

1 **Maine Osteopathic Association**
2 **By-Laws**

3
4 **Article I – NAME**

5 This organization shall be known as the Maine Osteopathic Association hereinafter referred to
6 “Association” and is incorporated as a non-profit educational corporation under Maine statutes.
7

8 **Article II – MISSION**

9 To serve the Osteopathic Profession of the State of Maine through a coordinated effort of professional
10 education, professional advocacy and member services in order to ensure the availability of quality
11 osteopathic health care to the people of this state.
12

13 **Article III – CODE OF ETHICS**

14 Section 1. The Code of Ethics of this Association shall be the Code of Ethics of the American
15 Osteopathic Association (AOA) and any other additions as provided by the by-laws,
16 providing such additions do not conflict with the Code of Ethics of the American
17 Osteopathic Association.
18

19 Section 2. The Board of Directors of the Maine Osteopathic Association shall function in an ethical
20 manner in the evaluation of grievances brought against an individual member in
21 consultation with the individual member. The Board has the responsibility to take
22 appropriate corrective measures and/or termination of membership. Only grievances
23 involving potential violations of state or federal statutes will be referred to Maine Board
24 of Osteopathic Licensure.
25

26 Section 3. Hearings involving charges of violations of the Code of Ethics shall be conducted
27 according to substantially the same procedure followed by the AOA in similar matters. If
28 a member shall have been suspended or expelled as a result of finding that such member
29 violated the Code of Ethics, then the record of such proceeding and the decision shall be
30 forwarded to the Executive Director of the AOA for ultimate review by the AOA Board
31 of Trustees concerning any possible similar violation of the AOA Code of Ethics. The
32 AOA Committee on Ethics shall first determine if the record and decision comply with
33 the AOA requirements. If the record and decision do not so comply, they shall be
34 scheduled for review by the Board of Trustees. In either event, the Committee on Ethics
35 shall notify the member and this society of its determination. In the case of AOA Board
36 review, the member may file a petition similar to the petition employed in original ethical
37 matters before the AOA, including therein if desired a request to appear personally before
38 the Board. The AOA Executive Committee shall have sole discretion as to whether such
39 request for a personal appearance shall be granted.
40

41 **Article IV – AFFILIATE SOCIETIES**

42 Any local, county or regional organization engaged in activities related to the purpose of
43 the Maine Osteopathic Association. The members of these affiliate societies must be
44 members in good standing of the Association and follow the by-laws as approved by the
45 Board of Directors of the Association.
46

47 **Article V – MEMBERSHIP**

48 Section 1. Categories

49 A. Active Membership – Active Membership in this Association shall be granted to
50 actively practicing osteopathic physicians who are graduates of a college of

1 osteopathic medicine Accredited by the Bureau of Professional Education of the
2 AOA, are lawfully licensed to practice in the state of Maine, have completed the
3 appropriate application process with approval from the Board of Directors, and are
4 current with their dues. All active members in good standing have voting privileges.

