

American Dental Association

1A:5
1993
C.1

Constitution and Bylaws

Revised to
January 1, 1993

ADA®

Constitution and Bylaws

Revised to
January 1, 1993

Contents

| | |
|--|----|
| Constitution of American Dental Association | 4 |
| Amendments, Article VIII | 6 |
| Annual Session, Article VI | 5 |
| Government, Article IV | 5 |
| Name, Article I | 4 |
| Object, Article II | 4 |
| Officers, Article V | 5 |
| Organization, Article III | 4 |
| Principles of Ethics and Code of Professional Conduct, Article VII | 5 |
| | |
| Bylaws of American Dental Association | 7 |
| Amendments, Chapter XX | 55 |
| American Dental Association Health Foundation, Chapter XIII | 47 |
| Appointive Officers, Chapter IX | 33 |
| Auxiliary to American Dental Association, Chapter XVIII | 55 |
| Board of Trustees, Chapter VII | 26 |
| Commissions, Chapter XIV | 48 |
| Component Societies, Chapter III | 18 |
| Conflict of Interest, Chapter VI | 26 |
| Constituent Societies, Chapter II | 14 |
| Councils, Chapter X | 33 |
| Elective Officers, Chapter VIII | 31 |
| Finances, Chapter XVII | 54 |
| House of Delegates, Chapter V | 21 |
| Indemnification, Chapter XIX | 55 |
| Membership, Chapter I | 7 |
| Principles of Ethics and Code of Professional Conduct and Judicial Procedure, Chapter XII | 43 |
| Publications, Chapter XVI | 53 |
| Scientific Session, Chapter XV | 53 |
| Special Committees, Chapter XI | 43 |
| Trustee Districts, Chapter IV | 19 |
| | |
| Articles of Incorporation of American Dental Association | 57 |

Constitution

.....

ARTICLE I • NAME

1 The name of this organization shall be the American Dental
2 Association, hereinafter referred to as “the Association” or “this
3 Association.”

ARTICLE II • OBJECT

4 The object of this Association shall be to encourage the
5 improvement of the health of the public and to promote the art
6 and science of dentistry.

ARTICLE III • ORGANIZATION

7 *Section 10. INCORPORATION:* This Association is a non-profit
8 corporation organized under the laws of the State of Illinois. If
9 this corporation shall be dissolved at any time, no part of its
10 funds or property shall be distributed to, or among, its members
11 but, after payment of all indebtedness of the corporation, its
12 surplus funds and properties shall be used for dental education
13 and dental research in such manner as the then governing body of
14 the Association may determine.

15 *Section 20. HEADQUARTERS OFFICE:* The registered office
16 of this Association shall be known as the Headquarters Office
17 and shall be located in the City of Chicago, County of Cook,
18 State of Illinois.

19 *Section 30. BRANCH OFFICES:* Branch offices of this
20 Association may be established in any city of the United States
21 by a majority vote of the House of Delegates.

22 *Section 40. MEMBERSHIP:* The membership of this Association
23 shall consist of dentists and other persons whose qualifications
24 and classifications shall be as established in Chapter I of the
25 *Bylaws.*

26 *Section 50. CONSTITUENT SOCIETIES:* Constituent societies
27 of this Association shall be those dental societies or dental
28 associations chartered as such in conformity with Chapter II of
29 the *Bylaws.*

30 *Section 60. COMPONENT SOCIETIES:* Component societies of
31 this Association shall be those dental societies or dental
32 associations organized as such in conformity with Chapter III of
33 the *Bylaws* of this Association and in conformity with the bylaws
34 of their respective constituent societies.

35 *Section 70. TRUSTEE DISTRICTS:* The constituent societies of
36 the Association and the federal dental services shall be grouped
37 into sixteen (16) trustee districts, as provided in Chapter IV of
38 the *Bylaws.*

ARTICLE IV • GOVERNMENT

39 *Section 10. LEGISLATIVE BODY:* The legislative and
40 governing body of this Association shall be a House of Delegates
41 which may be referred to as “the House” or “this House,” as
42 provided in Chapter V of the *Bylaws.*

43 *Section 20. ADMINISTRATIVE BODY:* The administrative
44 body of this Association shall be a Board of Trustees, which may
45 be referred to as “the Board” or “this Board” as provided in
46 Chapter VII of the *Bylaws.*

ARTICLE V • OFFICERS

47 *Section 10. ELECTIVE OFFICERS:* The elective officers of this
48 Association shall be a President, a President-elect, a First Vice
49 President, a Second Vice President and a Speaker of the House of
50 Delegates, each of whom shall be elected by the House of
51 Delegates as provided in Chapter VIII of the *Bylaws.*

52 *Section 20. APPOINTIVE OFFICERS:* The appointive officers
53 of this Association shall be an Executive Director, and a
54 Treasurer, each of whom shall be appointed by the Board of
55 Trustees as provided in Chapter IX of the *Bylaws.*

ARTICLE VI • ANNUAL SESSION

56 The annual session of this Association shall be conducted in
57 accordance with Chapters V and XV of the *Bylaws.*

ARTICLE VII • PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT

58 The *Principles of Ethics and Code of Professional Conduct* of
59 this Association and the codes of ethics of the constituent and
60 component societies which are not in conflict with the *Principles*
61 *of Ethics and Code of Professional Conduct* of this Association,
62 shall govern the professional conduct of all members.

ARTICLE VIII • AMENDMENTS

63 This *Constitution* may be amended by a two-thirds ($\frac{2}{3}$)
 64 affirmative vote of the members of the House of Delegates,
 65 provided that the proposed amendments have been presented in
 66 writing at any previous session of the House of Delegates.
 67 This *Constitution* may also be amended at any session of the
 68 House of Delegates by a unanimous vote, provided the proposed
 69 amendments have been presented in writing at a previous
 70 meeting of such session.

Bylaws

.....

CHAPTER I • MEMBERSHIP

71 *Section 10.* CLASSIFICATION: The members of this
 72 Association shall be classified as follows:

- 73 Active members
- 74 Life members
- 75 Student members
- 76 Honorary members
- 77 Affiliate members
- 78 Associate members
- 79 Retired members
- 80 Provisional members

81 *Section 20.* QUALIFICATIONS:

82 A. ACTIVE MEMBER. To be an active member of the
 83 Association a dentist shall be a member in good standing of this
 84 Association and also be licensed to practice dentistry (or
 85 medicine if the doctor has a D.D.S. or D.M.D. degree) in a state,
 86 the District of Columbia, the Commonwealth of Puerto Rico or a
 87 dependency of the United States (including until December 31,
 88 1999, the Panama Canal area where citizens of the United States
 89 are assigned by the United States Government and reside). In
 90 addition, a dentist shall be a member in good standing of this
 91 Association's constituent and component societies, if such exist.
 92 A dentist need not be a member of a constituent or component
 93 society if the dentist is serving with one of the federal dental
 94 services or is practicing in a country other than the United States
 95 and consequently not accepted for membership in a constituent
 96 or component society. However, a retired member of a federal
 97 dental service who is serving on a faculty of a dental school, or is
 98 receiving compensation as a dental administrator or consultant,
 99 or is engaged in any activity for which a license to practice
 100 dentistry or dental hygiene is required by the appropriate agency
 101 or board of local government shall obtain and maintain
 102 membership in this Association through its component and
 103 constituent societies, if such exist, for the duration of such
 104 activity.

105 *Explanatory Note:* The term "federal dental services" as used in
 106 this *Constitution and Bylaws* shall mean the dental departments

107 of the Air Force, the Army, the Navy, the Public Health Service,
108 the Department of Veterans Affairs and other federal agencies.

109 **B. LIFE MEMBER.** A life member shall be a member in good
110 standing who has been an active and/or retired member in good
111 standing for thirty (30) consecutive years or a total of forty (40)
112 years of active and/or retired membership and has attained the
113 age of sixty-five (65) years. Life membership shall be effective
114 the calendar year following the year in which the requirements
115 are fulfilled. Maintenance of membership in good standing in the
116 member's constituent and component societies, if such exist,
117 shall be a requisite for continuance of life membership in this
118 Association.

119 The Association will give notification to members who are
120 eligible for life membership. To qualify for retired life
121 membership status, the member shall submit an affidavit
122 attesting to the member's qualifications for retired life
123 membership through said component and constituent societies, if
124 such exist, and said component and constituent societies shall
125 submit certificates verifying such qualifications.

126 A dentist who has held twenty-five (25) years of membership
127 in the National Dental Association and who has subsequently
128 held at least ten (10) years of membership in this Association,
129 after complying with other requirements for life membership in
130 this Association as stated in Chapter I, Section 20B, may be
131 classified as a life member of this Association.

132 An immigrant dentist may receive credit for up to twenty-five
133 (25) consecutive or total years of membership in a foreign dental
134 association in order to comply with the respective requirements
135 for life membership as stated in this Chapter I, Section 20B.

136 A dentist who was an active member, but subsequently became
137 a student member, shall be entitled to have the year or years of
138 such subsequent membership counted as active membership for
139 the sole purpose of establishing possible later eligibility for life
140 membership.

141 **C. STUDENT MEMBER.** A pre-doctoral student of a dental
142 school accredited by the Commission on Dental Accreditation of
143 this Association shall be classified as a student member of this
144 Association and a member of the American Student Dental
145 Association; or any dentist eligible for membership in this
146 Association who is engaged full time in (1) an advanced training
147 course of not less than one academic year's duration in an
148 accredited school or residency program in areas neither
149 recognized by the Association nor accredited by the Commission
150 on Dental Accreditation of this Association or (2) a residency
151 program or advanced education program in areas recognized by
152 the Association and in a program accredited by the Commission
153 on Dental Accreditation of this Association may be classified as
154 a student member of this Association.

155 **D. HONORARY MEMBER.** An individual who has made
156 outstanding contributions to the advancement of the art and
157 science of dentistry, upon election by the Board of Trustees, shall
158 be classified as an honorary member of this Association.

159 **E. AFFILIATE MEMBER.** A dentist who is not a citizen of the
160 United States and who is practicing in a country other than the
161 United States may be classified as an affiliate member upon
162 application and approval by the Board of Trustees.

163 **F. ASSOCIATE MEMBER.** A person, not eligible for any other
164 type of membership in this Association, who contributes to the
165 advancement of the objectives of this Association and has not
166 met the educational requirements for licensure as a dentist
167 anywhere in the United States, upon application to and approval
168 by the Board of Trustees, shall be classified as an associate
169 member of this Association.

170 **G. RETIRED MEMBER.** An active member in good standing
171 who is now a retired member of a constituent society, if such
172 exists, and no longer earning income from the performance of
173 service as a member of the faculty of a dental school, as a dental
174 administrator or consultant, or as a practitioner of any activity for
175 which a license to practice dentistry or dental hygiene is required
176 by the state, the District of Columbia, the Commonwealth of
177 Puerto Rico or a dependency of the United States, (including
178 until December 31, 1999, the Panama Canal area where citizens
179 of the United States are assigned by the United States
180 Government and reside) may be classified as a retired member
181 upon application to the Executive Director and upon proof of
182 qualification. To qualify for retired membership status, the active
183 member shall submit an affidavit attesting to the member's
184 retirement through said component and constituent societies, if
185 such exist, and said component and constituent societies shall
186 submit certificates verifying such retirement. Maintenance of
187 active or retired membership in good standing in the member's
188 component society and retired membership in good standing in
189 the member's constituent, if such exist, entitling such member to
190 all the privileges of an active member, shall be requisite for
191 entitlement to and continuance of retired membership in this
192 Association.

193 **H. PROVISIONAL MEMBER.** To be a provisional member, a
194 dentist:

- 195 1. Shall have received the degree of DDS or DMD from a
196 dental school accredited by the Commission on Dental
197 Accreditation of the American Dental Association;
 - 198 2. Shall not have established a place of practice; and
 - 199 3. Shall have applied for provisional membership within 12
200 months of graduation.
- 201 Provisional membership shall terminate December 31 of the
202 calendar year following the year of graduation.

203 **Section 30. DEFINITION OF "IN GOOD STANDING".** A
204 member of this Association whose dues for the current year have
205 been paid shall be in good standing; provided, however, that a
206 member in good standing who is under disciplinary sentence of
207 suspension shall be designated as a "member in good standing
208 temporarily under suspension" until the member's disciplinary
209 sentence has terminated and provided further that a member, to
210 remain in good standing, may be required, under the bylaws of
211 the member's constituent or component society, to meet
212 standards of continuing education, pay special assessments,
213 cooperate with peer review bodies or committees on ethics, or
214 attend, if a newly admitted active member, a stated number of
215 membership meetings between the date of admission and the
216 completion of the first calendar year of active membership.

217 The requirement of paying current dues does not apply to
218 retired life members of this Association for the purpose of
219 determining their good standing.

220 A member of this Association receiving assistance from the
 221 American Dental Association Relief Fund shall be exempt from
 222 payment of dues and shall be in good standing during the period
 223 of such assistance.

224 A dentist who has been totally disabled during active military
 225 duty and who is unable to practice dentistry within the definition
 226 of these *Bylaws* and who was a member in good standing at the
 227 time total disability was incurred may be entitled to remission of
 228 dues upon certification by an agency of the federal government
 229 that the dentist is permanently and totally disabled in accordance
 230 with the standard schedule of rating disabilities in current use by
 231 the Department of Veterans Affairs.

232 A member of this Association who is totally disabled for a
 233 period of one year and who is unable to engage in the duties of
 234 the dental profession and who was a member in good standing at
 235 the time total disability was incurred, shall be exempt from the
 236 payment of dues and shall be in good standing during the period
 237 of total disability. A totally disabled member, other than one
 238 totally disabled during active military service, in order to receive
 239 entitlement to dues exemption, shall submit through the
 240 member's component and constituent societies to this
 241 Association a medical certificate attesting total disability and a
 242 certificate from said component and constituent societies
 243 attesting this total disability. During the period of exemption
 244 from dues, further such certificates shall be presented on request
 245 to this Association.

246 *Section 40. PRIVILEGES:*

247 A. ACTIVE MEMBER.

248 a. An active member in good standing shall receive annually a
 249 certificate of membership and *The Journal of the American*
 250 *Dental Association*, the subscription price of which shall be
 251 included in the annual dues. An active member shall be entitled
 252 to attend any scientific session of this Association and such
 253 other services as are provided by the Association.

254 b. An active member in good standing shall be eligible for
 255 election as a delegate or alternate delegate to the House of
 256 Delegates and for election or appointment to any office or
 257 agency of this Association, except as otherwise provided in
 258 these *Bylaws*.

259 c. An active, life, or retired member under a disciplinary
 260 sentence of suspension shall not be privileged to hold office,
 261 either elective or appointive, including delegate and alternate
 262 delegate, in such member's component and constituent
 263 societies and this Association, or to vote or otherwise
 264 participate in the selection of officials of such member's
 265 component and constituent societies and this Association.

266 B. LIFE MEMBER. A life member in good standing shall
 267 receive a certificate of life membership. A life member shall be
 268 entitled to all the privileges of an active member except that the
 269 life member who no longer pays dues to this Association shall
 270 not receive *The Journal of the American Dental Association*
 271 except by subscription.

272 C. STUDENT MEMBER. A student member in good standing
 273 shall receive annually a certificate of membership and *The*
 274 *Journal of the American Dental Association*, the subscription

275 price of which shall be included in the annual dues. A student
 276 member shall be entitled to attend any scientific session of this
 277 Association.

278 D. HONORARY MEMBER. An honorary member shall receive
 279 a certificate of honorary membership and *The Journal of the*
 280 *American Dental Association*. An honorary member shall be
 281 entitled to attend any scientific session of this Association and
 282 such other services as are authorized by the Board of Trustees.

283 E. AFFILIATE MEMBER. An affiliate member in good standing
 284 shall receive annually a certificate of affiliate membership and
 285 *The Journal of the American Dental Association*, the subscription
 286 price of which shall be included in the annual dues. An affiliate
 287 member shall be entitled to attend any scientific session of this
 288 Association and such other services as are authorized by the
 289 Board of Trustees.

290 F. ASSOCIATE MEMBER. An Associate member in good
 291 standing shall receive annually a certificate of associate
 292 membership. An associate member shall be entitled to attend any
 293 scientific session of this Association and such other services as
 294 are authorized by the Board of Trustees.

295 G. RETIRED MEMBER. A retired member in good standing
 296 shall receive annually a certificate of retired membership. A
 297 retired member shall be entitled to all the privileges of an active
 298 member.

299 H. PROVISIONAL MEMBER. A provisional member in good
 300 standing shall receive all the privileges afforded an active
 301 member except that, notwithstanding anything in these *Bylaws*
 302 to the contrary, a provisional member shall have no right to
 303 appeal from a denial of active membership in the Association.

304 *Section 50. DUES AND REINSTATEMENT:*

305 A. ACTIVE MEMBERS.* The dues of active members shall be
 306 three hundred thirty dollars (\$330.00) due January 1 of each
 307 year** except that any dentist, who satisfies the eligibility
 308 requirements for active membership under Chapter I, Section
 309 20A, of these *Bylaws* and who satisfies any of the following
 310 conditions shall be entitled to pay the reduced active member

* Effective January 1, 1997, the dues of active members shall be reduced by fifty-five dollars (\$55.00) from the level of active members dues in effect in 1996.

