

# Ohio Association of Oral and Maxillofacial Surgeons

## Bylaws

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### Article I: NAME

The name of this organization shall be: The Ohio Society of Oral and Maxillofacial Surgeons.

### Article II: OBJECT

The purpose of this Society shall be:

- A. To contribute to the public health and welfare through educational, scientific professional programs for the advancement of oral and maxillofacial surgery.
- B. To encourage its fellows and members to discharge their civic and professional responsibilities to the community.
- C. To provide among its members, opportunities for social and professional community.
- D. To assist the American Association of Oral and Maxillofacial Surgeons in its endeavor as may be possible within the geographic boundaries of the organization.
- E. To represent oral and maxillofacial surgery on a statewide basis.

### Article III: ORGANIZATION

#### Section I - Incorporation

The Society is a not for profit organization, chartered under the laws of the State of Ohio. If this corporation is dissolved at any time, its funds or property shall be distributed to the Oral and Maxillofacial Surgery Foundation (OMS) Fellowship Fund.

#### Section II - Status

This Society shall be a Component Society of the American Association of Oral and Maxillofacial Surgeons.

## Section III-Membership

The membership of this Society shall consist of:

- A. Those members of the dental profession who are graduates of an accredited dental school.
- B. Have completed an accredited oral and maxillofacial surgery training program.
- C. Maintain a license or permit in dentistry or medicine in Ohio.
- D. Hold membership in the American Association of Oral and Maxillofacial Surgeons.
- E. Fulfillment of an on-site office evaluation and reevaluation every five (5) years based on the AAOMS office anesthesia evaluation program or required applicable state regulations provided they meet the AAOMS office anesthesia evaluation program guidelines and such other members as are provided for in Chapter I of the Bylaws.

In the instance of oral and maxillofacial surgeons who trained in foreign programs not recognized by the ADA Commission on Dental Accreditation, but who are practicing or teaching within the United States, the Committee on Membership shall determine their eligibility for OSOMS membership.

Where "fellow", "member" and the masculine pronoun appears in this document, they shall be understood to include both females and males.

## Article IV: GOVERNMENT

### Section I - The Legislative Body

The legislative body and governing body of this Society shall be the fellows and members. A quorum shall consist of three-fourths (3/4) of the fellows and members registered at any meeting for the purpose of conducting business.

### Section II - Administrative Body

The administrative body of this Society shall be the Executive Council as provided for in Chapter III of the Bylaws.

## Article V: OFFICERS

The officers of this Society shall be elected and shall consist of President, President Elect, Vice President, Treasurer, Delegates and Alternate Delegates, and shall be elected by the Fellows and Members voting at the annual meeting of the Society and the voting shall be by closed ballot. The number of Delegates and Alternate Delegates elected each year shall be determined according to Chapter V, Section 10 of the Bylaws of the American Association of Oral and Maxillofacial Surgeons.

## Article VI: ANNUAL MEETINGS

There shall be one annual meeting as provided for in Chapter VI of the bylaws.

## Article VII: AMENDMENTS

This Constitution may be amended by a three-fourths (3/4) vote of the fellows and members present and registered at any annual business meeting, provided the proposed amendment shall have been presented in written form to the membership at least thirty (30) days prior to the annual meeting at which this amendment is proposed for adoption. This Constitution may also be amended at any annual meeting by the unanimous vote of Fellows and Members present and registered.

## **Chapter I: MEMBERSHIP I**

### **Section I - Classification**

The membership of this Society shall be classified as follows:

- A. Fellow
- B. Member
- C. Life Fellow and Life Member
- D. Honorary Fellow
- E. Affiliate Fellow and Affiliate Member
- F. Retired Fellow and Retired Member
- G. Associate Member
- H. Resident Member
- I. Provisional Member

### **Section II - Qualifications**

#### **A. Fellow**

Shall be a fellow of the AAOMS and practice within the geographic boundaries of the State of Ohio. A fellow is eligible to be a member of the House of Delegates of the AAOMS and is able to vote and hold office.