- 5 B. Honorary Life Membership – Active members in good standing who have reached
6 age 70 by the beginning of a membership year shall automatically become Honorary
7 Life Members and shall be excused from further payment of dues and shall retain the
8 right to vote. Members who have not reached the age of 70 may be accorded
9 Honorary Life Membership upon vote of the Board of Directors, with all the rights
10 and privileges appertaining thereto. Dues will be set at the discretion of the Board of
11 Directors.
- 12 C. Physician Associate Membership – Physician Associate membership may be granted
13 to allopathic physicians (M.D.), licensed to practice in the state of Maine, are in good
14 standing with their state professional association, have submitted the appropriate
15 application and have been approved by the Board of Directors of the Association.
16 Physician Associate Members have such privileges as may be extended to them by
17 the Association, at the discretion of the Board of Directors. They may have the
18 opportunity for discussion at any meeting, but no vote at any time. They are entitled
19 to 50% reduction in dues if a member of their professional association. Dues will be
20 set at the discretion of the Board of Directors.
- 21 D. Professional Associate Membership – Professional associate membership may be
22 granted to dentists (D.D.S. or D.M.D.), Chiropractors (D.C.) or Podiatrists (D.P.M.)
23 licensed to practice in the state of Maine, who have submitted the appropriate
24 application and have been approved by the Board of Directors of the Association.
25 Membership may also be granted to physician extenders, i.e. physician assistants
26 (P.A.), nurse practitioners (N.P.), certified nurse midwives (C.N.M.) and certified
27 nurse anesthetists (C.N.A.). Professional associate members have such privileges as
28 may be extended to them by the Association, at the discretion of the Board of
29 Directors. They may have the opportunity for discussion at any meeting but no vote
30 at any time. Dues will be set at the discretion of the Board of Directors.
- 31 E. Out-of-State Membership – By action of the Maine Osteopathic Association Board of
32 Directors, the Association may accept into membership osteopathic physicians who
33 meet the other active requirements but now live out of the State of Maine. Dues for
34 such members shall be determined by the Board of Directors.
- 35 F. Out-of-Practice Membership – Out of Practice Membership shall be former active
36 members of the Association, now out of practice, and residing in or out of the State of
37 Maine. Dues for such members shall be set at 15% of the active member dues fee, as
38 determined by the Board of Directors.
- 39 G. Postgraduate Membership (i.e. Intern/Resident) – Membership may be granted to any
40 D.O. postgraduate who is participating in an AOA/ACGME accredited training
41 program in Maine. These members will be non-voting members except that their one
42 (1) representative to the board of directors will have full voting rights in that body.
43 Postgraduate members may serve on committees at the discretion of the board of
44 directors, but may not hold an elected office of this association, other than the one (1)
45 representative position to the board of directors. Such members shall pay no dues.
- 46 H. Student Membership – Student membership may be granted to any undergraduate
47 student enrolled in an AOA accredited osteopathic college. These members are non-
48 voting members except that their one (1) representative to the board of directors will
49 have full voting rights in that body. Student members may serve on committees at
50 the discretion of the board of trustees but may not hold an elected office of this

1 association, other than their one (1) representative position on the board of directors.
2 Such members shall pay no dues.

- 3 I. Associate Membership – Association membership may be granted by specific action
4 from the Board of Directors of the Maine Osteopathic Association to teaching,
5 research, administrative, or executive employees of accredited osteopathic hospitals
6 or osteopathic colleges accredited by the Bureau of Professional Education of the
7 AOA, and administrative employees of any affiliate organizations. Associate
8 members shall have such privileges as may be extended to them by this Association,
9 at the discretion of the Board of Directors. Associate members may have the
10 opportunity for discussion but no vote at any meeting. Application must be made for
11 associate membership and dues will be set at the discretion of the Board of Directors.
12

13 Section 2. Applications

- 14 A. All applications for membership or change of status, except Honorary Life, shall be
15 in writing to the Board of Directors, through the Executive Director, on the Standard
16 Maine Osteopathic Association membership application form, completed in full.
17 B. Payment for the appropriate first year’s dues shall accompany the application. Pro-
18 ration of the first year’s dues is based on the timing of membership acceptance. This
19 is based on the membership year and shall be paid as follows: membership during
20 the first 2 quarters constitutes full dues payment, membership in the 3rd quarter
21 constitutes one-half dues payments, and membership during the 4th quarter constitutes
22 one-quarter dues payment.
23 C. The application shall be acted upon by the Board of Directors, requiring approval by
24 two-thirds (2/3) of the Directors present at the next meeting of the Board, unless
25 specific authority has been delegated, by vote of the Board, in any specific case.
26

27 **Article VI - DUES, FEES AND ASSESSMENTS**

28 Section 1. All membership categories shall pay annual dues as set by the Board of Directors, which
29 is authorized to increase annual dues at no more than five (5) percent on an annual basis.
30 Increases in dues higher than five (5) percent must be approved by the membership at the
31 General Assembly, after appropriate notice – thirty (30) days preceding the MOA
32 General Assembly meeting. To maintain good standing within the Association, dues
33 must be paid in advance, unless other arrangements have been approved by the Board of
34 Directors.
35