** Dues of all members of the California Dental Association are payable January 1, except that active and active life members may participate in an electronic debit installment plan during 1993-94. The plan shall require equal monthly installments to commence in November 1993 with full payment of the current dues amount to be fully paid by June 30, 1994. No interest may be charged members participating in the plan. However, penalties may be imposed, prorated to the American Dental Association (ADA) and California Dental Association, for expenses incurred as a result of missed installments. The electronic debit installment plan shall provide for expeditious transfer of the ADA portion of the members' dues, and any late payment penalties, to the account of the ADA as soon as commercially feasible.

311 dues listed under such satisfied condition so long as such dentist
312 maintains continuous membership, subject to the further
313 reductions permitted under the provisions of Chapter I, Section
314 50H, of these *Bylaws*:

315 (1) On a one-time basis, the dentist, when awarded a D.D.S. or
316 D.M.D. degree, shall be exempt from the payment of active
317 member dues for the remaining period of that year, and shall
318 pay 25% of active member dues for the first full calendar year
319 following the year in which the degree was awarded, 50% of
320 active member dues in the second year, and 100% in the third
321 year and thereafter.

322 (2) The dentist who is engaged full-time in (a) an advanced
323 training course of not less than one academic year's duration in
324 an accredited school or residency program in areas neither
325 recognized by this Association nor accredited by the
326 Commission on Dental Accreditation or (b) a residency
327 program or advanced education program in areas recognized by
328 this Association and in a program accredited by the
329 Commission on Dental Accreditation shall pay thirty dollars
330 (\$30.00) due on January 1 of each year until December 31
331 following completion of such program. For the dentist who
332 enters such a course or program within one (1) year of the
333 award of D.D.S. or D.M.D. degree and who pays dues of thirty
334 dollars (\$30.00) per annum while in such a program, the
335 applicable foregoing condition (1) shall toll until completion of
336 that program. Upon completing the program, the dentist shall
337 pay dues for active members at the next period-in-time level
338 that is applicable under condition (1).

339 (3) An active member who is serving dentistry full-time for a
340 charitable organization and is receiving neither income nor a
341 salary for such charitable service other than a subsistence
342 amount which approximates a cost of living allowance shall
343 pay dues of five dollars (\$5.00) due January 1 of each year
344 provided that such charitable service is being performed
345 continuously for not less than one year and provided further
346 that such member does not supplement such subsistence
347 income by the performance of services as a member of the
348 faculty of a dental or dental auxiliary school, as a dental
349 administrator or consultant, or as a practitioner of any activity
350 for which a license to practice dentistry or dental hygiene is
351 required.

352 (4) On a one-time basis, a new graduate of a non-accredited
353 dental school who has recently been licensed to practice
354 dentistry in a constituent dental society of the American Dental
355 Association shall be exempt from payment of active member
356 dues for the remaining period of the year upon receipt of a
357 dental license. The newly licensed graduate of a non-accredited
358 school shall pay 25% of active member dues the first full
359 calendar year following the year in which the license was
360 obtained, 50% of active member dues in the second year and
361 100% in the third year and thereafter.

362 B. LIFE MEMBERS.

363 a. Active Life Members. Regardless of a member's previous
364 classification of membership, the dues of life members who
365 have not fulfilled the qualifications of Chapter I, Section 20G
366 of these *Bylaws* with regard to income related to dentistry shall
367 be fifty percent (50%) of the dues of active members, due
368 January 1 of each year.

369 b. Retired Life Members. Life members who have fulfilled the
370 qualifications of Chapter I, Section 20G of these *Bylaws* with
371 regard to income related to dentistry shall be exempt from
372 payment of dues.

373 C. STUDENT MEMBERS. The dues of pre-doctoral student
374 members shall be five dollars (\$5.00) due January 1 of each year.
375 The dues of a dentist who is engaged fulltime in (a) an advanced
376 training course of not less than one academic year's duration in
377 an accredited school or residency program in areas neither
378 recognized by this Association nor accredited by the Commission
379 on Dental Accreditation or (b) a residency program or advanced
380 education program in areas recognized by this Association and in
381 a program accredited by the Commission on Dental
382 Accreditation shall be thirty dollars (\$30.00) due January 1 of
383 each year. Student membership terminates on December 31 after
384 graduation or after completion of a residency or graduate work as
385 provided in Chapter I, Section 20C.

386 D. HONORARY MEMBERS. Honorary members shall be
387 exempt from payment of dues.

388 E. AFFILIATE MEMBERS. The dues of affiliate members shall
389 be fifty percent (50%) of the dues of active members, due
390 January 1 of each year.

391 F. ASSOCIATE MEMBERS. The dues of associate members
392 shall be twenty percent (20%) of the dues of active members, due
393 January 1 of each year.

394 G. RETIRED MEMBERS. The dues of retired members shall be
395 twenty-five percent (25%) of the dues of active members, due
396 January 1 of each year.

397 H. MEMBERS ELECTED AFTER JULY 1 AND OCTOBER 1.
398 Those members elected to active membership in this Association
399 after July 1, except for those where membership has lapsed for
400 failure to pay the current year's dues, shall pay one half ($\frac{1}{2}$) of
401 the current year's dues, and those elected after October 1, shall
402 pay one-quarter ($\frac{1}{4}$) of the current year's dues; except that a
403 student member, upon classification as an active member by a
404 constituent society shall pay no further dues for the remainder of
405 the calendar year in which the member was entitled to the
406 benefits of student membership.

407 I. LOSS OF MEMBERSHIP AND REINSTATEMENT.

408 a. An active, active life, retired, or student member whose dues
409 have not been paid by March 31 of the current year shall cease
410 to be a member of this Association.

411 b. Reinstatement of active, life, retired, or student membership
412 may be secured on payment of dues of this Association by a
413 former active member in accordance with Chapter I, Section
414 50A, by a former life member in accordance with Chapter I,
415 Section 50Ba, by a former retired member in accordance with
416 Chapter I, Section 50G, and by a former student member in
417 accordance with Chapter I, Section 50C, and on compliance by
418 a former active, life or retired member with the pertinent
419 bylaws and regulations of the constituent and component
420 societies involved.

421 J. ACCEPTANCE OF BACK DUES. Back dues, except as
422 otherwise provided in these *Bylaws*, shall be accepted for not
423 more than the three years of delinquency prior to the date of
424 application for such payment. The rate of such dues, except as
425 otherwise provided in these *Bylaws*, shall be in accordance with
426 Chapter I, Section 50A of these *Bylaws*.

427 An active member, who had been such when entering upon
428 active duty in one of the armed services or equivalent duty in the
429 Public Health Service but who, during such military or
430 equivalent duty, interrupted the continuity of active membership
431 because of failure to pay dues and who, within one year after
432 separation from such military or equivalent duty, resumed active
433 membership, may pay back dues for any missing period of active
434 membership at the rate of dues current during the missing years
435 of membership for the purpose of establishing continuity of
436 active membership in order to qualify for life membership.

437 K. DUES OF MEMBERS WHO SUFFER FINANCIAL
438 HARDSHIP. Those members who have suffered a significant
439 financial hardship that prohibits them from payment of their full
440 dues may be excused from the payment of seventy-five percent
441 (75%) or all of the current year's dues as determined by their
442 constituent and component dental societies. The constituent and
443 component society secretaries shall certify the reason for the
444 waiver, and the constituent and component societies shall
445 provide the same proportionate waiver of their dues as that
446 provided by this Association.

447 L. PROVISIONAL MEMBER. The dues of provisional members
448 shall be the same as the dues of active members.

449 M. PERCENTAGE DUES. In establishing the dollar rate of dues
450 in this chapter expressed as a percentage of active member dues,
451 computations resulting in fractions of a dollar shall be rounded
452 up to the next highest dollar.

CHAPTER II • CONSTITUENT SOCIETIES

453 *Section 10. ORGANIZATION:* A constituent society may be
454 organized and chartered, subject to the approval of the House of
455 Delegates, upon application of at least one hundred (100)
456 dentists, practicing in any state, District of Columbia, the
457 Commonwealth of Puerto Rico, or a dependency of the United
458 States (including until December 31, 1999, the Panama Canal
459 area where citizens of the United States are assigned by the
460 United States Government and reside) who are active, life or
461 retired members of the Association in good standing. No such
462 society shall be chartered in any state, District of Columbia, the
463 Commonwealth of Puerto Rico, or a dependency of the United
464 States in which a constituent society is already chartered by this
465 Association.

466 *Section 20. NAME:* A constituent society shall take its name
467 from the state, territory, the District of Columbia or dependency.

468 *Section 30. POWERS AND DUTIES:*

469 A. A constituent society shall have the power to elect its active,
470 life, and retired members as active members of this Association
471 within the limits of Section 40 of this Chapter.

472 B. It shall have the power to organize its members into
473 component societies within the limits imposed by Chapter III,
474 Section 10 of these *Bylaws*.

475 C. It shall have the power to provide for its financial support and
476 to establish bylaws, rules and regulations to govern its members
477 provided such bylaws, rules and regulations do not conflict with,
478 or limit, these *Bylaws*.

479 D. It shall have the power to discipline any of its members
480 subject to the provisions in Chapter XII, Section 20 of these
481 *Bylaws*.

482 E. It shall be its duty to collect membership dues for this
483 Association in conformity with Chapter I, Section 50, of these
484 *Bylaws*.

485 F. It shall have the power to establish committees, councils and
486 commissions of the constituent society; to designate their power
487 and duties; and to adopt reasonable eligibility requirements for
488 service thereon.

489 *Section 40. MEMBERSHIP:*

490 A. The active, life, and retired membership of each constituent
491 society, except as otherwise provided in these *Bylaws*, shall
492 consist solely of dentists practicing within the territorial
493 jurisdiction of the constituent society; dentists retired from active
494 practice; dentists engaged in activities furthering the object of
495 this Association; and dentists in the federal dental service
496 (providing that the federal dentist is either licensed in or serving
497 within the confines of the constituent society's jurisdiction),
498 provided that such dentists, are active, life or retired members in
499 good standing of a component of the constituent (except for the
500 federal dentists), if such exists, and this Association.

501 *Explanatory Note: A dentist who has retired from active practice*
502 *or who is engaged in activities furthering the object of this*
503 *Association shall be considered to be practicing dentistry within*
504 *the meaning of this section.*

505 B. REMOVAL FROM ONE JURISDICTION TO ANOTHER.
506 A member who has changed the location of the member's
507 practice from the jurisdiction of one constituent society to that of
508 another constituent society may maintain active membership in
509 the constituent society in which membership is being held for the
510 calendar year following that of the member's removal from the
511 jurisdiction of such society. The same privilege shall apply to a
512 member who is separated from a federal dental service and who
513 enters practice in an area under the jurisdiction of a constituent
514 society or a member who is retired from a federal dental service
515 and who is serving on a faculty of a dental school, or is receiving
516 compensation as a dental administrator or consultant, or is
517 engaged in any activity in the area under the jurisdiction of a
518 constituent society for which a license to practice dentistry or
519 dental hygiene is required by the state, the District of Columbia,
520 the Commonwealth of Puerto Rico or a dependency of the United
521 States (including until December 31, 1999, the Panama Canal
522 area where citizens of the United States are assigned by the
523 United States Government and reside) wherein the activity is
524 conducted. A dentist who retires from active practice and
525 establishes residence in an area outside of the jurisdiction of the
526 constituent society in which the dentist holds membership shall

527 be permitted to continue membership in such constituent society
528 for the period of retirement.

529 A member who is unsuccessful in transferring membership
530 from one constituent society to another shall be entitled to appeal
531 from a denial of the member's application for transfer of
532 membership to the constituent society to which transfer is sought
533 and thereafter to the Council on Ethics, Bylaws and Judicial
534 Affairs of this Association in accordance with the procedures in
535 Chapter XII, Section 20C and D of these *Bylaws* even though a
536 disciplinary penalty is not involved.

537 C. PRIVILEGES. An active, life, or retired member in good
538 standing shall enjoy all privileges of constituent society
539 membership except as otherwise provided by these *Bylaws*.

540 D. MULTIPLE JURISDICTIONS. A member may hold
541 membership in two constituent societies with the consent of the
542 constituent societies involved. A member is required to maintain
543 active membership in the component and constituent society, if
544 accepted therein, in whose jurisdiction the member maintains or
545 uses a secondary or "branch" office. If such a member is accused
546 of unethical conduct and disciplinary proceedings are brought,
547 then those proceedings shall be instituted in the component or
548 constituent society where the alleged unethical conduct occurred.
549 A disciplinary ruling affecting membership in one constituent
550 society shall affect membership in both societies and in the
551 Association. A member shall have the right of appeal as provided
552 in Chapter XII of the *Bylaws*. Such member shall pay dues in this
553 Association only through the constituent society in whose
554 jurisdiction the member conducts the major part of the member's
555 practice.

556 *Section 50. OFFICERS:* The officers of a constituent society
557 shall be president, secretary, treasurer and such others as may be
558 prescribed in its bylaws.

559 *Section 60. SESSIONS:* A constituent society shall hold a
560 business session at least once each calendar year.

561 *Section 70. CONSTITUTION AND BYLAWS:* Each constituent
562 society shall adopt and maintain a constitution and bylaws which
563 shall not be in conflict with, or limit, the *Constitution and Bylaws*
564 of this Association and shall file a copy thereof and any changes
565 which may be made thereafter, with the Executive Director of
566 this Association.

567 *Section 80. "PRINCIPLES OF ETHICS AND CODE OF*
568 *PROFESSIONAL CONDUCT":* The *Principles of Ethics and*
569 *Code of Professional Conduct* of this Association and the code of
570 ethics adopted by the constituent society shall be the code of
571 ethics of that constituent society for governing the professional
572 conduct of its members.

573 *Section 90. RIGHT OF HEARING AND APPEAL:* Disputes
574 arising between constituent societies or between a constituent
575 society and one or more of its component societies may be
576 referred to the Council on Ethics, Bylaws and Judicial Affairs of
577 this Association for hearing and decision as provided in Chapter
578 X, Section 110 Id in accordance with the procedure of Chapter
579 XII, Section 20C and D of these *Bylaws* even though a
580 disciplinary penalty is not involved.

581 *Section 100. PRIVILEGE OF REPRESENTATION:* Each
582 constituent society and each federal dental service shall be
583 entitled to at least one delegate without regard to the number of
584 members. The remaining number of delegates, to the limit
585 established in Chapter V, Section 10, shall be allocated to
586 constituent societies proportionally to their number of active, life
587 and retired members.

588 Each constituent society and each federal dental service may
589 select from among its active, life and retired members the same
590 number of alternate delegates as delegates and shall designate the
591 alternate delegate who shall replace an absent delegate.

592 For the purpose of this section, the number of active, life and
593 retired members of each constituent society shall be determined
594 as of the last day of the calendar year preceding an annual
595 session.

596 *Section 110. CHARTERED CONSTITUENT SOCIETIES:* The
597 Executive Director of the Association is authorized to issue a
598 charter to each constituent society denoting its name and
599 territorial jurisdiction. The following societies are chartered as
600 constituent societies of this Association:

601 Alabama Dental Association
602 Alaska Dental Society
603 Arizona State Dental Association
604 Arkansas State Dental Association
605 California Dental Association
606 Colorado Dental Association
607 Connecticut State Dental Association, The
608 Delaware State Dental Society
609 District of Columbia Dental Society, The
610 Florida Dental Association
611 Georgia Dental Association
612 Hawaii Dental Association
613 Idaho State Dental Association
614 Illinois State Dental Society
615 Indiana Dental Association
616 Iowa Dental Association
617 Kansas Dental Association
618 Kentucky Dental Association
619 Louisiana Dental Association, The
620 Maine Dental Association
621 Maryland State Dental Association
622 Massachusetts Dental Society
623 Michigan Dental Association
624 Minnesota Dental Association
625 Mississippi Dental Association, The
626 Missouri Dental Association
627 Montana Dental Association
628 Nebraska Dental Association, The
629 Nevada Dental Association
630 New Hampshire Dental Society
631 New Jersey Dental Association
632 New Mexico Dental Association
633 New York, The Dental Society of the State of
634 North Carolina Dental Society, The
635 North Dakota Dental Association
636 Ohio Dental Association
637 Oklahoma Dental Association
638 Oregon Dental Association
639 Panama Canal Dental Society

640 Pennsylvania Dental Association
641 Puerto Rico, Colegio de Cirujanos Dentistas de
642 Rhode Island Dental Association
643 South Carolina Dental Association
644 South Dakota Dental Association
645 Tennessee Dental Association
646 Texas Dental Association
647 Utah Dental Association
648 Vermont State Dental Society
649 Virgin Islands Dental Association
650 Virginia Dental Association
651 Washington State Dental Association
652 West Virginia Dental Association
653 Wisconsin Dental Association
654 Wyoming Dental Association

CHAPTER III • COMPONENT SOCIETIES

655 *Section 10. ORGANIZATION:* Component societies may be
656 organized in conformity with a plan approved by the constituent
657 society of which they shall be recognized entities provided,
658 however, that the active, life or retired members of each
659 component society shall consist of dentists who are members in
660 good standing of their respective constituent societies and of this
661 Association. Each component society shall adopt and maintain a
662 constitution and bylaws, which shall not be in conflict with, or
663 limit, the *Constitution and Bylaws* of this Association or that of
664 its constituent society, and shall file a copy thereof and any
665 changes which may be made thereafter with the Executive
666 Director of this Association.