#### **B. Member**

Shall be a member of the AAOMS and practice within the geographic boundaries of the State of Ohio. A member shall enjoy the same privileges as a Fellow except the right to serve in the House of Delegates of the AAOMS or hold office. They may vote and upon becoming a fellow of the AAOMS, a member shall automatically assume the same classification of membership in this Society.

#### **C. Life Fellow & Life Member**

A fellow or member may apply for the status of life fellow or life member as prescribed by the AAOMS. This class of membership will have the same privileges as a fellow and a member.

#### **D. Honorary Fellow**

Honorary membership may be granted to those holding no other class of membership in the Society who have made distinguished contributions to the specialty of Oral and Maxillofacial Surgery. Nominations to this status shall bear the names of five (5) fellows and election shall be by the Society. Not more than one Honorary Member may be elected in anyone year. These individuals may not vote or hold office in the OSOMS.

#### **E. Affiliate Fellow & Affiliate Member**

Shall meet the requirements for membership as prescribed by the AAOMS and shall not practice within the geographic boundaries of the State of Ohio. They may not vote or hold office in OSOMS.

#### **F. Retired Fellow & Retired Member**

Retired membership shall be granted to those members who are retired and who comply with the same requirements for this classification as so stated in the AAOMS Constitution and By-laws. They may not vote or hold office in OSOMS.

#### **G. Associate Member**

One who meets all criteria for membership as outlined in Article III, section III except membership in the AAOMS and does not have the right

to hold office or vote on matters pertaining to the AAOMS.

#### H. Resident Member

Those individuals in training in an ADA accredited training program in oral and maxillofacial surgery located in State of Ohio. They may not vote or hold office in OSOMS. Residents in their senior year shall be allowed to begin their application process in the Ohio Society of OSOMS prior to graduation from any ADA accredited training program in oral and maxillofacial surgery.

#### I. Provisional Member

One who meets all requisites for membership except the fulfillment of an on-site office anesthesia evaluation. The provisional member must have an active application for an on-site office anesthesia evaluation with the proper Ohio regulatory agency or with the OSOMS, whichever is applicable, that is not greater than two (2) years in duration. If an on-site office anesthesia evaluation is not fulfilled within this two year period, the provisional membership is concluded and the individual must re-apply for candidate status, unless an exemption is granted for special circumstances as defined by the Committee on Membership of the OSOMS.

A provisional member shall enjoy all the privileges of the OSOMS except the right to serve in the House of Delegates. They may vote, but may not hold office.

Upon successful completion of the office on-site anesthesia evaluation the provisional member shall automatically be transferred to the proper membership classification as determined by the OSOMS Committee on Membership.