36 Section 2. Recent graduates from internships and residency programs seeking active membership
37 shall have a reduced rate for their first three years immediately following the conclusion
38 of their postgraduate training. This rate is to be determined by the Board of Directors.
39

40 Section 3. Members whose dues are unpaid three (3) months after the beginning of the membership
41 year (Membership year begins June 1) shall be deemed delinquent. The delinquent
42 member loses all rights, privileges, and benefits of membership until the member’s dues
43 are current.
44

45 Section 4. The Board of Directors of the Maine Osteopathic Association may vote a membership to
46 an eligible member for less than the regular fee. This may be extended to, but not limited
47 to, eligible members arriving to practice in Maine after the beginning of the fiscal year,
48 hardship cases and those situations the Board of Directors deems appropriate.
49

50 Section 5. Assessments may be made upon members of the Association by the Board of Directors,
51 but only after the approval of two-thirds (2/3) of those active members present at a

1 regular or special meeting of the General Assembly, thirty days previous notice of the
2 proposed assessment having been given in writing, or published in the Newsletter of the
3 Association, and mailed to the last known address of all active members in good
4 standing. All assessments, unless otherwise stated, are to be pro-rated in the same
5 proportion as dues, special rates, and educational fees bear to the rate of dues for active
6 membership. Assessments are due when the bill is rendered by the Treasurer and failure
7 or delay in payment shall be treated as delinquency in dues.
8

9 Section 6. Dues shall be apportioned to the accounts of the Association.
10
11

12 **Article VII – GENERAL ASSEMBLY**

13

14 Section 1. All Association members in good standing and others, who may be invited by the
15 President with the approval of the Assembly, may attend meetings of the General
16 Assembly, express opinions, but only active members have the right to make motions and
17 vote.
18

19 Section 2. The General Assembly is the legislative body of the Association. It elects all officers and
20 directors, except the Executive Director and elects the Delegates and Alternates from this
21 divisional society to the AOA House of Delegates. It is the only body which can amend
22 the by-laws of this Association or levy an assessment upon the members. It adopts the
23 annual budget of the Association. All officers, the Board of Directors, bureaus and
24 Committees report their activities to the Assembly, either as summary reports or
25 completely, upon request of the Assembly.
26

27 Section 3. The General Assembly shall convene in conjunction with the Annual Meeting in June,
28 but the meetings may be changed for reasonable cause by the Board of Directors upon
29 ten days' notice from the Executive Director.
30

31 Section 4. Special Meetings of the General Assembly shall be called by the President, or by the
32 Board of Directors on a petition of five Board members to the President. Notices of a
33 Special Meeting shall be mailed ten days in advance to all regular members unless an
34 emergency is declared by the Board, when 24 hours notice shall suffice.
35

36 Section 5. A quorum of the General Assembly shall consist of those regular members present at the
37 call to order, providing that the call to order is at the time, or immediately following the
38 time proposed in the officially and legally called and announced meeting, and at the
39 announced place.
40

41 Section 6. The meeting of the General Assembly shall be governed by the most current revision of
42 "Robert's Rules of Order", except in such instances as are specifically provided for in
43 these by-laws or in the order of business which may be adopted from time to time.
44

45 Section 7. The President is the presiding officer of the Assembly, and the President-Elect in his
46 absence. The Executive Director is the presiding officer in the absence of the President
47 and President-Elect, but only until a Chairman pro-tem can be elected. The Executive
48 Director is the Secretary to the Assembly.
49