667 *Section 20. POWER AND DUTIES:*

668 A. A component society shall have the power to elect its active,
669 life, and retired members as active members of the constituent
670 society in accordance with Chapter II, Section 40, of these
671 *Bylaws*.

672 B. It shall have the power to provide for its financial support, to
673 establish bylaws, rules and regulations, not in conflict with, or
674 limiting, the *Constitution and Bylaws* of this Association or that
675 of its constituent society, and to adopt a code of ethics, not in
676 conflict with the *Principles of Ethics and Code of Professional*
677 *Conduct* of this Association or code of ethics of its constituent
678 society.

679 C. It shall have the power to discipline any of its members
680 subject to the provisions in Chapter XII, Section 20 of these
681 *Bylaws*.

682 D. It shall have the power to establish committees, councils and
683 commissions of the component society; to designate their powers
684 and duties; and to adopt reasonable eligibility requirements for
685 service thereon.

686 *Section 30. PRIVILEGES OF MEMBERSHIP:* An active, life, or
687 retired member in good standing shall have the opportunity of
688 enjoying all privileges of component society membership except
689 as otherwise provided by these *Bylaws*.

690 *Section 40. TRANSFER FROM ONE COMPONENT TO*
691 *ANOTHER:*

692 A member who has changed residence or location of practice
693 within the jurisdiction of a constituent society so that the member
694 no longer fulfills the membership requirements of the component
695 society of which he or she is a member may maintain active
696 membership in that component society for the calendar year
697 following such change of residence or practice location.

698 A member who is required to transfer membership from one
699 component society to another and whose application for transfer
700 of membership is denied shall be entitled to appeal from that
701 denial to the member's constituent society and the Council on
702 Ethics, Bylaws and Judicial Affairs of this Association in that
703 order in accordance with the procedures in Chapter XII, Section
704 20C and D of these *Bylaws* even though a disciplinary penalty is
705 not involved. A component society which receives an application
706 for transfer of membership from a dentist who has moved from
707 the jurisdiction of another constituent society is governed by
708 Chapter II, Section 40B of these *Bylaws*.

CHAPTER IV • TRUSTEE DISTRICTS

709 *Section 10. ORGANIZATION:* The constituent societies and the
710 federal dental services shall be organized into sixteen (16) trustee
711 districts.

712 *Section 20. PURPOSE:* The purpose of establishing trustee
713 districts is to provide representation of the members of the
714 constituent societies and the federal dental services on the Board
715 of Trustees.

716 *Section 30. COMPOSITION:* The trustee districts are numbered
717 and composed as follows:

718 DISTRICT 1

719 Connecticut State Dental Association, The
720 Maine Dental Association
721 Massachusetts Dental Society
722 New Hampshire Dental Society
723 Rhode Island Dental Association
724 Vermont State Dental Society

725 DISTRICT 2

726 New York, The Dental Society of the State of

727 DISTRICT 3

728 Pennsylvania Dental Association

729 DISTRICT 4

730 Air Force Dental Corps
731 Army Dental Corps
732 Delaware State Dental Society
733 District of Columbia Dental Society, The
734 Maryland State Dental Association
735 Navy Dental Corps
736 New Jersey Dental Association
737 Panama Canal Dental Society
738 Public Health Service
739 Puerto Rico, Colegio de Cirujanos Dentistas de

740 Veterans Affairs
 741 Virgin Islands Dental Association
 742 DISTRICT 5
 743 Alabama Dental Association
 744 Florida Dental Association
 745 Georgia Dental Association
 746 Mississippi Dental Association, The
 747 DISTRICT 6
 748 Kentucky Dental Association
 749 Missouri Dental Association
 750 Tennessee Dental Association
 751 West Virginia Dental Association
 752 DISTRICT 7
 753 Indiana Dental Association
 754 Ohio Dental Association
 755 DISTRICT 8
 756 Illinois State Dental Society
 757 DISTRICT 9
 758 Michigan Dental Association
 759 Wisconsin Dental Association
 760 DISTRICT 10
 761 Iowa Dental Association
 762 Minnesota Dental Association
 763 Nebraska Dental Association, The
 764 North Dakota Dental Association
 765 South Dakota Dental Association
 766 DISTRICT 11
 767 Alaska Dental Society
 768 Idaho State Dental Association
 769 Montana Dental Association
 770 Oregon Dental Association
 771 Washington State Dental Association
 772 DISTRICT 12
 773 Arkansas State Dental Association
 774 Kansas Dental Association
 775 Louisiana Dental Association, The
 776 Oklahoma Dental Association
 777 DISTRICT 13
 778 California Dental Association
 779 DISTRICT 14
 780 Arizona State Dental Association
 781 Colorado Dental Association
 782 Hawaii Dental Association
 783 Nevada Dental Association
 784 New Mexico Dental Association
 785 Utah Dental Association
 786 Wyoming Dental Association
 787 DISTRICT 15
 788 Texas Dental Association

789 DISTRICT 16
 790 North Carolina Dental Society, The
 791 South Carolina Dental Association
 792 Virginia Dental Association

CHAPTER V • HOUSE OF DELEGATES

793 *Section 10.* COMPOSITION: The House of Delegates shall be
 794 limited to four hundred eighteen (418) voting members. It shall
 795 be composed of the officially certified delegates of each
 796 constituent society, one (1) officially certified delegate from each
 797 federal dental service and one (1) student member of the
 798 American Dental Association who is an officially certified
 799 delegate from the American Student Dental Association, and is a
 800 graduate of a dental school accredited by the Commission on
 801 Dental Accreditation. The elective and appointive officers and
 802 trustees of this Association shall be *ex officio* members of the
 803 House of Delegates without the power to vote. They shall not
 804 serve as delegates. Past presidents of this Association shall be *ex*
 805 *officio* members of the House of Delegates without the power to
 806 vote unless designated as delegates.

807 Each constituent society and each federal dental service shall
 808 be entitled to at least one (1) delegate without regard to the
 809 number of members. The remaining number of delegates shall be
 810 allocated to constituent societies proportionally to their number
 811 of active, life and retired members. "The Method of Least
 812 Proportionate Error" shall be the formula used to calculate the
 813 number of delegates allocated annually to each constituent
 814 society.

815 Each constituent society and each federal dental service may
 816 select from among its active, life and retired members the same
 817 number of alternate delegates as delegates.

818 For the purpose of this section, the number of active, life and
 819 retired members of each constituent society shall be determined
 820 as of the last day of the calendar year preceding an annual
 821 session.

822 *Section 20.* ELECTION OF DELEGATES AND ALTERNATE
 823 DELEGATES: The officially certified delegates and the alternate
 824 delegates of each constituent society shall be elected by one or
 825 more of the following methods:

- 826 1. By the membership at large of that constituent society
- 827 2. By the constituent society's governing legislative body
- 828 3. By a component with respect to the delegates representing
- 829 that component

830 Each federal dental service and the American Student Dental
 831 Association may establish its own method for selecting
 832 delegates.

833 *Section 30.* CERTIFICATION OF DELEGATES AND
 834 ALTERNATE DELEGATES: The secretary of each constituent
 835 society, the ranking administrative officer of each federal dental
 836 service, and the secretary of the American Student Dental
 837 Association shall file with the Executive Director of this
 838 Association, at least sixty (60) days prior to the first day of the
 839 annual session of the House of Delegates, the names of the
 840 delegates and alternate delegates designated by the society,

841 service or association. The Executive Director of this Association
842 shall provide each delegate and alternate delegate with
843 credentials which shall be presented to the Committee on
844 Credentials, Rules and Order of the House of Delegates. In the
845 event of a contest over the credentials of any delegate or alternate
846 delegate, the Committee on Credentials, Rules and Order shall
847 hold a hearing and report its findings and recommendations to
848 the House of Delegates for final action.

849 *Section 40. POWERS:*

850 A. The House of Delegates shall be the supreme authoritative
851 body of this Association.

852 B. It shall possess the legislative powers.

853 C. It shall determine the policies which shall govern this
854 Association in all of its activities.

855 D. It shall have the power to enact, amend and repeal the
856 *Constitution and Bylaws*.

857 E. It shall have the power to adopt and amend the *Principles of*
858 *Ethics and Code of Professional Conduct* for governing the
859 professional conduct of the members.

860 F. It shall have the power to grant, amend, suspend or revoke
861 charters of constituent societies. It shall also have the power by a
862 two-thirds ($\frac{2}{3}$) majority to suspend the representation of a
863 constituent society in the House of Delegates upon a
864 determination by the House that the bylaws of the constituent
865 society violate the *Constitution or Bylaws* of this Association
866 providing, however, such suspension shall not be in effect until
867 the House of Delegates has voted that the constituent society is in
868 violation and has one year after notification of the specific
869 violation in which to correct its constitution or bylaws.

870 G. It shall have the power to create special committees of the
871 Association.

872 H. It shall have the power to establish branch offices of the
873 Association.

874 I. It shall have the power to approve all memorials, resolutions or
875 opinions issued in the name of the American Dental Association.

876 *Section 50. DUTIES:* It shall be the duty of the House of
877 Delegates:

878 A. To elect the elective officers.

879 B. To elect the members of the Board of Trustees.

880 C. To elect the members of the councils and commissions except
881 as otherwise provided by these *Bylaws*.

882 D. To receive and act upon reports of the committees of the
883 House of Delegates.

884 E. To adopt an annual budget.

885 F. To serve as the court of appeal from decisions of the Council
886 on Ethics, Bylaws and Judicial Affairs except those decisions
887 involving discipline of members.

888 *Section 60. TRANSFER OF POWERS AND DUTIES OF THE*
889 *HOUSE OF DELEGATES:* The powers and duties of the House
890 of Delegates, except the power to amend, enact and repeal the
891 *Constitution and Bylaws*, and the duty of electing the elective
892 officers and the members of the Board of Trustees, may be
893 transferred to the Board of Trustees of this Association in time of
894 extraordinary emergency. The existence of a time of
895 extraordinary emergency may be determined by unanimous
896 consent of the members of the Board of Trustees present and
897 voting at a regular or special session. Such extraordinary
898 emergency may also be determined by mail vote of the last
899 House of Delegates on recommendation of at least four (4) of the
900 elective officers. A mail vote to be valid shall consist of ballots
901 transferred from not less than one-fourth ($\frac{1}{4}$) of the members of the
902 last House of Delegates. A majority of the votes cast within thirty
903 (30) days after the mailing of the ballot shall decide the vote.

904 *Section 70. ANNUAL SESSION:* The House of Delegates shall
905 meet annually.

906 *Section 80. SPECIAL SESSIONS:* A special session of the
907 House of Delegates shall be called by the President of three-
908 fourths ($\frac{3}{4}$) affirmative vote of the members of the Board of
909 Trustees or on written request of delegates representing at least
910 one-third ($\frac{1}{3}$) of the constituent societies and not less than one-
911 fifth ($\frac{1}{5}$) of the number of officially certified delegates of the last
912 House of Delegates. The time and place of a special session shall
913 be determined by the President, provided the time selected shall
914 be not more than forty-five (45) days after the request was
915 received. The business of a special session shall be limited to that
916 stated in the official call except by unanimous consent.

917 *Section 90. OFFICIAL CALL:*

918 A. ANNUAL SESSION. The Executive Director of the
919 Association shall cause to be published in *The Journal of the*
920 *American Dental Association* an official notice of the time and
921 place of each annual session, and shall send to each member of
922 the House of Delegates an official notice of the time and place of
923 the annual session at least thirty (30) days before the opening of
924 such session.

925 B. SPECIAL SESSION. The Executive Director of the
926 Association shall send an official notice of the time and place of
927 each special session and a statement of the business to be
928 considered to every officially certified delegate and alternate
929 delegate of the last House, not less than fifteen (15) days before
930 the opening of such session.

931 *Section 100. QUORUM:* One-fourth ($\frac{1}{4}$) of the voting members
932 of the House of Delegates, representing at least one-fourth ($\frac{1}{4}$) of
933 the constituent societies and federal dental services, shall
934 constitute a quorum for the transaction of business at any
935 meeting.

936 *Section 110. OFFICERS:*

937 A. SPEAKER AND SECRETARY. The officers of the House
938 shall be the Speaker of the House of Delegates and the Secretary
939 of the House of Delegates. The Executive Director of this
940 Association shall serve as Secretary of the House of Delegates.

941 In the absence of the Speaker the office shall be filled by the
 942 President. In the absence of the Secretary of the House of
 943 Delegates the Speaker shall appoint a Secretary of the House of
 944 Delegates *pro tem*.

945 B. DUTIES.

946 a. SPEAKER. The Speaker shall preside at all meetings of the
 947 House of Delegates and, in accordance with Chapter V, Section
 948 140Bb, determine the order of business for all meetings subject
 949 to the approval of the House of Delegates, appoint tellers to
 950 assist in determining the result of any action taken by vote and
 951 perform such other duties as custom and parliamentary usage
 952 require. The decision of the Speaker shall be final unless an
 953 appeal from such decision shall be made by a member of the
 954 House, in which case final decision shall be by majority vote.
 955 b. SECRETARY. The Secretary of the House of Delegates
 956 shall serve as the recording officer of the House and the
 957 custodian of its records, and shall cause a record of the
 958 proceedings of the House to be published as the official
 959 transactions of the House.

960 Section 120. ORDER OF BUSINESS: The order of business
 961 shall be that order of business adopted by the House of Delegates
 962 in conformity with Chapter V, Section 110Ba and Chapter V,
 963 Section 140Bb.

964 Section 130. RULES OF ORDER:

965 A. STANDING RULES AND REPORTS.

966 a. REPORTS. All reports of elective officers, councils and
 967 committees, except supplemental reports, shall be sent to each
 968 delegate and alternate delegate at least fourteen (14) days in
 969 advance of the opening of the annual session. All supplemental
 970 reports shall be distributed to each delegate before such report
 971 is considered by the House of Delegates.

972 b. APPROPRIATION OF FUNDS. Any resolution proposing
 973 an appropriation of funds, except those relating to the annual
 974 budget, shall be referred to the Board of Trustees for a report at
 975 the same session on the availability of funds for the purpose
 976 specified.

977 c. APPROVAL OF ANNUAL BUDGET. The proposed annual
 978 budget shall be submitted by the Board of Trustees to the
 979 members of the House of Delegates at least fourteen (14) days
 980 prior to the opening meeting of the annual session, shall be
 981 referred to a special reference committee on budget for
 982 hearings at the annual session and then shall be considered for
 983 approval as a special order of business at the second meeting of
 984 the House of Delegates. In the event the budget as submitted is
 985 not approved, all recommendations for changes shall be
 986 referred to the Board of Trustees to prepare and present a
 987 revised budget. This procedure shall be repeated until a budget
 988 for the ensuing fiscal year shall be adopted.

989 d. INTRODUCTION OF NEW BUSINESS. No new business
 990 shall be introduced into the House of Delegates less than 15
 991 days prior to the opening of the annual session, unless
 992 submitted by a Trustee District. No new business shall be
 993 introduced into the House of Delegates at the last meeting of a
 994 session except when such new business is submitted by a
 995 trustee district and is permitted to be introduced by a two-thirds

996 ($\frac{2}{3}$) vote of the House of Delegates. The motion introducing
 997 such new business shall not be debatable. Approval of such
 998 new business shall require a majority vote except new business
 999 introduced at the last meeting of a session that would require a
 1000 bylaw amendment cannot be adopted at such last meeting.
 1001 Reference committee recommendations shall not be deemed
 1002 new business.

1003 B. ADDITIONAL RULES. The rules contained in the current
 1004 edition of *Sturgis Standard Code of Parliamentary Procedure*
 1005 shall govern the deliberations of the House of Delegates in all
 1006 cases in which they are applicable and not in conflict with the
 1007 standing rules or these *Bylaws*.

1008 Section 140. COMMITTEES: The committees of the House of
 1009 Delegates shall be:

1010 A. COMMITTEE ON CONSTITUTION AND BYLAWS.

1011 a. COMPOSITION. The Committee shall consist of eight (8)
 1012 members of the Council on Ethics, Bylaws and Judicial Affairs
 1013 of this Association appointed by the President in consultation
 1014 with the Speaker of the House of Delegates and the Council
 1015 Chairman.

1016 b. DUTIES. It shall be the duty of the Committee (1) to draft or
 1017 approve the proposed text of all amendments to the
 1018 *Constitution and Bylaws* prior to their submission to the House
 1019 of Delegates for action; (2) to consider other matters referred to
 1020 it, to hold hearings thereon and to report its findings and
 1021 recommendations to the House of Delegates.

1022 B. COMMITTEE ON CREDENTIALS, RULES AND ORDER.

1023 a. COMPOSITION. The Committee, consisting of eight (8)
 1024 officially certified delegates, shall be appointed by the
 1025 President at least sixty (60) days in advance of each session.

