3: Rights and Duties**

#### **A. Chief Delegate**

- 1. Shall serve as a member of the Board of Directors
  - 2. Shall attend the annual and special meetings of the House of Delegates of the Association
    - a. To present to the House of Delegates such matters as are ordered by the Board of Directors.
    - b. To vote at meetings of the House of Delegates in accordance with instructions and/or policies of the Chapter.
  - 3. Coordinates the Chapter's Delegation at the annual session of the House of Delegates
- B. All delegates should attend the annual and special meetings of the House of Delegates of the Association; represent the Chapter on such matters as recommended by the Board of Directors of the Chapter and vote by voice or ballot in accordance with instructions from the Chapter.

## **Article XI. PHYSICAL THERAPIST ASSISTANT MEMBERS**

- A. Physical Therapist Assistant members, Life Physical Therapist Assistant and Retired Physical Therapist Assistant members may serve on committees, vote in Chapter elections and serve in all offices except President, President- elect and as delegates to the House of Delegates.
- B. Physical Therapist Assistant members may organize and convene meetings for the physical therapist assistant members distinct from the Chapter business meetings. For this purpose the Physical Therapist Assistant members will be designated as a Special Interest Group (SIG) at the Chapter level and be referred to as the PTA-SIG. PTA-SIG may elect a chairperson and other such officers as well as facilitate Physical Therapist Assistant related activities.
- C. The PTA-SIG will use the Chapter office and address to conduct its business.

## **Article XII. REPRESENTATIVE TO THE PTA CAUCUS**

### **Section 1: Qualifications**

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

### **Section 2: Election and Term**

The Representative shall be appointed by the Chapter Board of Directors. An alternate Representative may also be appointed.

#### **Duties of Representative**

- A. To attend the annual and special meetings of the PTA Caucus.

- B. To present to the PTA Caucus such matters as are ordered by the Board of Directors and/or voting body.
- C. To vote at meetings of the PTA Caucus in accordance with instructions and/or policies of the Chapter.

**Article XIII. ELECTIONS**

- A. Elections shall be held for the Chapter during the Annual Fall meeting; held during the State Conference. Elections shall be by ballot. A majority vote of ballots collected is necessary for election.
- B. Mail in votes by members shall be accepted for Elections provided that they are received by the Board of Directors prior to the annual meeting.
- C. Nominations from the floor at the Annual Business meeting will be accepted.
- D. In the event of no candidate receiving a majority or a tie, a re-balloting by members present shall be held to determine the election.
- E. Special elections may be held in accord with Article VII, Section 3.
- F. For election purposes only, absentee ballots shall count toward the quorum for a meeting.

**Article XIV. FINANCE**

**Section 1: Fiscal Year**

The Chapter’s fiscal year shall be the same as the Association’s fiscal Year, January 1 through December 31.

**Section 2: Limitation on Expenditures**

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

**Section 3: Chapter Dues**

- A. Chapter dues shall be as voted by the general membership and as governed by APTA policy. The Chapter dues are as follows:

Physical Therapist	\$120
Physical Therapist – Post Professional Student	\$75
Life Physical Therapist	\$25
Retired Physical Therapist	\$25
Retired Physical Therapist Assistant	\$10
Physical Therapist Assistant	\$50
Life Physical Therapist Assistant	\$10
Student PT and Student PTA	\$15
Corresponding	\$25
Corresponding Student	\$0

- B. Student PT and Student PTA member dues are for twelve months from the time of renewal or join date. As of the last day of graduation month, a Student PT or Student PTA member automatically converts to the Physical Therapist or Physical Therapist Assistant member category for the remainder of the 12 months of membership. Once the membership remainder expires, these new Physical Therapist or Physical Therapist Assistant members are eligible for one year of membership at 50% of the chapter dues rate for a Physical Therapist or Physical Therapist Assistant member.

- C. All dues shall be for the period specified in the APTA Bylaws.
- D. The Board of Directors may offer reduced rates for Chapter dues as an incentive to promote membership.

**Section 4: Dues Changes**

- A. The Chapter members shall approve the amount of dues increases.
- B. All dues changes approved by the chapter membership and APTA Board of Directors before the APTA's deadline will become effective on the first of the Association's next fiscal year.

**Section 5:**

The Chapter shall submit its annual financial statements, tax returns, and audit report to the Association when and as directed by APTA Headquarters.

**Article XV. DISSOLUTION**

**Section 1: Procedure**

The Hawaii Chapter may be dissolved provided that notice is sent to all voting members thirty days prior to a Chapter meeting that has been scheduled in accordance with these bylaws, the proposed dissolution is presented at the Chapter meeting and a copy of the resulting dissolution with a ballot is sent to all voting members of the Chapter at least 30 days prior to the mail vote deadline. A two-thirds vote of ballots received is required for dissolution.

**Section 2: Mechanism**

In the event that the Hawaii Chapter is dissolved or its existence otherwise terminated, all property and records of the whatsoever nature in the possession of the Chapter shall, after payment of its bona fide debts, be conveyed to the APTA.

**Article XVI. 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 the order the Chapter may adopt.

**Article XVII. AMENDMENTS**

**Section 1: Voting**

These bylaws may be amended by two-thirds vote of the Members present and voting, at any meeting of the Chapter at which a quorum is present, provided that at least thirty days prior to that meeting a copy of the proposed amendments has been sent by mail to the members of the Chapter. The amended bylaws must be submitted to the Board of Directors of the APTA for approval.

**Section 2: Automatic Approval**

If the intent of an amendment is editorial or to bring the Chapter's bylaws into agreement with those of the APTA, the amendment shall be made as required by the Bylaws Committee or the President and shared with the Board of Directors. The Board of Directors shall notify the Chapter's membership of such amendment.

**Section 3: Effective Dates of Bylaw Changes**

Amendments to the Chapter's bylaws become effective upon approval in writing by the APTA's Board of Directors, except changes in chapter dues which become effective on the first of the Chapter's next fiscal year following approval.

**Article XVIII. THE AMERICAN PHYSICAL THERAPY ASSOCIATION (APTA) AS HIGHER AUTHORITY**

In addition to these Chapter Bylaws, the Chapter is governed by the Associations bylaws and standing rules and by the Associations House of Delegates and Board of Directors policies.

Amended and Draft: 05/21/05 03/28/05 04/19/05 07/27/05 08/12/05 09/07/06 03/17/16 05/14/16