50 **Article VIII - ELECTION OF OFFICERS AND DIRECTORS**

51

- 1 Section 1. The elected officers of this Association shall be a President, President-Elect and
2 Treasurer. These officers must be members of the AOA.
3
- 4 Section 2. Appointed officers shall be an Executive Director, appointed by the Board of Directors
5 for such term as the Board shall define.
6
- 7 Section 3. Directors of the Association shall be the President, the Immediate Past President, the
8 President-Elect, the Treasurer, and up to seventeen other members, one of whom shall be
9 a postgraduate representative and one of whom shall be a student representative. All
10 directors must be members of the AOA and at least eleven members shall be active
11 members of the Association at the time of their election.
12
- 13 Section 4. A President, President-Elect and Treasurer shall be nominated by the Board of Directors
14 for one year, and their names presented to the Association at the annual Meeting of the
15 General Assembly. Nominations can be made from the floor at time of election. The
16 General Assembly shall elect these officers by ballot and a majority of all votes cast is
17 necessary for election. A candidate for President-Elect must have served or be serving as
18 a member of the Board of Directors at the time of election.
19
- 20 Section 5. In addition to the election of officer, the voting members shall elect directors to serve
21 three year expiring terms and all vacant positions.
22
- 23 Section 6. Directors shall be nominated by the Board of Directors for three year terms, and their
24 names presented to the Association at the Annual Meeting of the Assembly. The
25 Assembly shall elect these directors by ballot and a majority of all votes necessary for
26 election. Nominations may be made from the floor at the time of the General assembly
27 Convention. Such nominations shall be made only with the consent of the nominee, and
28 upon being seconded, made subject to the vote of the Assembly.
29
- 30 Section 7. Elected Directors will include the Representative SGA of UNECOM and one
31 postgraduate (Intern/Resident) Representative with full voting rights, enrolled in an
32 AOA/ACGME approved training program, who is a member of the AOA and is elected
33 at an annual meeting of eligible residents with that as an agenda item. They shall both
34 have one year terms.
35
- 36 Section 8. Vacancies occurring among officers and directors, whether by resignation, death or
37 official removal, shall be filled by appointment by the Board of Directors, and said
38 officer or director shall serve until the next annual meeting.
39

40 **Article IX – BOARD OF DIRECTORS**

41

- 42 Section 1. The Board of Directors is the executive and administrative unit of the Association. It
43 handles the finances of the Association, and once the budget has been approved by the
44 General Assembly, authorizes and supervises the expenditures thereof. It appoints the
45 Executive Director, fixes the length of his/her term of office, the amount of his/her
46 salary, his/her expenses allowance, and his/her duties. It determines the duties of all
47 officials, bureaus and committees for the proper execution of the policies of the
48 Association. All Presidential appointments of committee chairpersons and members of
49 such committees are subject to approval by the Board. It hears reports by all standing
50 and special committees and acts upon the recommendations contained therein. It acts
51 upon membership applications, requests for abatement or partial abatement of dues, and

1 may vote a membership for less than the regular dues. It acts upon matters referred to it
2 by the General Assembly.

3
4 Section 2. The Board of Directors shall convene at the time of the General Assembly and at least 3
5 additional times throughout the year as scheduled by the Board of directors.

6
7 Section 3. Special Meetings of the Board may be called by the President upon 24 hours notice when
8 business is urgent, otherwise ten days notice must be given. Special Meetings of the
9 Board must be called by the President upon petition of three members of the Board to the
10 President.

11
12 Section 4. All regular members in good standing may attend meetings of the Board and express
13 opinions, but only directors may make motions and vote. Special member and guests
14 may be invited to attend meetings of the board by the President, subject to the approval
15 of a majority of the Board. When extenuating circumstances dictate, executive sessions
16 may be held, and must be held when the Board is considering nominations. All awards
17 given to the membership are at the discretion of the Board of Directors.

18
19 Section 5. A quorum of the Board shall consist of all Board members present at the call to order,
20 providing that the call to order is at the time, or immediately following the time proposed
21 in the announcement of the meeting, and at the announced place.

22
23 Section 6. The President is the presiding officer of the Board and the President-Elect in his/her
24 absence. The Immediate Past President is the presiding officer in the absence of both the
25 President and the President-Elect.

26
27 Section 7. The Executive Director is the Secretary to the Board.

28
29 Section 8. The Board shall have the power to remove any officer or director of this Association,
30 after careful investigation and by a three-fourths (3/4) vote by secret ballot, when in their
31 opinion the best interest of the Association would be served thereby.