1026 b. DUTIES. It shall be the duty of the Committee (1) to record
 1027 and report the roll call of the House of Delegates at each
 1028 meeting; (2) to conduct a hearing on any contest regarding the
 1029 certification of a delegate or alternate delegate and to report its
 1030 recommendations to the House of Delegates; (3) to prepare a
 1031 report, in consultation with the Speaker and Secretary of the
 1032 House of Delegates, on matters relating to the order of business
 1033 and special rules of order; (4) to consider all matters referred to
 1034 it and report its recommendations to the House of Delegates.

1035 C. RESOLUTIONS COMMITTEE.

1036 a. COMPOSITION. The Resolutions Committee shall consist
 1037 of the Speaker and the Secretary of the House of Delegates and
 1038 the chairmen of the reference committees authorized by
 1039 Subsection D of this Chapter.

1040 b. DUTIES. The duties of the Resolutions Committee shall be
 1041 to examine resolutions after action by the reference committees
 1042 and arrange a sequence for House action based upon the
 1043 importance of the resolutions' subject matter.

1044 D. REFERENCE COMMITTEES.

1045 a. COMPOSITION. Reference committees, consisting of eight
 1046 (8) officially certified delegates, shall be appointed by the
 1047 President at least sixty (60) days in advance of each annual
 1048 session.

1049 b. DUTIES. It shall be the duty of a reference committee to
 1050 consider reports referred to it, to conduct open hearings and to
 1051 report its recommendations to the House of Delegates.

CHAPTER V • HOUSE OF DELEGATES
CHAPTER VI • CONFLICT OF INTEREST
CHAPTER VII • BOARD OF TRUSTEES

CHAPTER VII • BOARD OF TRUSTEES

1052 E. SPECIAL COMMITTEES. The Speaker, with the consent of
1053 the House of Delegates, shall appoint special committees to
1054 perform duties not otherwise assigned by these *Bylaws*, to serve
1055 until adjournment *sine die* of the session at which they were
1056 appointed.

1057 *Section 150. ELECTION PROCEDURE:* Elective officers,
1058 members of the Board of Trustees and members of councils and
1059 committees shall be elected by the House of Delegates except as
1060 otherwise provided in these *Bylaws*. Voting shall be by ballot,
1061 except that when there is only one candidate for an office,
1062 council or committee, such candidate may be declared elected by
1063 the Speaker. The Secretary shall provide facilities for voting. The
1064 polls shall be open for at least two (2) hours.

1065 a. When one is to be elected, and more than one has been
1066 nominated, the majority of the ballots cast shall elect. In the
1067 event no candidate receives a majority of the votes cast on the
1068 first ballot, the two (2) candidates receiving the greatest
1069 number of votes shall be balloted upon again.

1070 b. When more than one is to be elected, and the nominees
1071 exceed the number to be elected, the votes cast shall be non-
1072 cumulative, and the candidates receiving the greatest number of
1073 votes shall be elected.

CHAPTER VI • CONFLICT OF INTEREST

1074 It is the policy of this Association that individuals who serve in
1075 elective, appointive or employed offices or positions do so in a
1076 representative or fiduciary capacity that requires loyalty to the
1077 Association. At all times while serving in such offices or
1078 positions, these individuals shall further the interests of the
1079 Association as a whole. In addition, they shall avoid:

1080 a. placing themselves in a position where personal or
1081 professional interests may conflict with their duty to this
1082 Association.

1083 b. using information learned through such office or position for
1084 personal gain or advantage.

1085 c. obtaining by a third party an improper gain or advantage.

1086 As a condition for selection, each nominee, candidate and
1087 applicant shall disclose any situation which might be construed
1088 as placing the individual in a position of having an interest that
1089 may conflict with his or her duty to the Association. While
1090 serving, the individual shall comply with the conflict of interest
1091 policy applicable to his or her office or position, and shall report
1092 any situation in which a potential conflict of interest may arise.

1093 The Board of Trustees shall approve the compliance activities
1094 that will implement the requirements of this chapter.

CHAPTER VII • BOARD OF TRUSTEES

1095 *Section 10. COMPOSITION:* The Board of Trustees shall consist
1096 of one (1) trustee from each of the sixteen (16) trustee districts.
1097 Such sixteen (16) trustees, the President-Elect and the two Vice-
1098 Presidents shall constitute the voting membership of the Board of
1099 Trustees. In addition, the President and the appointive officers of
1100 the Association, except as otherwise provided in the *Bylaws* shall
1101 be *ex officio* members of the Board without the right to vote.

1102 *Section 20. QUALIFICATIONS:* A trustee must be an active, life

1103 or retired member, in good standing, of this Association and an
1104 active, life, or retired member of one of the constituent societies
1105 of the trustee district which the trustee is elected to represent.
1106 Should the status of any trustee change in regard to the preceding
1107 qualifications during the trustee's term of office, that office shall
1108 be declared vacant by the President and the President shall fill
1109 such vacancy as provided in Chapter VII, Section 80, of these
1110 *Bylaws*.

1111 *Section 30. TERM OF OFFICE:* The term of office of a trustee
1112 shall be four (4) years. The tenure of a trustee shall be limited to
1113 one (1) term of four (4) years.

1114 *Section 40. NOMINATION:*

1115 A. SINGLE CONSTITUENT DISTRICT. In trustee districts
1116 consisting of a single constituent dental society, the trustee
1117 nomination procedures may be determined by an elective process
1118 established by the constituent dental society or by the procedures
1119 provided in Section 40B. The nomination may be reconsidered
1120 by the duly constituted caucus of the trustee district during the
1121 appropriate annual session.

1122 B. MULTIPLE CONSTITUENT DISTRICTS. In multiple
1123 constituent districts, the delegates from the constituent societies
1124 of the trustee district in which the term of the trustee is to
1125 terminate, shall hold a caucus to select a nominee or nominees
1126 for the office of trustee. Such caucus shall be called by the trustee
1127 whose term is about to expire, or by the trustee's designee. The
1128 notice of the time and place of such caucus shall be reported to
1129 the Secretary of the House.

1130 At the caucus the delegates shall nominate one (1) or two (2)
1131 candidates for the office of trustee, whose name or names shall
1132 be presented to the House of Delegates in accordance with the
1133 following rules. An action taken at a duly constituted caucus of
1134 the trustee district to nominate or select a trustee may be
1135 considered at a later caucus during the appropriate annual
1136 session.

1137 a. A person receiving the unanimous vote of the delegates
1138 present and voting at the caucus shall be the only nominee
1139 presented by the district.

1140 b. In the event that one (1) candidate receives a majority vote,
1141 one (1) or more of the delegates voting in the minority may
1142 select another nominee and the names of both nominees shall
1143 be presented to the House of Delegates as the nominees of that
1144 district.

1145 c. The number of votes received by each nominee in the caucus
1146 shall be reported to the House of Delegates.

1147 d. A nominating speech of four (4) minutes shall be allowed in
1148 the House of Delegates on behalf of each nominee. Seconding
1149 a nomination is not permitted.

1150 *Section 50. CONFLICT OF INTEREST:* Each person nominated
1151 for the office of trustee shall complete a conflict of interest
1152 statement as prescribed by the Board of Trustees and shall file
1153 such statement with the Secretary of the House of Delegates to
1154 be made available to the delegates prior to election.

1155 *Section 60. ELECTION:* The trustee shall be elected by the
1156 House of Delegates according to the following rules:

1157 A. If there is only one (1) nominee from a trustee district, the
1158 Speaker shall declare such nominee elected.

1159 B. If there are two (2) nominees from a trustee district, the
1160 election shall be by ballot in accordance with Chapter V, Section
1161 140. The nominee receiving the larger number of votes cast shall
1162 be declared elected.

1163 *Section 70. INSTALLATION:* The trustee shall be installed by
1164 the President or by the President's designee.

1165 *Section 80. VACANCY:* In the event of a vacancy in the office
1166 of trustee, an active, life or retired member may be appointed by
1167 the President to fill the unexpired term of the vacancy. The
1168 appointment shall be made by the President with the advice and
1169 consent of the former trustee's district. A trustee district may file
1170 rules with the Association's Executive Director setting forth how
1171 its nominee shall be chosen. In the event an appointment to fill
1172 the vacancy has not been made by the time of the next meeting of
1173 the House of Delegates following the occurrence of the vacancy,
1174 then a successor trustee shall be elected for the remainder of the
1175 unexpired term by the House of Delegates pursuant to the
1176 provisions of Chapter VII, Sections 40 and 60 of these *Bylaws*. If
1177 the term of the vacated trustee position has less than fifty percent
1178 (50%) of a full four-year term remaining at the time the successor
1179 trustee is appointed or elected, the successor trustee shall be
1180 eligible for election to a new, consecutive four-year term. If fifty
1181 percent (50%) or more of the vacated term remains to be served
1182 at the time of the appointment or election, the successor trustee
1183 shall not be eligible for another term.

1184 *Section 90. POWERS:*

1185 A. The Board of Trustees shall be the managing body of the
1186 Association, vested with full power to conduct all business of the
1187 Association, subject to the laws of the State of Illinois, the
1188 *Articles of Incorporation*, the *Constitution and Bylaws* and the
1189 mandates of the House of Delegates.

1190 B. It shall have the power to establish rules and regulations not
1191 inconsistent with these *Bylaws* to govern its organization and
1192 procedure.

1193 C. It shall have the power to direct the President to call a special
1194 session of the House of Delegates as provided in Chapter V,
1195 Section 70, of the *Bylaws*.

1196 D. It shall have full discretionary power to cause to be published
1197 in, or to be omitted from, any official publication of the
1198 Association any article in whole or in part.

1199 E. It shall have the power to establish *ad interim* policies when
1200 the House of Delegates is not in session and when such policies
1201 are essential to the management of the Association provided,
1202 however, that all such policies must be presented for review at
1203 the next session of the House of Delegates.

1204 F. It shall have the power to remove a council member for cause
1205 in accordance with procedures established by the Board of
1206 Trustees in its *Rules*.

1207 G. It shall have the power to elect honorary members.

1208 H. It shall have the power to appoint its members to committees
1209 that shall have the power to perform any duty that the Board of
1210 Trustees may lawfully delegate.

1211 I. It shall have the interim power to supervise, monitor and guide
1212 the activities of all councils and special committees in order to
1213 ensure the fulfillment of initiatives and directives assigned to
1214 each council or special committee by the House of Delegates or
1215 Board of Trustees and that all interim actions of the Board must
1216 be approved by the House of Delegates.

1217 *Section 100. DUTIES:* It shall be the duty of the Board of
1218 Trustees:

1219 A. To provide for the purchase, sale, mortgage, maintenance and
1220 supervision of the Headquarters Office and all other property or
1221 offices owned or operated by this Association.

1222 B. To appoint the Executive Director and Treasurer of the
1223 Association. The Treasurer shall be an active, life or retired
1224 member of the Association.

1225 C. To determine the date and place for convening each annual
1226 session and provide for the management and general
1227 arrangements for each annual session as provided in Chapter XV,
1228 Section 30.

1229 D. To cause to be bonded by a surety company all appointive
1230 officers and employees of the Association entrusted with
1231 Association funds.

1232 E. To provide guidelines and directives to govern the Treasurer's
1233 custody, investment and disbursement of Association funds and
1234 other property as provided in Chapter IX, Section 40B, of these
1235 *Bylaws*; and to cause all accounts of the Association to be
1236 audited by a certified public accountant at least once a year.

1237 F. To prepare a budget for carrying on the activities of the
1238 Association for each ensuing fiscal year.

1239 G. To cause to be distributed to the secretary of each constituent
1240 society and component thereof all approved plans for increasing
1241 the principal of the Relief Fund of this Association and to
1242 approve the rules and regulations for granting financial aid to
1243 dentists, their dependents and survivors.

1244 H. To submit to the House of Delegates at the opening meeting
1245 of the annual session, in printed form, nominations for
1246 membership to the councils, except as otherwise provided in
1247 these *Bylaws*.

1248 I. To appoint annually the chairman of each council, except as
1249 otherwise provided in these *Bylaws*, and to act upon council,
1250 commission, and bureau nominations for consultants and
1251 advisers except as otherwise provided in these *Bylaws*.

1252 J. To provide interim guidance and supervision to all councils
1253 and special committees in order to ensure the fulfillment of
1254 initiatives and directives assigned to each council or special
1255 committee by the House of Delegates or Board of Trustees.

1256 K. To review the reports of councils and special committees of
1257 the Association and to make recommendations concerning such
1258 reports to the House of Delegates.

1259 L. To act upon applications for active membership from
1260 applicants practicing in dependencies of the United States in
1261 which no constituent society exists or in federal dental services.

1262 M. To submit an annual report to the House of Delegates of its
1263 activities and those of the appointive officers.

1264 N. To elect associate members.

1265 O. To establish other funds as divisions of the General Fund in
1266 accordance with the provisions of Chapter XVII, Section 40.

1267 P. To appoint special committees of the Association in
1268 accordance with Chapter XI, Section 10 of these *Bylaws*.

1269 Q. To perform such other duties as are prescribed by these
1270 *Bylaws*.

1271 R. To establish such administrative agencies of this Association
1272 as may be necessary to implement the Association's programs, to
1273 assign the duties of such agencies through the Executive Director
1274 of the Association under whose jurisdiction each shall operate,
1275 and to require reports of such agencies through the same
1276 channels.

1277 *Section 110. SESSIONS:*

1278 A. REGULAR SESSIONS. The Board of Trustees shall hold a
1279 minimum of three regular sessions each year. The number of
1280 actual regular meetings to be held in excess of three for the
1281 ensuing year shall be determined in advance by the Board of
1282 Trustees.

1283 B. SPECIAL SESSIONS. Special sessions of the Board of
1284 Trustees may be called at any time either by the President or at
1285 the request of five voting members of the Board, provided notice
1286 is given to each member in advance of the session.

1287 C. SPECIAL MEETINGS VIA TELEPHONE. The members of
1288 the Board of Trustees may participate in and act at a meeting of
1289 the Board of Trustees called by the President on matters of the
1290 Association requiring immediate attention through the use of
1291 conferences via telephone and other communications equipment.
1292 Such conferences and any actions taken shall be governed by the
1293 rules of the Board of Trustees. These Conferences are considered
1294 as meetings which shall be recorded and made a part of the
1295 action of the Board of Trustees.

1296 *Section 120. QUORUM:* A majority of the voting members of
1297 the Board of Trustees shall constitute a quorum.

1298 *Section 130. OFFICERS:*

1299 A. CHAIRMAN AND SECRETARY. The officers of the Board
1300 of Trustees shall be the President of the Association who shall be
1301 the Chairman, and the Executive Director of the Association who
1302 shall be the Secretary.

1303 In the absence of the President, the office of Chairman shall be
1304 filled by the First or Second Vice President in that order and, in
1305 their absence, a voting member of the Board shall be elected
1306 Chairman *pro tem*.

1307 In the absence of the Secretary, the Chairman shall appoint a
1308 Secretary *pro tem*.

1309 B. DUTIES.

1310 a. CHAIRMAN. The Chairman shall preside at all meetings of
1311 the Board of Trustees. The Chairman shall cast the deciding
1312 vote in case of a tie.

1313 b. SECRETARY. The Secretary shall serve as the recording
1314 officer of the Board of Trustees and as the custodian of its
1315 records. The Secretary shall cause a factual record of the
1316 proceedings to be published as the official transactions of the
1317 Board.

CHAPTER VIII • ELECTIVE OFFICERS

1318 *Section 10. TITLE:* The elective officers of this Association shall
1319 be President, President-elect, First Vice President, Second Vice
1320 President and Speaker of the House of Delegates, as provided in
1321 Article V of the *Constitution*.

1322 *Section 20. ELIGIBILITY:* Only an active, life or retired
1323 member, in good standing, of this Association shall be eligible to
1324 serve as an elective officer.

1325 *Section 30. NOMINATIONS:* Nominations for the offices of
1326 President-elect, First Vice President, Second Vice President and
1327 Speaker of the House shall be made in accordance with the order
1328 of business. The nominating speech shall not exceed four (4)
1329 minutes in length. Seconding a nomination is not permitted.

1330 *Section 40. CONFLICT OF INTEREST:* Each person nominated
1331 for the offices of President-elect, First Vice President, Second
1332 Vice President and Speaker of the House shall complete a
1333 conflict of interest statement as prescribed by the Board of
1334 Trustees and shall file such statement with the Secretary of the
1335 House of Delegates to be made available to the delegates prior to
1336 election.

1337 *Section 50. ELECTIONS:* The elective officers shall be elected
1338 in accordance with Chapter V, Section 150.

1339 *Section 60. TERM OF OFFICE:* The elective officers shall serve
1340 for a term of one (1) year, except as otherwise provided in this
1341 chapter of the *Bylaws*, or until their successors are elected and
1342 installed.

1343 *Section 70. INSTALLATION:* The elective officers shall be
1344 installed at the last meeting of the annual session of the House of
1345 Delegates. The President-elect shall be installed as President at
1346 the next annual session of the House following election.