## Chapter I: MEMBERSHIP II

### Section III - Application and Certification

- A. Applicants for each category of membership must apply on special forms which are available from the Secretary of the Society.
- B. Applicants for membership in this Society shall complete the regular application form as provided by the Society for that purpose. The application, properly endorsed, with the application fee and a photo of the applicant shall then be sent to the Secretary.
- C. The Secretary shall send to the Membership Committee all applications for membership as received. The Committee shall complete its investigations as soon as practical and present the results at the first Annual Meeting after filing. If the candidate's qualifications are found to be satisfactory by the Membership Committee, their name shall be submitted for election to membership in this Society at the first Annual meeting.
- D. Election of membership in this Society is by written ballot at a regularly scheduled meeting of the Society. To elect a candidate, a three-fourths (3/4) affirmative vote of fellows and members present is necessary.
- E. Candidates not elected to fellowship or membership shall be permitted to make new application following rejection, and must meet the current Bylaw eligibility requirements for membership.
- F. If the candidate for fellow or member is denied OSOMS society membership, the candidate must appeal within ninety (90) days. The OSOMS society must notify the candidate of his right of appeal, upon his denial of membership.
- G. If the candidate appeals, the OSOMS will be required to set up a OSOMS Peer Review Committee or an appropriate body within the OSOMS comprised of three component members (excluding those on the Membership Committee) to evaluate the candidate within six (6) months. A detailed and documented evaluation of allegations made against the candidate shall be conducted by the OSOMS Peer Review Committee to determine validity of said allegations. All OSOMS members shall be notified to submit written concerns regarding the candidate to the Peer Review Committee during the six-month evaluation period. After evaluation, should allegations presented prove to be unsubstantiated, OSOMS membership shall be granted. After evaluation, if membership is again denied, the review committee is required to report (by way of an OSOMS notice of Appeal Form) on the candidate denied membership, to the AAOMS Committee on Membership. The OSOMS must notify the candidate at that time of his right to appeal to the AAOMS.
- H. A candidate denied membership after an appeal to the OSOMS, has the right to appeal that decision to a national review committee. The candidate has ninety (90) days to file written appeal to the AAOMS Committee on Membership (through Candidate Notice of Appeal Form). Within six (6) months, the AAOMS Committee on Membership will establish a four (4) member Review Committee composed of the Chairman of the AAOMS Committee on Membership as moderator, and three (3) voting members: one from the AAOMS Membership Committee, one from the OSOMS Membership Committee and a third voting member as a neutral arbitrator, i.e., a retired judge or one from an organization such as the American Arbitration Association.
- I. The candidate may have an advisor present to assist and speak on his/her behalf. The proceeding shall be non-adversarial and not subject to cross examination. A verbatim transcript shall be made of the national review committee meeting, the cost to be borne by AAOMS. Copies of the transcript will be provided to the respondent upon request at his/her expense. All costs associated with OSOMS and candidate representation during the appeal process shall be borne by the OSOMS and the

candidate respectively. This AAOMS/OSOMS Review Committee will interview and evaluate the candidate, make the determination of the individual's eligibility with the decision of the Review Committee binding on both the AAOMS and the OSOMS.

#### Section IV - Leave of Absence

In the event a member of the Society must suspend their practice due to personal illness, injury or other extenuating circumstances, their dues shall be waived at the discretion of the Executive Council for a period of one year, at which time their case will be reviewed by the Executive Council. Dues will be resumed when the member resumes practice.

#### Section V - Termination of Membership

- A. A fellow, member, etc. of the Society may resign from the Society at any time by writing the Secretary and returning the Certificate of Membership.
- B. A fellow, member, etc. shall be disqualified by failure to limit their practice exclusively to oral and maxillofacial surgery and any other ADA recognized specialty for which they are educationally qualified and meets the standards of the ADA Council on Dental Education and/or the AMA Accreditation Council on Graduate Medical Education.
- C. Delinquent Members: Provided for in Chapter V.
- D. A fellow, member, etc. may be suspended from the Society for violations of the Code of Professional Conduct or Pledge of the AAOMS. Charges may be initiated and disciplinary action taken in accordance with AAOMS judicial procedures. Such charges will be investigated by the Committee on Professional Conduct and follow the guidelines of the Code of Professional Conduct and Judicial Procedures as outlined by the AAOMS. The right of a member to a hearing and appeal if desired, shall at all times be preserved.
- E. Any Fellow or Member shall be disqualified upon loss of membership in the American Dental Association. Fellows and Members must be members in good standing in the American Association of Oral and Maxillofacial Surgeons.

### **Chapter II: ELECTED OFFICERS**

Section I - The officers of this Society shall be as follows:

President

President-elect

Vice President

Treasurer

Delegates

Alternate Delegates

- A. The President-elect, Vice President and Treasurer shall be elected by a majority vote at the annual meeting to serve one year and shall serve until their successors are elected and installed. Two Delegates shall be elected by the fellows and members at an annual meeting to serve a three (3) year term, and shall serve until their successors are elected and installed. Elected delegates must have served as an alternate delegate for at least one year prior to being elected as a delegate. Two alternate delegates shall be elected annually by the fellows and members at an annual meeting to serve until replaced. The Immediate Past President shall serve as alternate delegate for one year and delegate for one year following his term as Immediate Past President.
- B. Upon expiration of the President's term of office, the President-elect



shall become President of the Society for the ensuing year.