32
33 Section 9. The meetings of the Board shall be governed by the most current revision of "Robert's
34 rules of Order", except in such instances as are specifically provided for in these by-laws
35 or in the order of business which may be adopted from time to time.

36
37 Section 10. A minority of one-third or more members of the Board present at any session may appeal
38 to the General Assembly from the decision of the majority on any question at the current
39 meeting.

40
41 Section 11. The Executive Committee shall transact the business of the board between meetings of
42 the Board.

43
44 **Article X – EXECUTIVE COMMITTEE**

45
46 Section 1. The Executive Committee shall consist of the President, Immediate Past President,
47 Treasurer and President-Elect, when acting for the Board; and the preceding plus any two
48 MOA/AOA members in good standing, selected by the President, when acting as a
49 special committee. (The President may select different MOA members for different
50 needs.)

- 1 Section 2. The Executive Director shall be Secretary to the Executive Committee, without vote.
2
3 Section 3. The Executive Committee shall transact the business of the Board of Directors between
4 meetings of the Board. It advises the President and Executive Director. It acts as a
5 steering committee, acting, in such cases as a special committee. It makes
6 recommendations to the Governor and appropriate state agencies for the appointment of
7 qualified osteopathic physicians to fill vacancies on the Board of Osteopathic Licensure,
8 and all governmental and nongovernmental agencies as deemed appropriate.
9
10 Section 4. It shall be considered as the agency of the Full Board in matters of great emergency when
11 time precludes the calling of a meeting of the entire board, but every effort shall be
12 expended to acquaint all members of the Board with the existing situation and subsequent
13 actions at the earliest possible moment.
14
15 Section 5. All Executive Committee actions must be reported to the Board.
16
17 Section 6. The Executive Committee may adopt no policy and all of its transactions must be in
18 conformance with the by-laws and other adopted directives of the Association.
19
20 Section 7. The Executive Committee meets on call of the President or as directed by the Board, and
21 it may conduct its business, in special cases, by telephone. A quorum at any meeting of
22 the Executive Committee shall be three.
23

24 **Article XI – MEETINGS**
25

- 26 Section 1. There shall be an Annual Meeting of the Association membership convened in General
27 Assembly.
28
29 Section 2. Special meetings may be called by the President or Board upon 24 hours notice when
30 business is urgent, otherwise ten days notice must be given.
31

32 **Article XII – DUTIES OF OFFICERS**
33

- 34 Section 1. The President shall preside at all meetings of the Association and shall perform the duties
35 usually pertaining to his/her office. He/She shall be the chairperson of the board of
36 Directors and of the Executive Committee. He/She shall appoint, subject to the approval
37 of the Board, the chairpersons of all standing committees, standing and special, unless
38 otherwise specified in the by-laws, and in accordance with the directives contained in the
39 Manual of Procedure or as established by the Board or the General Assembly.
40
41 Section 2. The President-Elect, shall perform the duties usually pertaining to his/her office. Should
42 the office of President become vacant, the President-Elect shall assume the duties thereof
43 until the next annual meeting, when he/she shall become President.
44
45 Section 3. The Immediate Past-President shall review the by-laws annually and present any changes
46 to the Board of Directors.
47
48 Section 4. The Executive Director shall be the chief administrative officer of the Association, and
49 the executive and recording secretary to the Association, and shall perform the duties
50 usually pertaining to his/her position as described in the current job description on file in
51 the central office.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

Article XIII – TERMS OF OFFICE AND FISCAL YEAR

- Section 1. The official unit of time for the Association for tenure of office of officials elected by the General assembly extends from the time of installations at the close of the Annual General Assembly which elected them, until their successors are installed at the close of the next annual General Assembly. Directors shall be elected for staggered three year terms, and those elected at an annual General Assembly shall take office at the close of the meeting.
- Section 2. Directors are limited to three consecutive terms of office on the Board of Directors. After serving three terms, a member will not be eligible for re-election for a period of at least one year.
- Section 3. The financial unit of time, the fiscal year, extends from January 1, to December 31, both inclusive.