1347 *Section 80. VACANCIES:* In the event the office of President
1348 becomes vacant, the President-elect shall become President for
1349 the unexpired portion of the term. In the event the office of
1350 President becomes vacant for the second time in the same term or
1351 at a time when the office of President-elect is also vacant, the
1352 First Vice-President shall become President for the unexpired
1353 portion of the term. A vacancy in the office of the Second Vice-
1354 President shall be filled by a majority vote of the Board of
1355 Trustees. In the event of a vacancy in the office of Speaker of the
1356 House of Delegates, the President, with approval of the Board of
1357 Trustees, shall appoint a Speaker *pro tem*. In the event the office

1358 of President-elect becomes vacant by reason other than the
 1359 President-elect succeeding to the office of the President earlier
 1360 than the next annual session, the office of President for the
 1361 ensuing year shall be filled at the next annual session of the
 1362 House of Delegates in the same manner as that provided for the
 1363 nomination and election of elective officers, except that the ballot
 1364 shall read "President for the Ensuing Year."

1365 *Section 90. DUTIES:*

1366 A. PRESIDENT. It shall be the duty of the President:

- 1367 a. To serve as the primary official representative of this
 1368 Association in its contacts with governmental, civic, business
 1369 and professional organizations for the purpose of advancing the
 1370 objectives and policies of this Association.
 1371 b. To serve as Chairman and *ex officio* member of the Board of
 1372 Trustees and to perform such duties as are provided in Chapters
 1373 V and VII of these *Bylaws*.
 1374 c. To call special sessions of the House of Delegates and the
 1375 Board of Trustees as provided in Chapters V and VII of these
 1376 *Bylaws*.
 1377 d. To appoint the members of all committees of the House of
 1378 Delegates except as otherwise provided in these *Bylaws*.
 1379 e. To fill vacancies in the office of trustee as provided in
 1380 Chapter VII, Section 80, of these *Bylaws* and to fill other
 1381 vacancies in accordance with these *Bylaws*.
 1382 f. To submit an annual report to the House of Delegates.
 1383 g. To perform such other duties as may be provided in these
 1384 *Bylaws*.

1385 B. PRESIDENT-ELECT. It shall be the duty of the President-
 1386 elect:

- 1387 a. To assist the President as requested.
 1388 b. To serve as an *ex officio* member of the House of Delegates
 1389 without the right to vote.
 1390 c. To serve as an *ex officio* member of the Board of Trustees.
 1391 d. To succeed to the office of President at the next annual
 1392 session of the House of Delegates following election as
 1393 President-elect.
 1394 e. To succeed immediately to the office of President in the
 1395 event of vacancy not only for the unexpired term but also for
 1396 the succeeding year.

1397 C. VICE PRESIDENTS. It shall be the duty of the Vice
 1398 Presidents:

- 1399 a. To assist the President as requested.
 1400 b. To serve as *ex officio* members of the House of Delegates
 1401 without the right to vote.
 1402 c. To serve as *ex officio* members of the Board of Trustees.
 1403 d. To succeed to the office of President or First Vice President,
 1404 as provided in this chapter of these *Bylaws*.

1405 D. SPEAKER OF THE HOUSE OF DELEGATES. The Speaker
 1406 shall preside at the meetings of the House of Delegates and shall
 1407 perform such duties as custom and parliamentary usage require.
 1408 The Speaker shall cast the deciding vote in case of a tie. The
 1409 Speaker shall not be a member of the Board of Trustees.

1410 *Section 10. TITLE:* The appointive officers of this Association
 1411 shall be Executive Director and Treasurer, as provided in Article
 1412 V of the *Constitution*.

1413 *Section 20. CONFLICT OF INTEREST:* The appointive officers
 1414 of this Association and each person seeking such offices shall
 1415 comply with Chapter VI, Conflict of Interest, of these *Bylaws*.

1416 *Section 30. APPOINTMENTS:* While any active, life or retired
 1417 member in good standing may be appointed to an appointive
 1418 office by the Board of Trustees, the Board of Trustees shall
 1419 appoint only an active, life or retired member who is not an
 1420 elected member of the Board of Trustees to the office of
 1421 Treasurer.

1422 *Section 40. TERM OF OFFICE AND SALARY:* The Board of
 1423 Trustees shall determine the salary, if any, and the tenure of each
 1424 appointive officer. The tenure of each appointment for any
 1425 Executive Director shall not exceed three (3) years. The tenure of
 1426 appointment for any Treasurer shall not exceed two (2) years. A
 1427 Treasurer may not be appointed for more than two (2)
 1428 consecutive terms. The completion of the full term of any
 1429 appointment shall be at the discretion of the Board of Trustees.

1430 *Section 50. DUTIES:* The duties of the appointive officers shall
 1431 be as follows:

1432 A. EXECUTIVE DIRECTOR. The Executive Director shall be
 1433 the executive head of the Headquarters Office and all its
 1434 branches. The Executive Director shall engage, supervise and
 1435 direct all employees except as otherwise provided in these
 1436 *Bylaws*. The Executive Director shall supervise, administer and
 1437 coordinate the activities of the staff of all councils, committees
 1438 and bureaus and assist the Board of Trustees in supervising,
 1439 monitoring, and providing guidance on the activities of all
 1440 councils and committees in regard to their specific assignments
 1441 and systematize the preparation of their reports

1442 B. TREASURER. The Treasurer shall serve as custodian of all
 1443 monies, securities and deeds belonging to the Association which
 1444 may come into the Treasurer's possession and shall hold, invest
 1445 and disburse same, subject to the direction of the Board of
 1446 Trustees, and perform such other duties as are prescribed by the
 1447 Board of Trustees or these *Bylaws*.

CHAPTER X • COUNCILS

1448 *Section 10. NAME:* The councils of this Association shall be:
 1449 Council on ADA Sessions and International Relations
 1450 Council on Community Health, Hospital, Institutional and
 1451 Medical Affairs
 1452 Council on Dental Care Programs
 1453 Council on Dental Education
 1454 Council on Dental Materials, Instruments and Equipment
 1455 Council on Dental Practice
 1456 Council on Dental Research
 1457 Council on Dental Therapeutics
 1458 Council on Ethics, Bylaws and Judicial Affairs
 1459 Council on Governmental Affairs and Federal Dental Services
 1460 Council on Insurance

- 1461 Council on Membership and Communications
- 1462 *Section 20. MEMBERS, SELECTIONS, NOMINATIONS AND*
1463 *ELECTIONS:*
- 1464 A. The composition of the councils of this Association shall be as
1465 follows:
- 1466 Council on ADA Sessions and International Relations shall be
1467 composed of eleven (11) members, eight (8) of whom shall be
1468 selected on a rotational system by trustee district and three (3) of
1469 whom with expertise in meeting planning or in international
1470 affairs shall be selected from nominations open to all trustee
1471 districts. In addition, the General Chairman of the Local
1472 Arrangements committee for the current year and the General
1473 Chairman-elect for the succeeding year shall serve as *ex officio*
1474 members with the right to vote and shall not be eligible to serve
1475 as Council Chairman.
- 1476 Council on Community Health, Hospital, Institutional and
1477 Medical Affairs shall be composed of one (1) member from each
1478 trustee district, one (1) member who is a physician and one (1)
1479 member who is a health care facility administrator nominated by
1480 the Board of Trustees.
- 1481 Council on Dental Care Programs shall be composed of one (1)
1482 member from each trustee district.
- 1483 Council on Dental Education shall be composed of twelve (12)
1484 members selected as follows:
- 1485 a. Nominations and Selection.
- 1486 (1) Four (4) members shall be nominated by the Board of
1487 Trustees from the active, life or retired members of this
1488 Association, no one of whom shall be a member of a faculty of
1489 a school of dentistry or a member of a state board of dental
1490 examiners.
- 1491 (2) Four (4) members who are active, life or retired members of
1492 this Association shall be selected by the American Association
1493 of Dental Examiners from the active membership of that body,
1494 no one of whom shall be a member of a faculty of a school of
1495 dentistry.
- 1496 (3) Four (4) members who are active, life or retired members of
1497 this Association shall be selected by the American Association
1498 of Dental Schools from its active membership. These members
1499 shall hold positions of professorial rank in dental schools
1500 accredited by the Commission on Dental Accreditation and
1501 shall not be members of any state board of dental examiners.
- 1502 b. Election. The four (4) members of the Council on Dental
1503 Education nominated by the Board of Trustees shall be elected
1504 by the House of Delegates from nominees selected in
1505 accordance with this section.
- 1506 Council on Dental Materials, Instruments and Equipment shall be
1507 composed of eleven (11) members, eight (8) of whom shall be
1508 selected on a rotational system by trustee district and three (3) of
1509 whom shall be selected from nominations open to all trustee
1510 districts.
- 1511 Council on Dental Practice shall be composed of one (1) member
1512 from each trustee district.

- 1513 Council on Dental Research shall be composed of eleven (11)
1514 members, eight (8) of whom shall be selected on a rotational
1515 system by trustee district, one (1) of whom shall be nominated by
1516 the American Association of Dental Research, one (1) of whom
1517 shall be the current recipient of the Gold Medal Award for
1518 Excellence in Dental Research, and one (1) of whom shall be a
1519 prominent research scientist nominated by the Board of Trustees
1520 and elected by the House of Delegates.
- 1521 Council on Dental Therapeutics shall be composed of eleven (11)
1522 members, eight (8) of whom shall be selected on a rotational
1523 system by trustee district and three (3) of whom shall be selected
1524 from nominations open to all trustee districts.
- 1525 Council on Ethics, Bylaws and Judicial Affairs shall be
1526 composed of one (1) member from each trustee district.
- 1527 Council on Governmental Affairs and Federal Dental Services
1528 shall be composed of one (1) member from each trustee district.
1529 Members of the Council shall not be in the full-time employ of
1530 the federal government, and at least three (3) members shall be
1531 service veterans. Individuals called to active duty from the
1532 military reserves or national guard forces, providing such active
1533 duty has not been requested by the individual, shall not be
1534 considered to be in the full-time employ of the federal
1535 government.
- 1536 Council on Insurance shall be composed of one (1) member from
1537 each trustee district.
- 1538 Council on Membership and Communications shall be composed
1539 of one (1) member from each trustee district.*
- 1540 B. Nominations for all councils shall be made by the Board of
1541 Trustees except as otherwise provided in these *Bylaws*.
1542 Nominations made by the Board of Trustees shall adhere to a
1543 rotational system. The elective and appointive officers and the
1544 trustees of this Association shall not serve as members of
1545 councils. Additional nominations may be made by the House of

* The provisions hereinafter set forth in this footnote shall determine the initial terms of office of all new members of the Council on Membership and Communications.

a. Beginning in 1992, the term of office of the first council members shall be as follows: four (4) members shall serve a one (1) year term; four (4) members shall serve a two (2) year term; four (4) members shall serve a three (3) year term; and four (4) members shall serve a four (4) year term.

b. The four (4) members serving a one (1) year term and the four (4) members serving a two (2) year term shall be eligible for reelection to a second term of four (4) years on the same Council.

c. Except as provided in letter b. above, a member of the council shall not be eligible for election to another council or commission for a period of two (2) years after completing service on this Council.

This footnote shall expire at adjournment of the annual session of the House of Delegates in 1996.

1546 Delegates pursuant to the rotational system for council
1547 nominations unless otherwise provided for in these *Bylaws*. Each
1548 person nominated shall complete a conflict of interest statement
1549 as prescribed by the Board of Trustees and shall file such
1550 statement with the Secretary of the House of Delegates to be
1551 made available to the delegates prior to election. Members of
1552 councils shall be elected by the House of Delegates in
1553 accordance with Chapter V, Section 150 except as otherwise
1554 provided in these *Bylaws*.

1555 C. REMOVAL FOR CAUSE. The Board of Trustees may
1556 remove a council member for cause in accordance with
1557 procedures established by the Board of Trustees.

1558 *Section 30. ELIGIBILITY:*

1559 A. All members of councils must be active, life or retired
1560 members in good standing of this Association except as
1561 otherwise provided in these *Bylaws*.

1562 B. A member of the Council on Dental Education who was
1563 selected by the American Association of Dental Examiners and
1564 who is no longer an active member of the American Association
1565 of Dental Examiners, may continue as a member of the Council
1566 for the balance of that member's term.

1567 C. When a member of the Council on Dental Education who was
1568 selected by the American Association of Dental Schools, shall
1569 cease to be a member of the faculty of a member school of that
1570 Association, such membership on either council shall terminate,
1571 and the President of the Association shall declare the position
1572 vacant.

1573 D. To be eligible to serve on the Council on Dental Research, the
1574 nominee of the American Association for Dental Research, the
1575 current recipient of the Gold Medal Award for Excellence in
1576 Dental Research and the research scientist nominated by the
1577 Board of Trustees shall be active, life or retired members in good
1578 standing of this Association if they qualify for such membership.

1579 *Section 40. CHAIRMEN:* One member of each council shall be
1580 appointed annually by the Board of Trustees to serve as chairman
1581 with exception of the Council on Dental Education. The
1582 Chairman of the Council on Dental Education shall be appointed
1583 from nominations submitted by the Council.

1584 *Section 50. CONSULTANTS, ADVISERS AND STAFF:*

1585 A. CONSULTANTS AND ADVISERS. Each council shall have
1586 the authority to nominate consultants and advisers in conformity
1587 with rules and regulations established by the Board of Trustees
1588 except as otherwise provided in these *Bylaws*.

1589 B. STAFF. The Executive Director shall employ the staff of
1590 councils, in the event they are employees, and shall select the
1591 titles for council staff positions.

1592 C. CONFLICT OF INTEREST. Consultants, advisers and staff,
1593 and each person nominated or seeking such positions, shall
1594 comply with Chapter VI, Conflict of Interest, of these *Bylaws*.

1595 *Section 60. TERM OF OFFICE:** The term of office of members
1596 of councils shall be four (4) years except as otherwise provided
1597 in these *Bylaws*. The tenure of a member of a council shall be
1598 limited to one (1) term of four (4) years except as otherwise
1599 provided in these *Bylaws*. Beginning in 1990, a member shall not
1600 be eligible for appointment to another council or commission for
1601 a period of two (2) years after completing a previous council
1602 appointment. The physician and the health care facility
1603 administrator nominated by the Board of Trustees for
1604 membership on the Council on Community Health, Hospital,
1605 Institutional and Medical Affairs, shall be elected for a one (1)
1606 year term; however, such member shall not be limited as to the
1607 number of consecutive one (1) year terms that he or she may
1608 serve. The representative nominated by the American
1609 Association for Dental Research and the research scientist
1610 nominated by the Board of Trustees for membership on the
1611 Council on Dental Research shall be elected for a one (1) year
1612 term and shall be limited to four (4) one-year terms that they may
1613 serve. The current recipient of the Gold Medal Award for
1614 Excellence in Dental Research shall serve on the Council on
1615 Dental Research until the award is bestowed on the next honoree.

1616 *Section 70. VACANCY:* In the event of a vacancy in the
1617 membership of any council, the President shall appoint a member
1618 of the Association possessing the same qualifications as
1619 established by these *Bylaws* for the previous member, to fill such
1620 vacancy until a successor is elected by the next House of

* The provisions hereinafter set forth in this footnote shall determine the term of office of all new and incumbent trustees until adjournment of the annual session of the House of Delegates in 1993.

a. Effective with new appointments beginning in 1986, the term of office for council members shall be limited to one (1) term of four (4) years each.

b. All council members serving in their second three-year term in 1986 shall complete the remainder of their term.

c. All council members serving in their first three-year term in 1986 shall have one (1) year added to their term, thus completing a four-year term. In addition, those council members completing their first three (3) plus one (1) year term in 1987, 1988 or 1989 shall be eligible for a second term of four (4) years on the same council, if the district has an appointment available. If such appointment is not available, the affected member shall be eligible for appointment to another council or commission.

d. Council members serving on any council affected by consolidation or elimination of councils shall complete either the remainder of their second term, as specified in subparagraph b above, or their first three-year plus one additional year appointment on a newly designated council or commission, as specified in subparagraph c above.

This footnote shall expire at adjournment of the annual session of the House of Delegates in 1993.

1621 Delegates for the remainder of the unexpired term. In the event
 1622 such vacancy involves the chairman of the council, the President
 1623 shall have the power to appoint an *ad interim* chairman. In the
 1624 event it is the current recipient of the Gold Medal Award for
 1625 Excellence in Dental Research who cannot serve on the Council
 1626 on Dental Research, the President, in consultation with the Board
 1627 of Trustees, shall have the power to appoint a prominent research
 1628 scientist who shall serve until the award is bestowed on the next
 1629 honoree.

1630 *Section 80. QUORUM:* A majority of the members of any
 1631 council shall constitute a quorum.

1632 *Section 90. PRIVILEGE OF THE FLOOR:* Chairmen and
 1633 members of councils who are not members of the House of
 1634 Delegates shall have the right to participate in the debate on their
 1635 respective reports but shall not have the right to vote.

1636 *Section 100. ANNUAL REPORT AND BUDGET:*

1637 A. ANNUAL REPORT. Each council shall submit, through the
 1638 Executive Director, an annual report to the House of Delegates
 1639 and a copy thereof to the Board of Trustees.

1640 B. PROPOSED BUDGET. Each council shall submit to the
 1641 Board of Trustees, through the Executive Director, a proposed
 1642 itemized budget for the ensuing fiscal year.

1643 *Section 110. DUTIES:*

1644 A. COUNCIL ON ADA SESSIONS AND INTERNATIONAL
 1645 RELATIONS. The duties of the Council shall be:

1646 a. To serve as the program and coordinating committee for the
 1647 annual session, which shall include:

1648 (1) Development and conduct of the scientific program.

1649 (2) Oversight of technical exhibits and liaison with the dental
 1650 industry.

1651 (3) Coordination of scientific exhibits, table clinics and student
 1652 table clinics.

1653 (4) Development of social activities and special events.

1654 (5) Promotion of the annual session to the profession.

1655 b. To plan and coordinate other Association sessions or
 1656 regional meetings.

1657 c. To formulate and recommend policies and to act as the
 1658 Association's liaison for international affairs.

1659 d. To initiate and assist in international programs and meetings
 1660 that will help to advance the status of the dental profession and
 1661 improve worldwide health.

1662 e. To monitor, collect and disseminate information on
 1663 international dentistry and foreign dental service.

1664 f. To serve as liaison with foreign dentists desiring to visit or
 1665 study in the United States.

1666 B. COUNCIL ON COMMUNITY HEALTH, HOSPITAL,
 1667 INSTITUTIONAL AND MEDICAL AFFAIRS. The duties of
 1668 the Council shall be:

1669 a. To recommend policies and formulate programs relating to
 1670 community dental health, including dental health planning,
 1671 dental manpower resources, preventive dentistry, fluoridation
 1672 and nutrition issues.

1673 b. To assist constituent and component societies, public health
 1674 agencies and others in the management and coordination of

1675 local resources or programs for dental health planning,
 1676 preventive dentistry and other community health programs.

1677 c. To maintain liaison with dental health agencies and special
 1678 interest organizations on community dental health and
 1679 manpower resource issues.

1680 d. To serve as liaison for the Association with the Joint
 1681 Commission on Accreditation of Hospitals and with JCAH
 1682 corporate members and other national health care
 1683 organizations.

1684 e. To recommend policy on issues pertaining to the relationship
 1685 of dentistry and medicine, including interdisciplinary patient
 1686 management, dentist-physician relations, the oral health needs
 1687 of medically compromised patients and the role of physical
 1688 evaluation and medical risk management in dental practice.

1689 f. To conduct activities to improve the health outcomes of
 1690 patients requiring cooperative dental-medical management.

1691 g. To conduct activities to increase patient access to dental care
 1692 and to increase access to the benefits of cooperative dental-
 1693 medical management in hospitals, ambulatory care centers,
 1694 long-term care facilities and other interdisciplinary health care
 1695 settings.

1696 C. COUNCIL ON DENTAL CARE PROGRAMS. The duties of
 1697 the Council shall be:

1698 a. To formulate and recommend policies relating to the
 1699 planning, administration and financing of dental benefit
 1700 programs.

1701 b. To study, evaluate and disseminate information on the
 1702 planning, administration and financing of dental benefit
 1703 programs.

1704 c. To assist the constituent societies and other agencies in
 1705 developing programs for the planning, administration and
 1706 financing of dental benefit programs.

1707 d. To provide assistance, guidance and support to constituent
 1708 and component societies in the development and management
 1709 of professional review systems.

1710 e. To encourage the inclusion of dental benefits in health
 1711 benefit plans and to promote dental benefit plans in accordance
 1712 with Association policy.

1713 D. COUNCIL ON DENTAL EDUCATION. The duties of the
 1714 Council shall be:

1715 a. To act as the agency of the Association in matters related to
 1716 the evaluation and accreditation of all dental educational,
 1717 dental auxiliary educational and associated subjects and as
 1718 liaison to provide the staff assistance for the Commission on
 1719 Dental Accreditation.

1720 b. To study and make recommendations including the
 1721 formulation and recommendation of policy on:

1722 (1) Dental education and dental auxiliary education.

1723 (2) The recognition of special areas of dental practice.

1724 (3) The recognition of categories of dental auxiliaries.

1725 (4) The approval or disapproval of national certifying boards
 1726 for special areas of dental practice and for dental auxiliaries.

1727 (5) The educational and administrative standards of the
 1728 certifying boards for special areas of dental practice and for
 1729 dental auxiliaries.

1730 (6) Associated subjects that affect all dental, dental auxiliary
 1731 and related education.

1732 (7) Dental licensure and dental auxiliary credentialing.

1733 c. To act on behalf of this Association in maintaining effective
1734 liaison with certifying boards and related agencies for special
1735 areas of dental practice and for dental auxiliaries.
1736 d. To monitor and disseminate information on continuing
1737 dental education and to encourage the provision of and
1738 participation in continuing dental education.

1739 E. COUNCIL ON DENTAL MATERIALS, INSTRUMENTS
1740 AND EQUIPMENT. The duties of the Council shall be:

1741 a. To determine the safety and effectiveness of, and
1742 disseminate information on, materials, instruments and
1743 equipment which are offered to the public or to the profession
1744 and further critically evaluate statements of efficacy and
1745 advertising claims.
1746 b. To encourage the development and improvement of
1747 materials, instruments and equipment for use in dental practice
1748 or to improve the oral health of the public.
1749 c. To coordinate development of national and international
1750 standardization programs and the evaluation of materials,
1751 instruments and equipment with federal agencies as well as
1752 with other concerned organizations.
1753 d. To maintain liaison with the National Institute of
1754 Occupational Safety and Health and other organizations in the
1755 development and promulgation of recommendations for the
1756 safe use of materials, instruments and equipment as well as
1757 technique in dentistry.
1758 e. To maintain liaison with related regulatory, research and
1759 professional organizations.

1760 F. COUNCIL ON DENTAL PRACTICE. The duties of the
1761 Council shall be:

1762 a. To formulate and recommend policies relating to dental
1763 practice.
1764 b. To study, evaluate and disseminate information concerning
1765 various forms of business organization of a dental practice,
1766 economic factors related to dental practice, practice manage-
1767 ment techniques, auxiliary utilization and dental laboratory
1768 services to the end that dentists may continue to improve
1769 services to the public.
1770 c. To develop educational and other programs to assist dentists
1771 in improved practice management and to assist constituent and
1772 component societies and other dental organizations in the
1773 development of such programs so that dentists may continue to
1774 improve the delivery of their services to the public.
1775 d. To encourage and develop satisfactory relations with the
1776 various organizations representing the dental laboratory
1777 industry and craft.
1778 e. To formulate programs for establishing and maintaining the
1779 greatest efficiency, quality and service of the dental laboratory
1780 industry and craft in their relation to the dental profession.
1781 f. To encourage and develop satisfactory relations with the
1782 various organizations representing dental auxiliaries.
1783 g. To gather, formulate and disseminate information related to
1784 auxiliary utilization, management and employment practices.
1785 h. To serve in a consultative capacity to those educational and
1786 promotional activities directed to the public and the profession
1787 and to assess their impact on dental practice.

1788 G. COUNCIL ON DENTAL RESEARCH. The duties of the
1789 Council shall be:

1790 a. To identify and articulate on behalf of the Association the
1791 research needs and priorities of the profession and
1792 communicate these research needs to the membership,
1793 Congress, funding agencies and research institutions.
1794 b. To formulate and recommend policies identifying needed
1795 research and to facilitate research in areas of emerging
1796 importance to the profession and the public.
1797 c. To report results of significant research which provide new
1798 knowledge, affect the practice of dentistry and involve a
1799 transfer of technology.
1800 d. To evaluate and issue statements to the profession regarding
1801 the efficacy of concepts, procedures and techniques for use in
1802 the treatment of patients.
1803 e. To guide, assist and act as liaison to the American Dental
1804 Association Health Foundation and to serve as its peer review
1805 body.
1806 f. To identify and monitor sources of funding support for dental
1807 research and to disseminate information on available dental
1808 research funds to research institutions.
1809 g. To promote efforts to develop dental research manpower and
1810 to involve students in dental research.

1811 H. COUNCIL ON DENTAL THERAPEUTICS. The duties of
1812 the Council shall be:

1813 a. To study, evaluate and disseminate information with regard
1814 to the proper use of dental therapeutic agents, their adjuncts
1815 and dental cosmetic agents which are offered to the public or to
1816 the profession.
1817 b. To formulate plans for encouraging, establishing and
1818 supporting programs of research in the field of dental
1819 therapeutics.
1820 c. To maintain liaison with related regulatory, research and
1821 professional organizations.
1822 d. To study, evaluate and disseminate information on those
1823 aspects of the dental practice environment related to the health
1824 of the public, dentists and dental auxiliaries.

1825 I. COUNCIL ON ETHICS, BYLAWS AND JUDICIAL
1826 AFFAIRS. The duties of the Council shall be:

1827 a. To consider proposals for amending the *Principles of Ethics*
1828 *and Code of Professional Conduct*.
1829 b. To provide advisory opinions regarding the interpretation of
1830 the *Principles of Ethics and Code of Professional Conduct*.
1831 c. To consider appeals from members of the Association, or
1832 from component societies subject to the requirements of
1833 Chapter XII, Section 20 of these *Bylaws*.
1834 d. To hold hearings and render decisions in disputes arising
1835 between constituent societies or between constituent and
1836 component societies.
1837 e. To review the articles of the *Constitution and Bylaws* in
1838 order to keep them consistent with the Association's program.
1839 f. To recommend editorial corrections in the *Bylaws*.
1840 g. To review the rules and bylaws of all commissions of the
1841 Association in order to keep such rules and bylaws consistent
1842 with the *Constitution and Bylaws* of this Association.
1843 h. To act as the *Standing Committee on Constitution and*
1844 *Bylaws* during the annual session of the House of Delegates,
1845 with the composition of such committee to be determined in
1846 accordance with Chapter V, Section 140A of these *Bylaws*, and
1847 to conduct other business it deems necessary.

CHAPTER X • COUNCILS

CHAPTER X • COUNCILS
CHAPTER XI • SPECIAL COMMITTEES
CHAPTER XII • PRINCIPLES OF ETHICS AND
CODE OF PROFESSIONAL CONDUCT AND
JUDICIAL PROCEDURE

- 1848 i. To provide guidance and advice on ethical and professional
1849 issues to constituent and component societies.
1850 j. To formulate and disseminate materials related to ethical and
1851 professional conduct in the practice and promotion of dentistry.
- 1852 J. COUNCIL ON GOVERNMENTAL AFFAIRS AND
1853 FEDERAL DENTAL SERVICES. The duties of the Council
1854 shall be:
- 1855 a. To encourage the improvement of the health of the public
1856 and to promote the art and science of dentistry in matters of
1857 legislation and regulations by appropriate activities.
1858 b. To formulate and recommend policies related to legislative
1859 and regulatory issues and to governmental agency programs.
1860 c. To formulate proposed legislation, approved by the Board of
1861 Trustees, that may be submitted to Congress and which will
1862 promote the art and science of dentistry in accordance with
1863 Association policies.
1864 d. To disseminate information which will assist the constituent
1865 and component societies involving legislation and regulation
1866 affecting the dental health of the public.
1867 e. To serve and assist the American Dental Association as a
1868 liaison with agencies of the federal government.
1869 f. To advise other Association agencies charged with
1870 developing, recommending and/or implementing legislative
1871 policies adopted by the House of Delegates.
1872 g. To serve as liaison for the American Dental Association with
1873 those agencies of the federal government which employ dental
1874 personnel in direct dental care delivery programs and the
1875 dentists in those services.
1876 h. To recommend programs and policies which will ensure that
1877 eligible beneficiaries of federal dental service programs have
1878 access to quality dental care.
1879 i. To recommend programs and policies which promote an
1880 efficient and effective dental care delivery system within the
1881 federal dental services.
1882 j. To assist in the development of dental manpower
1883 requirements and appropriate mobilization programs in times
1884 of emergency.
1885 k. To formulate and recommend policies which are designed to
1886 advance the professional status of federally employed dentists.
1887 l. To monitor dental training programs conducted by the federal
1888 dental services.
- 1889 K. COUNCIL ON INSURANCE. The duties of the Council shall
1890 be:
- 1891 a. To evaluate on a continuing basis all Association sponsored
1892 insurance programs.
1893 b. To examine and evaluate other insurance programs that
1894 might be of benefit to the membership.
1895 c. To advise and recommend courses of action on insurance
1896 programs.
1897 d. To assist constituent societies in matters related to insurance
1898 programs.
1899 e. To serve as Trustees for the American Dental Association
1900 Members' Retirement Fund.
1901 f. To formulate and recommend policies related to professional
1902 liability and other insurance programs.

- 1903 L. COUNCIL ON MEMBERSHIP AND COMMUNICATIONS.
1904 Except as otherwise provided in these *Bylaws*, the duties of the
1905 Council shall be:
- 1906 a. To identify and monitor trends and issues that affect
1907 membership recruitment and retention, particularly among
1908 under-represented segments, and to encourage membership
1909 involvement throughout organized dentistry.
1910 b. To support membership activities of constituent and
1911 component dental societies and to enhance cooperation and
1912 communication on tripartite recruitment and retention efforts.
1913 c. To support the development of membership benefits and
1914 services, including practice marketing materials and continuing
1915 education seminars, that respond to identified needs of
1916 members.
1917 d. To develop and recommend programs to educate the public
1918 about oral health, including national media relations programs,
1919 patient communications and materials for use in the dental
1920 office.
1921 e. To identify public and media relations issues and develop
1922 and recommend communications programs to address such
1923 issues.
1924 f. To maintain liaison with national health organizations and
1925 the dental industry to promote cooperative oral health public
1926 education initiatives.
1927 g. To assist dental editors and to support constituent and
1928 component dental societies with their media and community
1929 relations programs.
1930 h. To act as an advocate for membership benefits.

CHAPTER XI • SPECIAL COMMITTEES

- 1931 *Section 10. APPOINTMENT AND TERM:* Special committees
1932 of this Association may be created at any session of the House of
1933 Delegates or, when the House is not in session, by the Board of
1934 Trustees, for the purpose of performing duties not otherwise
1935 assigned by these *Bylaws*. Such special committees may serve
1936 until adjournment *sine die* of the next annual session of the
1937 House of Delegates. The authority for appointing the members of
1938 a special committee and their number shall be set forth in the
1939 resolution creating such committee.
- 1940 *Section 20. CONFLICT OF INTEREST:* Members of special
1941 committees and each person considered for such appointment
1942 shall comply with Chapter VI, Conflict of Interest, of these
1943 *Bylaws*.
- 1944 *Section 30. PRIVILEGE OF THE FLOOR:* Chairmen and
1945 members of special committees who are not members of the
1946 House of Delegates shall have the right to participate in the
1947 debate on their respective reports but shall not have the right to
1948 vote.

CHAPTER XII • PRINCIPLES OF ETHICS AND
CODE OF PROFESSIONAL CONDUCT AND
JUDICIAL PROCEDURE

- 1949 *Section 10. PROFESSIONAL CONDUCT OF MEMBERS:* The
1950 professional conduct of a member of this Association shall be
1951 governed by the *Principles of Ethics and Code of Professional*

1952 *Conduct* of this Association and by the codes of ethics of the
1953 constituent and component societies within whose jurisdiction
1954 the member practices, or conducts or participates in other
1955 professional dental activities.

1956 *Section 20. DISCIPLINE OF MEMBERS:*

1957 A. CONDUCT SUBJECT TO DISCIPLINE. A member may be
1958 disciplined by the member's component or constituent society for
1959 (1) having been found guilty of a felony, (2) having been found
1960 guilty of violating the dental practice act of a state, District of
1961 Columbia, territory, dependency or country, or (3) violating the
1962 *Bylaws*, the *Principles of Ethics and Code of Professional*
1963 *Conduct*, the codes of ethics of the constituent or component
1964 societies. Members who are not members of a constituent society
1965 may be disciplined by this Association for the same offenses.
1966 Disciplinary proceedings may be instituted by either the
1967 member's component or constituent society. Disciplinary
1968 proceedings against direct members may be instituted by the
1969 Council on Ethics, Bylaws and Judicial Affairs of this
1970 Association.

1971 B. DISCIPLINARY PENALTIES. A member may be placed
1972 under a sentence of censure or suspension or may be expelled
1973 from membership for any of the offenses enumerated in Section
1974 20A of this Chapter.

1975 Censure is a disciplinary sentence expressing in writing severe
1976 criticism or disapproval of a particular type of conduct or act.

1977 Suspension, subject to Chapter I, Section 30 of these *Bylaws*,
1978 means all membership privileges except continued entitlement to
1979 coverages under insurance programs are lost during the
1980 suspension period. Suspension shall be unconditional and for a
1981 specified period at the termination of which full membership
1982 privileges are automatically restored. A subsequent violation
1983 shall require a new disciplinary procedure before additional
1984 discipline may be imposed.