Article XIV – STANDING COMMITTEES

- Section 1. The activities of all committees shall, so far as possible be executed in close cooperation with the Executive Director. Upon the expiration of the terms of office of chairpersons, all records of the same shall be delivered by the chairpersons to the Executive Director.
- Section 2. The Board of Directors of the Association is to be assisted in the supervision and coordination of the professional and business affairs and activities of the Association by the members of the Standing Committees. The Standing Committees shall be appointed by the President and elected by the Board of Directors. They shall be responsible in the functions described by the title of each committee and operate in the manner described in the Manual of Operation of the Association.
- Section 3. There shall be designated by the Chairs of Standing committees and/or appointed by the President certain members to further assist MOA through the development of Ad-hoc committees.
- Section 4. The Chairpersons of all Standing Committees shall be responsible for submission of reports and recommendations of their Committee and Sub-Committee activities and concerns at each quarterly meeting of the board of Directors, or, as requested, to such special meetings as may be called by the Executive Committee, the Board of Directors or the General Assembly.
- Section 5. Special Committees may be established by the President, the Board of Directors or the General Assembly to carry out specific assignments, generally of limited duration.

Article XV – DELEGATES TO THE AMERICAN OSTEOPATHIC ASSOCIATION

- Section 1. Delegates to the American Osteopathic Association House of Delegates shall be elected by the Maine Osteopathic Association General Assembly. Prior to election, a nominee for delegate shall be a current member in good stand of the Maine Osteopathic Association and the American Osteopathic Association and shall have served at least two (2) years on the Board of Directors of the Maine Osteopathic Association.

1 Section 2. The board of Directors of the Maine Osteopathic Association shall appoint as many
2 alternates as the AOA allows. The first alternates will be expected to succeed on elected
3 delegate whenever the delegate is deemed by the Board of Directors unable to complete
4 the term to which elected. In such an event, the alternate will serve as delegate for the
5 period of the unexpired term of the elected delegate. The Board of Directors may, in
6 such case, appoint a temporary alternate having MOA board service.
7

8 Section 3. **A delegate's term of office shall be three (3) years; an alternate's term of office shall**
9 **be one (1) year. Delegates shall serve no more than three consecutive (3) three-year**
10 **terms. A member will not be eligible for re-election for a period of at least one year.**
11 **The Board of Directors may waive this limit of term, if the delegate is currently**
12 **servng as a full voting member of an AOA Committee, a candidate for the AOA**
13 **Board of Trustees, or in an elected capacity within the AOA.**
14

15 Section 4. The chair of the delegation shall be the senior delegate as established by the date of his or
16 her election to the office.
17

18 Section 5. Delegates to the American Osteopathic Association House of Delegates shall be elected
19 for staggered three (3) year terms. Elections will be held annually to fill the expiring
20 term and any other term that may become vacant. The term of office shall extend from
21 the adjournment of the General Assembly at which the delegate is elected until the term
22 expires and another delegate is elected.
23

24 Section 6. Delegates and alternates shall be expected to attend meetings of the Maine Osteopathic
25 Association Board of Directors, without vote. Delegates and alternates are bound in
26 principle to recognize the instructions of the General Assembly, Board of Directors or
27 Executive Committee. The Chair of the delegation shall report to the Board of Directors
28 following each session of the American Osteopathic Association House of Delegates.
29

30 **Article XVI – AUXILIARY ORGANIZATIONS**

31
32 Section 1. The Auxiliary to the Maine Osteopathic Association shall be recognized as an official
33 auxiliary organization of the association.
34

35 **Article XVII – AMENDMENTS TO BY-LAWS**

36
37 Section 1. These by-laws may be enacted by a two-thirds (2/3) vote of those members present at any
38 regular or duly called meeting of the General Assembly, thirty days previous notice of
39 the proposed amendment having been given in writing or published in the
40 NEWSLETTER of the Association, and mailed to the last address of all regular members
41 in good standing.
42
43
44
45

46 *Revised 2/96*

47 *Revised 6/03*

48 *Revised 6/04*

49 *Revised 6/05*