1985 Expulsion is an absolute discipline and may not be imposed
1986 conditionally except as otherwise provided herein.

1987 Probation, to be imposed for a specified period and without
1988 loss of rights, may be administratively and conditionally imposed
1989 when circumstances warrant in lieu of a suspended disciplinary
1990 penalty. Probation shall be conditioned on good behavior.
1991 Additional reasonable conditions may be set forth in the decision
1992 for the continuation of probation. In the event that the conditions
1993 for probation are found by the society which preferred charges to
1994 have been violated, after a hearing on the probation violation
1995 charges in accordance with Chapter XII, Section 20C, the
1996 original disciplinary penalty shall be automatically reinstated;
1997 except that when circumstances warrant the original disciplinary
1998 penalty may be reduced to a lesser penalty. There shall be no
1999 right of appeal from a finding that the conditions of probation
2000 have been violated.

2001 After all appeals are exhausted or after the time for filing an
2002 appeal has expired, a sentence of censure, suspension, or
2003 expulsion meted out to any active, life or retired member,
2004 including those instances when the disciplined member has been
2005 placed on probation, shall be promulgated by such member's
2006 component and constituent societies and this Association.

2007 C. DISCIPLINARY PROCEEDINGS. Before a disciplinary
2008 penalty is invoked against a member the following procedures
2009 shall be followed by the society preferring charges:

2010 a. HEARING. The accused member shall be entitled to a
2011 hearing at which the accused shall be given the opportunity to
2012 present a defense to all charges brought against the accused. A
2013 society shall permit the accused member to be represented by
2014 legal counsel.

2015 b. NOTICE. The accused member shall be notified in writing
2016 of charges brought against the accused and of the time and
2017 place of the hearing, such notice to be sent by registered letter
2018 addressed to the accused's last known address and mailed not
2019 less than twenty-one (21) days prior to the date set for the
2020 hearing. An accused member, upon request, shall be granted
2021 one postponement for a period not to exceed thirty (30) days.

2022 c. CHARGES. The written charges shall include an officially
2023 certified copy of the alleged conviction or determination of
2024 guilt, or a specification of the bylaw or ethical provisions
2025 alleged to have been violated, as the case may be, and a
2026 description of the conduct alleged to constitute each violation.

2027 d. DECISION. Every decision which shall result in censure,
2028 suspension or expulsion or in probation shall be reduced to
2029 writing and shall specify the charges made against the member,
2030 the facts which substantiate any or all of the charges, the
2031 verdict rendered, the penalty imposed or when appropriate the
2032 suspended penalty imposed and the conditions for probation,
2033 and a notice shall be mailed to the accused member informing
2034 the accused of the right to appeal. Within ten (10) days of the
2035 date on which the decision is rendered a copy thereof shall be
2036 sent by registered mail to the last known address of each of the
2037 following parties: the accused member; the secretary of the
2038 component society of which the accused is a member; the
2039 secretary of the constituent society of which the accused is a
2040 member; the Chairman of the Council on Ethics, Bylaws and
2041 Judicial Affairs of this Association and the Executive Director
2042 of this Association.

2043 D. APPEALS. The accused member under sentence of censure,
2044 suspension or expulsion shall have the right to appeal from a
2045 decision of the accused's component society to the accused's
2046 constituent society by filing an appeal in affidavit form with the
2047 secretary of the constituent society. Such an accused member, or
2048 the component society concerned, shall have the right to appeal
2049 from a decision of the constituent society to the Council on
2050 Ethics, Bylaws and Judicial Affairs of this Association by filing
2051 an appeal in affidavit form with the Chairman of the Council on
2052 Ethics, Bylaws and Judicial Affairs.

2053 An appeal from any decision shall not be valid unless notice of
2054 appeal is filed within thirty (30) days and the supporting brief, if
2055 one is to be presented, is filed within sixty (60) days after such
2056 decision has been rendered. A reply brief, if one is to be
2057 presented, shall be filed within ninety (90) days after such
2058 decision is rendered. A rejoinder brief, if one is to be presented,
2059 shall be filed within one hundred five (105) days after such
2060 decision is rendered. After all briefs have been filed, a minimum
2061 of forty-five (45) days shall lapse before the hearing date.
2062 Omission of briefs will not alter the briefing schedule or hearing
2063 date unless otherwise agreed to by the parties and the chairman
2064 of the appropriate appellate agency.

2065 No decision shall become final while an appeal therefrom is
2066 pending or until the thirty (30) day period for filing notice of
2067 appeal has elapsed. In the event of a sentence of expulsion and
2068 no notice of appeal is received within the thirty (30) day period,
2069 the constituent society shall notify all parties of the failure of the
2070 accused member to file an appeal. The sentence of expulsion
2071 shall take effect on the date the parties are notified. The
2072 component and constituent societies shall each determine what
2073 portion of current dues, if any, shall be returned to the expelled
2074 member. Dues paid to this Association shall not be refundable in
2075 the event of expulsion. The following procedure shall be used in
2076 processing appeals:

2077 a. HEARINGS ON APPEAL. The accused member or the
2078 society (or societies) concerned shall be entitled to a hearing on
2079 an appeal, provided that such appeal is taken in accordance
2080 with, and satisfies the requirements of, Section 20D of this
2081 Chapter. A society shall permit the accused member to be
2082 represented by legal counsel. A party need not appear for the
2083 appeal to be heard by an appellate agency.

2084 b. NOTICE. The agency receiving an appeal shall notify the
2085 society (or societies) concerned and the accused member of the
2086 time and place of the hearing, such notice to be sent by
2087 registered letter to the last known address of the parties to the
2088 appeal and mailed not less than thirty (30) days prior to the
2089 date set for the hearing. Granting of continuances shall be at
2090 the option of the agency hearing the appeal.

2091 c. BRIEFS. Every party to an appeal shall be entitled to submit
2092 a brief in support of the party's position. The briefs of the
2093 parties shall be submitted to the secretary of the constituent
2094 society or the Chairman of the Council on Ethics, Bylaws and
2095 Judicial Affairs of this Association, as the case may be, and to
2096 the opposing party(ies) in accordance with the prescribed
2097 briefing schedule. The party initiating the appeal may elect to
2098 rely on the record and/or on an oral presentation and not file a
2099 brief.

2100 d. RECORD OF DISCIPLINARY PROCEEDINGS. Upon
2101 notice of an appeal the society which preferred charges shall
2102 furnish to the agency which has received the appeal and to the
2103 accused member a transcript of, or an officially certified copy
2104 of the minutes of the hearing accorded the accused member.
2105 The transcript or minutes shall be accompanied by certified
2106 copies of any affidavits or other documents submitted as
2107 evidence to support the charges against the accused member or
2108 submitted by the accused member as part of the accused's
2109 defense. Where the society preferring the charges does not
2110 provide for transcription of the hearing, the accused member, at
2111 the accused's own expense, shall be entitled to arrange for the
2112 services of a court reporter to transcribe the hearing.

2113 e. APPEALS JURISDICTION. The agency to which a decision
2114 has been appealed shall be required to review the decision
2115 appealed from to determine whether the evidence before the
2116 society which preferred charges against the accused member
2117 supports that decision or warrants the penalty imposed. The
2118 appeal agency shall not be required to consider additional
2119 evidence unless there is a clear showing that either party to the
2120 appeal will be unreasonably harmed by failure to consider the
2121 additional evidence. The parties to an appeal are the accused
2122 member and the society which preferred charges. In appeals to
2123 the Council on Ethics, Bylaws and Judicial Affairs of this

2124 Association, the society which heard the first appeal may, at its
2125 option, participate in the appeal.

2126 f. DECISION ON APPEALS. Every decision on appeal shall
2127 be reduced to writing and shall state clearly the conclusion of
2128 the appeal agency and the reasons for reaching that conclusion.
2129 The appeal agency shall have the discretion (1) to uphold the
2130 decision of the society which preferred charges against the
2131 accused member; (2) to reverse the decision of the society
2132 which preferred charges and thereby exonerate the accused
2133 member; (3) to deny an appeal which fails to satisfy the
2134 requirements of Section 20D of this Chapter; (4) to refer the
2135 case back to the society which preferred charges for a new
2136 proceedings, if the rights of the accused member under all
2137 applicable bylaws were not accorded the accused; (5) to
2138 remand the case back to the society which preferred charges for
2139 further proceedings when the appellate record is insufficient in
2140 the opinion of the appeal agency to enable it to render a
2141 decision; or (6) to uphold the decision of the society which
2142 preferred charges against the accused member and reduce the
2143 penalty imposed.

2144 Within thirty (30) days of the date on which a decision on
2145 appeal is rendered, a copy thereof shall be sent by registered
2146 mail to the last known address of each of the following parties:
2147 the accused member, the secretary of the component society of
2148 which the accused is a member, the secretary of the constituent
2149 society of which the accused is a member, the Chairman of the
2150 Council on Ethics, Bylaws and Judicial Affairs of this
2151 Association and the Executive Director of this Association.

2152 E. NON-COMPLIANCE. In the event of a failure of technical
2153 conformance to the procedural requirements of Chapter XII, the
2154 agency hearing the appeal shall determine the effect of technical
2155 non-conformance.

CHAPTER XIII • AMERICAN DENTAL
ASSOCIATION HEALTH FOUNDATION

2156 *Section 10. AGENCIES AND PERSONNEL:* The Research
2157 Institute and the Paffenbarger Research Center at the National
2158 Institute of Standards and Technology will be agencies of the
2159 American Dental Association Health Foundation and the
2160 personnel of these agencies shall be employees of the
2161 Foundation.

2162 *Section 20. FINANCIAL SUPPORT:* The Association shall
2163 annually furnish sufficient financial support, as an addition to
2164 generated non-Association funding, to assure the continued
2165 viability of the Foundation's research activities.

2166 *Section 30. DUTIES:*

2167 A. The Foundation, through its agencies, the Research Institute
2168 and the Paffenbarger Research Center at the National Institute of
2169 Standards and Technology shall:

2170 a. Conduct basic and applied research for the utilization in and
2171 development of oral health.

2172 b. Conduct training programs in research disciplines that relate
2173 to the basic and applied problems of oral health.

2174 B. In addition, the Foundation shall submit, either through or in
2175 cooperation with the Council on Dental Research, an annual

2176 report to the House of Delegates, interim reports on request to the
2177 Board of Trustees, and an annual budget to the Board of Trustees
2178 for such financial support allocations as the Board may deem
2179 necessary.

2180 C. The Foundation also may perform such other charitable and
2181 research functions as permitted under its articles of incorporation
2182 and bylaws and the laws of the State of Illinois.

CHAPTER XIV • COMMISSIONS

2183 *Section 10. NAME:* The commissions of this Association shall
2184 be:
2185 Commission on Dental Accreditation
2186 Joint Commission on National Dental Examinations
2187 Commission on Relief Fund Activities
2188 Commission on the Young Professional

2189 *Section 20. MEMBERS, SELECTIONS, NOMINATIONS AND*
2190 *ELECTIONS:*

2191 A. COMMISSION ON DENTAL ACCREDITATION. The
2192 number of members and the method of selection of the members
2193 of the Commission on Dental Accreditation shall be governed by
2194 the *Rules of the Commission on Dental Accreditation.*

2195 B. JOINT COMMISSION ON NATIONAL DENTAL
2196 EXAMINATIONS. The Joint Commission on National Dental
2197 Examinations shall be composed of fifteen (15) members
2198 selected as follows:
2199 a. Three (3) members shall be nominated by the Board of
2200 Trustees from the active, life or retired members of this
2201 Association and additional nominations may be made by the
2202 House of Delegates but no one of such nominees shall be a
2203 member of a faculty of a school of dentistry or a member of a
2204 state board of dental examiners. The House of Delegates shall
2205 elect the three (3) members from those nominated by the Board
2206 of Trustees and the House of Delegates.
2207 b. Six (6) members who are active, life or retired members of
2208 this Association shall be selected by the American Association
2209 of Dental Examiners from the active membership of that body,
2210 no one of whom shall be a member of a faculty of a dental
2211 school.
2212 c. Three (3) members who are active, life or retired members of
2213 this Association shall be selected by the American Association
2214 of Dental Schools from its active membership. These members
2215 shall hold positions of professorial rank in the dental schools
2216 accredited by this Association and shall not be members of any
2217 state board of dental examiners.
2218 d. One (1) member who is a dental hygienist shall be selected
2219 by the American Dental Hygienists' Association.
2220 e. One (1) member who is a public representative shall be
2221 selected by the Joint Commission on National Dental
2222 Examinations
2223 f. One (1) member who is a dental student shall be selected
2224 annually by the American Student Dental Association.

2225 C. COMMISSION ON RELIEF FUND ACTIVITIES. The
2226 Commission on Relief Fund Activities shall be composed of
2227 eight (8) members who are active, life or retired members

2228 nominated by the Board of Trustees on a rotational system by
2229 trustee district. Additional nominations may be made by the
2230 House of Delegates. The members of the Commission shall be
2231 elected by the House of Delegates.

2232 The members of the Commission also shall be the Trustees of the
2233 American Dental Association Relief Fund and shall serve as
2234 directors of a charitable fund known as The ADA Endowment
2235 and Assistance Fund, Inc.

2236 D. COMMISSION ON THE YOUNG PROFESSIONAL. The
2237 Commission on the Young Professional shall be composed of
2238 one (1) member from each trustee district who are active or
2239 student members nominated by the Board of Trustees. In making
2240 such nominations, the Board of Trustees shall consider female
2241 and minority candidates for Commission membership. The
2242 members of the Commission shall be elected by the House of
2243 Delegates.

2244 E. CONFLICT OF INTEREST. Each person nominated for
2245 election by the House of Delegates shall complete a conflict of
2246 interest statement as prescribed by the Board of Trustees and
2247 shall file such statement with the Secretary of the House of
2248 Delegates to be made available to the delegates prior to election.

2249 *Section 30. REMOVAL FOR CAUSE:* The Board of Trustees
2250 may remove a commission member for cause in accordance with
2251 procedures established by the Board of Trustees.

2252 *Section 40. ELIGIBILITY:*

2253 A. All members of commissions who are dentists must be active,
2254 life or retired members in good standing of this Association
2255 except as otherwise provided in these *Bylaws.*

2256 B. A member of the Joint Commission on National Dental
2257 Examinations, who was selected by the American Association of
2258 Dental Examiners and who is no longer an active member of that
2259 Association, may continue as a member of the Commission for
2260 the balance of that member's term.

2261 C. When a member of the Joint Commission on National Dental
2262 Examinations, who was selected by the American Association of
2263 Dental Schools, shall cease to be a member of the faculty of a
2264 member school of that Association, such membership on the
2265 Commission shall terminate, and the President of the American
2266 Dental Association shall declare the position vacant.

2267 D. CHAIRMEN. The Commission on Relief Fund Activities, the
2268 Joint Commission on National Dental Examinations and the
2269 Commission on the Young Professional shall elect their own
2270 chairmen. The Chairman of the Council on Dental Education
2271 shall be the Chairman of the Commission on Dental
2272 Accreditation.

2273 E. COMMISSION ON THE YOUNG PROFESSIONAL.
2274 Members of the Commission on the Young Professional shall be
2275 under the age of forty (40) at the time of appointment.

2276 *Section 50. CONSULTANTS, ADVISERS AND STAFF:*

2277 A. CONSULTANTS AND ADVISERS. Each commission shall
2278 have the authority to nominate consultants and advisers in
2279 conformity with rules and regulations established by the Board of

2280 Trustees except as otherwise provided in these *Bylaws*. The Joint
2281 Commission on National Dental Examinations also shall select
2282 consultants to serve on the Commission's test construction
2283 committees. The Commission on Dental Accreditation shall have
2284 the power to appoint consultants to assist in developing
2285 requirements and guidelines for the conducting of accreditation
2286 evaluations, including site visitations, of predoctoral, advanced
2287 dental educational, and dental auxiliary educational programs.

2288 B. STAFF. The Executive Director shall employ the staff of
2289 Commissions, in the event they are employees, and shall select
2290 the titles for commission staff positions.

2291 C. CONFLICT OF INTEREST. Consultants, advisers and staff,
2292 and each person nominated or seeking such positions, shall
2293 comply with Chapter VI, Conflict of Interest, of these *Bylaws*.

2294 *Section 60. TERM of OFFICE:** The term of office of members
2295 of the commissions shall be four (4) years except that (a) the
2296 term of office of members of the Commission on Dental
2297 Accreditation who are not members of the Council on Dental
2298 Education of this Association shall be governed by the *Rules of*
2299 *the Commission on Dental Accreditation* and (b) the term of
2300 office of the dental student selected by the American Student
2301 Dental Association for membership on the Joint Commission on
2302 National Dental Examinations shall be one (1) year.

2303 The tenure of a member of a commission shall be limited to
2304 one (1) term of four (4) years except (a) the consecutive tenure of
2305 members of the Commission on Dental Accreditation of this
2306 Association shall be governed by the *Rules of the Commission on*
2307 *Dental Accreditation* and (b) tenure in office of the dental student
2308 selected by the American Student Dental Association for

* The provisions hereinafter set forth in this footnote shall determine the term of office of all new and incumbent commission members until adjournment of the annual session of the House of Delegates in 1993. However, this footnote shall not apply to members of the Commission on Dental Accreditation who are not members of the Council on Dental Education or the dental student selected by the American Student Dental Association for membership on the Joint Commission on National Dental Examinations.

a. Effective with new appointments beginning in 1986, the term of office for commission members shall be limited to one (1) term of four (4) years each.

b. All commission members serving in their second three-year term in 1986 shall complete the remainder of their term.

c. All commission members serving in their first three-year term in 1986 shall have one (1) year added to their term, thus completing a four-year term. In addition, those commission members completing their first three (3) plus one (1) year term in 1987, 1988, or 1989 shall be eligible for a second term of four (4) years on the same commission, if the district has an appointment available. If such appointment is not available, the affected member shall be eligible for appointment to another commission or council.

This footnote shall expire at adjournment of the annual session of the House of Delegates in 1993.

2309 membership on the Joint Commission on National Dental
2310 Examinations shall be one (1) term. As of 1990, a member shall
2311 not be eligible for appointment to another commission or council
2312 for a period of two (2) years after completing a previous
2313 commission appointment.

2314 *Section 70. VACANCY:* In the event of a vacancy in the office
2315 of a commissioner, the following procedure shall be followed:

2316 A. In the event the member of a commission, whose office is
2317 vacant, is or was a member of and was appointed or elected by
2318 this Association, the President of this Association shall appoint a
2319 member of this Association possessing the same qualifications as
2320 established by these *Bylaws* for the previous member, to fill such
2321 vacancy until a successor is elected by the next House of
2322 Delegates of this Association for the remainder of the unexpired
2323 term.

2324 B. In the event the member of a commission whose office is
2325 vacant was selected by an organization other than this
2326 Association, such other organization shall appoint a successor
2327 possessing the same qualifications as those possessed by the
2328 previous member of the commission.

2329 C. In the event such vacancy involves the chairman of the
2330 commission, the President of this Association shall have the
2331 power to appoint an *ad interim* chairman, except as otherwise
2332 provided in these *Bylaws*.

2333 *Section 80. QUORUM:* A majority of the members of any
2334 commission shall constitute a quorum.

2335 *Section 90. PRIVILEGE OF THE FLOOR:* Chairmen and
2336 members of the commissions who are not members of the House
2337 of Delegates shall have the right to participate in the debate on
2338 their respective reports but shall not have the right to vote.

2339 *Section 100. ANNUAL REPORT AND BUDGET:*

2340 A. ANNUAL REPORT. Each commission shall submit, through
2341 the Executive Director, an annual report to the House of
2342 Delegates and a copy thereof to the Board of Trustees.

2343 B. PROPOSED BUDGET. Each commission shall submit to the
2344 Board of Trustees, through the Executive Director, a proposed
2345 itemized budget for the ensuing fiscal year.

2346 *Section 110. POWER TO ADOPT RULES:* Any commission of
2347 this Association shall have the power to adopt rules for such
2348 commission and amendments thereto, provided such rules and
2349 amendments thereto do not conflict with or limit the *Constitution*
2350 *and Bylaws* of this Association. Rules and amendments thereto,
2351 adopted by any commission of this Association, with the
2352 exception of the Commission on Relief Fund Activities, shall not
2353 be effective until submitted in writing to and approved by
2354 majority vote of the House of Delegates of this Association,
2355 except the Joint Commission on National Dental Examinations
2356 shall have such bylaws and amendments thereto as the House of
2357 Delegates of this Association may adopt by majority vote for the
2358 conduct of the purposes and management of the Joint
2359 Commission on National Dental Examinations.

2360 *Section 120. DUTIES:*

- 2361 A. COMMISSION ON DENTAL ACCREDITATION. The
 2362 duties of the Commission on Dental Accreditation shall be:
 2363 a. To formulate and adopt requirements and guidelines for the
 2364 accreditation of dental educational and dental auxiliary
 2365 educational programs.
 2366 b. To accredit dental educational and dental auxiliary
 2367 educational programs.
 2368 c. To provide a means for appeal from an adverse decision of
 2369 the accrediting body of the Commission to a separate and
 2370 distinct body of the Commission whose membership shall be
 2371 totally different from that of the accrediting body of the
 2372 Commission.
 2373 d. To submit an annual report to the House of Delegates of this
 2374 Association and interim reports, on request, and the
 2375 Commission's annual budget to the Board of Trustees of the
 2376 Association either through or in cooperation with the Council
 2377 on Dental Education of this Association.
 2378 e. To submit the Commission's articles of incorporation and
 2379 rules and amendments thereto to this Association's House of
 2380 Delegates for approval by majority vote either through or in
 2381 cooperation with the Council on Dental Education.
- 2382 B. JOINT COMMISSION ON NATIONAL DENTAL
 2383 EXAMINATIONS. The duties of the Joint Commission on
 2384 National Dental Examinations shall be:
 2385 a. To provide and conduct written examinations, exclusive of
 2386 clinical demonstrations for the purpose of assisting state boards
 2387 of dental examiners in determining qualifications of dentists
 2388 who seek license to practice in any state, district or dependency
 2389 of the United States. Dental licensure is subject to the laws of
 2390 the state, district or dependency and the conduct of all clinical
 2391 examinations for licensure is reserved to the individual board
 2392 of dental examiners.
 2393 b. To provide and conduct written examinations, exclusive of
 2394 clinical demonstrations for the purpose of assisting state boards
 2395 of dental examiners in determining qualifications of dental
 2396 hygienists who seek license to practice in any state, district or
 2397 dependency of the United States. Dental hygiene licensure is
 2398 subject to the laws of the state, district or dependency and the
 2399 conduct of all clinical examinations for licensure is reserved to
 2400 the individual board of dental examiners.
 2401 c. To make rules and regulations for the conduct of
 2402 examinations and the certification of successful candidates.
 2403 d. To serve as a resource of the dental profession in the
 2404 development of written examinations.
- 2405 C. COMMISSION ON RELIEF FUND ACTIVITIES. The
 2406 duties of the Commission on Relief Fund Activities shall be:
 2407 a. To formulate programs for increasing the principal of the
 2408 American Dental Association Relief Fund.
 2409 b. To recommend to the Board of Trustees rules and
 2410 regulations for the granting of financial assistance to needy
 2411 individuals. In addition, the Commission members shall serve
 2412 as directors of a charitable fund known as The ADA
 2413 Endowment and Assistance Fund, Inc.
- 2414 D. COMMISSION ON THE YOUNG PROFESSIONAL. The
 2415 duties of the Commission on the Young Professional shall be:
 2416 a. To assist in design and implementation of recruitment and
 2417 retention programs directed to young dentists.

- 2418 b. To study and determine the current needs and concerns of
 2419 young dentists based on relevant demographic, socioeconomic
 2420 and attitudinal information.
 2421 c. To identify current policies and programs that respond to
 2422 young dentists' needs and concerns and any that may thwart
 2423 them.
 2424 d. To make recommendations for modifying policies or
 2425 programs or implementing new policies or programs to respond
 2426 to unmet needs or existing concerns of young dentists.
 2427 e. To study and make recommendations to encourage and
 2428 strengthen the involvement of young dentists in organized
 2429 dentistry.

CHAPTER XV • SCIENTIFIC SESSION

- 2430 *Section 10. OBJECT:* The scientific session of this Association is
 2431 established to foster the presentation and discussion of subjects
 2432 pertaining to the improvement of the health of the public and the
 2433 science and art of dentistry.
- 2434 *Section 20. TIME AND PLACE:* The scientific session of the
 2435 Association shall be held annually at a time and place selected by
 2436 the Board of Trustees. Such selection shall be made at least one
 2437 (1) year in advance.
- 2438 *Section 30. MANAGEMENT AND GENERAL ARRANGE-*
 2439 *MENTS:* The Board of Trustees shall provide for the
 2440 management of, and make all arrangements for, each scientific
 2441 session unless otherwise provided in these *Bylaws*.
- 2442 *Section 40. TRADE AND LABORATORY EXHIBITS:*
 2443 Products of the dental trade and dental laboratories and other
 2444 products may be exhibited at each scientific session under the
 2445 direction of the Board of Trustees and in accordance with rules
 2446 and regulations established by that body.
- 2447 *Section 50. ADMISSION:* Admission to meetings of the
 2448 scientific sessions shall be limited to members of this
 2449 Association who are in good standing and to others admitted in
 2450 accordance with rules and regulations established by the Board
 2451 of Trustees.

CHAPTER XVI • PUBLICATIONS

- 2452 *Section 10. OFFICIAL JOURNAL:*
- 2453 A. TITLE. This Association shall publish or cause to be
 2454 published an official journal under the title of *The Journal of the*
 2455 *American Dental Association*, hereinafter referred to as *The*
 2456 *Journal*.
- 2457 B. OBJECT. The object of *The Journal* shall be to report,
 2458 chronicle and evaluate activities of scientific and professional
 2459 interest to members of the dental profession.
- 2460 C. FREQUENCY OF ISSUE AND SUBSCRIPTION RATE.
 2461 The frequency of issue and the subscription rate of *The Journal*
 2462 shall be determined by the Board of Trustees.

CHAPTER XVI • PUBLICATIONS
CHAPTER XVII • FINANCES

2463 *Section 20. OTHER JOURNALS:* The Association may publish
2464 or cause to be published other journals in the field of dentistry
2465 subject to the direction and regulations of the Board of Trustees.

2466 *Section 30. OFFICIAL TRANSACTIONS:* The official
2467 transactions of the House of Delegates and the Board of Trustees
2468 and the reports of officers, councils and committees shall be
2469 published under the direction of the Executive Director.

2470 *Section 40. INDEX TO DENTAL LITERATURE:* This
2471 Association shall cause to be published an *Index to Dental*
2472 *Literature.*

2473 *Section 50. AMERICAN DENTAL DIRECTORY:* This
2474 Association shall cause to be published an *American Dental*
2475 *Directory.*

CHAPTER XVII • FINANCES

2476 *Section 10. FISCAL YEAR:* The fiscal year of the Association
2477 shall begin January 1 of each calendar year and end December 31
2478 of the same year.

2479 *Section 20. GENERAL FUND:* The General Fund shall consist
2480 of all monies received other than those specifically allocated to
2481 other funds by these *Bylaws.* This fund shall be used for
2482 defraying all expenses incurred by this Association not otherwise
2483 provided for in these *Bylaws.* The General Fund may be divided
2484 into Operating and Reserve Divisions at the direction of the
2485 Board of Trustees.

2486 *Section 30. RELIEF AND ASSISTANCE FUNDS:*

2487 A. PURPOSE. This Association shall establish the American
2488 Dental Association Relief Fund, fully detached from any other
2489 fund of the Association, for the purpose of granting financial aid
2490 to dentists, their dependents and survivors in accordance with
2491 any indenture of trust governing the Relief Fund and in
2492 accordance with rules and regulations formulated by the
2493 Commission on Relief Fund Activities and approved by the
2494 Board of Trustees. This Association also shall establish a
2495 charitable fund entitled The ADA Endowment and Assistance
2496 Fund, Inc., fully detached from any other fund of the
2497 Association, for the purpose of providing financial grants or
2498 loans for charitable purposes, in accordance with any bylaws
2499 governing the Assistance Fund and in accordance with rules and
2500 regulations formulated by the Board of Directors of the
2501 Assistance Fund and approved by the Board of Trustees.

2502 B. FUNDS. The Relief Fund shall be held in the name of the
2503 American Dental Association Relief Fund and the Assistance
2504 Fund shall be held in the name of The ADA Endowment and
2505 Assistance Fund, Inc., and these funds shall be derived from
2506 cash, securities and other property transferred or appropriated to
2507 them by the Board of Trustees, contributions, bequests and
2508 earnings thereon.

2509 *Section 40. OTHER FUNDS:* The Association may establish
2510 other funds, at the direction of the Board of Trustees, for
2511 activities and programs requiring separate accounting records to
2512 meet governmental and administrative requirements. Such funds

CHAPTER XVII • FINANCES
CHAPTER XVIII • AUXILIARY TO AMERICAN
DENTAL ASSOCIATION
CHAPTER XIX • INDEMNIFICATION
CHAPTER XX • AMENDMENTS

2513 shall consist of monies and other assets received or allocated in
2514 accordance with the purpose for which they are established. Such
2515 funds shall be used for defraying all expenses incurred in their
2516 operation, shall serve only as separate accounting entities and
2517 continue to be held in the name of the American Dental
2518 Association as divisions of the General Fund.

CHAPTER XVIII • AUXILIARY TO AMERICAN
DENTAL ASSOCIATION

2519 *Section 10. RECOGNITION:* The Association recognizes the
2520 Auxiliary to the American Dental Association as an organization
2521 of the spouses of active, life or retired members in good standing
2522 of this Association, and of spouses of such members who were in
2523 good standing at the time of death.

2524 *Section 20. CONSTITUTION AND BYLAWS:* No provision in
2525 the constitution and bylaws of the Auxiliary shall be in conflict
2526 with the *Constitution and Bylaws* of this Association.

CHAPTER XIX • INDEMNIFICATION

2527 Each trustee, officer, council member, committee member,
2528 employee and other agent of the Association shall be held
2529 harmless and indemnified by the Association against all claims
2530 and liabilities and all costs and expenses, including attorney's
2531 fees, reasonably incurred or imposed upon such person in
2532 connection with or resulting from any action, suit or proceeding,
2533 or the settlement or compromise thereof, to which such person
2534 may be made a party by reason of any action taken or omitted to
2535 be taken by such person as a trustee, officer, council member,
2536 committee member, employee or agent of the Association, in
2537 good faith. This right of indemnification shall inure to such
2538 person whether or not such person is a trustee, officer, council
2539 member, committee member, employee or agent at the time such
2540 liabilities, costs or expenses are imposed or incurred and, in the
2541 event of such person's death, shall extend to such person's legal
2542 representatives. To the extent available, the Association shall
2543 insure against any potential liability hereunder.

CHAPTER XX • AMENDMENTS

2544 *Section 10. PROCEDURE:* These *Bylaws* may be amended at
2545 any session of the House of Delegates by a two-thirds ($\frac{2}{3}$)
2546 majority vote of the members present and voting, provided the
2547 proposed amendments shall have been presented in writing at a
2548 previous session or a previous meeting of same session.

2549 *Section 20. AMENDMENT RELATING TO DUES:* An
2550 amendment of these *Bylaws* effecting a change in the dues of
2551 active members or affecting the procedure for changing the dues
2552 of active members may be adopted only if the proposed
2553 amendment has been presented in writing at least ninety (90)
2554 days prior to the first day of the session of the House of
2555 Delegates at which it is to be considered. Notice of such a
2556 resolution shall be sent by a certifiable method of delivery to
2557 each constituent society not less than ninety (90) days before
2558 such session to permit prompt, adequate notice by each

2559 constituent society to its delegates and alternate delegates to the
2560 House of Delegates of this Association, and shall be announced
2561 to the general membership in an official publication of the
2562 Association at least sixty (60) days in advance of the annual
2563 session.
2564 Amendments affecting dues may also be adopted by a
2565 unanimous vote provided that the proposed amendment has been
2566 presented in writing at a previous meeting of the same session.

ARTICLES OF *Incorporation*

.....

- 2567 1. NAME. The name of this corporation is AMERICAN
2568 DENTAL ASSOCIATION.
- 2569 2. DURATION. The duration of the corporation is perpetual.
- 2570 3. PURPOSE AND OBJECT. The purpose and object of this
2571 corporation are to encourage the improvement of the health of
2572 the public and to promote the art and science of dentistry.
- 2573 4. OFFICE. The principal office of the corporation shall be in the
2574 City of Chicago, Cook County, Illinois.
- 2575 5. BYLAWS. The bylaws of the corporation shall be divided into
2576 two categories designated, respectively, "Constitution" and
2577 "Bylaws" and each category shall be amendable from time to
2578 time in the manner and by the method therein set forth, but in
2579 case of any conflict between the Constitution and the Bylaws the
2580 provisions of the Constitution shall control.
- 2581 6. MEMBERSHIP. The qualifications, the method of election,
2582 designation or selection, the privileges and obligations, and the
2583 voting rights, if any, of the various classes of members which are
2584 established by the Constitution and Bylaws of the corporation
2585 from time to time shall be set forth in and governed by such
2586 Constitution and Bylaws.
- 2587 7. EXERCISE OF CORPORATE POWERS. Except as
2588 otherwise provided by law, the affairs of this corporation shall be
2589 governed and the corporate powers of the corporation shall be
2590 exercised by a Board of Directors (to be known as the Board of
2591 Trustees), House of Delegates, officers, councils, committees,
2592 members, agents and employees as set forth in the Constitution
2593 and Bylaws and the titles, duties, powers, and methods of
2594 electing, designating or selecting all of the foregoing shall be as
2595 provided therein.
- 2596 8. VOTING RIGHTS WITH RESPECT TO ARTICLES OF
2597 INCORPORATION. Only those members of the corporation
2598 shall have voting rights in respect to amendments to the Articles
2599 of Incorporation who shall have a right to vote on amendments to
2600 the Constitution of the corporation.

American Dental Association
211 East Chicago Avenue
Chicago, Illinois 60611-2678