- C. In the event the office of President becomes vacant, the President-elect shall function as President for the remainder of that term.
- D. In the event the office of President-elect becomes vacant, the Vice-President shall function as President-elect for the remainder of that term and a President shall be elected at the following Annual meeting in the manner described in these By-laws, Chapter II, Section 2.
- E. In the event that the office of Vice-President becomes vacant, the Treasurer shall assume the functions of the Vice-President for the un-expired portion of the term in addition to his own duties.
- F. Vacancies in all other offices and committees shall be filled by the President.

## Section 2 - Nominations

The Nominating Committee shall consist of the Immediate Past President as Chairman and two Fellows elected by the membership. This committee shall present in writing to the membership, at the proper time, a slate for nomination of officers and Nominating Committee members. Nominations may also be made from the floor for any elective office and Nominating Committee.

## Section 3 - Restrictions of office

No member shall hold more than one elective office during anyone year except as provided in the Bylaws Chapter II, Section I, Paragraph E.

## Section 4 - Duties of the Officers

- A. President: The President shall preside at all meetings of the Society. He shall act as an advisor to and an ex-officio member on all committees. He shall appoint the regular standing committees of the Society and such other committees as the Society shall authorize and he shall perform such other duties as usually appertained to the office.
- B. President-elect: The President-elect shall cooperate with the President and make every effort to familiarize himself with the duties of that office. In the absence of the President or his inability to act, shall preside at all meetings of the Society.
- C. Vice President: The Vice-President shall assist the President in the discharge of his duties. The Vice-President is automatically Chairman of the Committee on Scientific Sessions.
- D. Treasurer: The Treasurer shall attend all meetings of the Society and shall keep minutes of their proceedings. He shall be the custodian of all records and papers belonging to the Society and shall keep account of all funds of the Society that come into his hands. He shall keep the Constitution and Bylaws up to date. He shall publish a program for each meeting which he shall cause to be mailed to each member. He shall notify candidates, Life and Honorary members of their election to membership, furnish them with a copy of the Constitution and By-laws. He shall keep a correct list of the members of the Society and their standing. He shall carry on all correspondence of the Society and shall pay bills and keep correct account of the same. He shall make full and detailed report of the financial affairs of the Society at each annual meeting, and shall submit his account to such examination as the Society shall direct. All funds and securities shall be deposited in the name of the Society in a responsible bank. At the expiration of his term of office, he shall deliver to his successor all funds, securities, papers, books and other records relating thereto. He shall perform such other duties as usually appertained to the office of Treasurer. He shall be able to employ an Executive Secretary to help with his duties. He shall prepare or cause to be prepared an annual budget to be presented for approval at the first Executive Committee meeting of each year.
- E. Delegates: The delegates shall represent this Society in the House of Delegates of the American Association of Oral and Maxillofacial

Surgeons. Duties of the delegates are delineated in Chapter V, Section 50, of the By-laws of the American Association of Oral and Maxillofacial Surgeons. Delegates shall work with the other members of the Executive Council of this Society to properly inform the membership of actions taken by the House of Delegates and other pertinent information of which they have knowledge. They shall serve as representatives of the Society at the District Caucus.

- F. Alternate Delegates: The alternate delegates shall, when necessary, act as replacements for duly elected Delegates with identical duties and responsibilities thereof.

#### Section 5 - Removal from Office

Elected officers of the OSOMS may be removed from office for valid cause by:

- A. A majority vote of the fellows and members present and voting at an annual or special meeting of the membership on a motion to rescind the election of the accused officer, following delivery of notice to the accused officer not less than twenty (20) days and not more than sixty (60) days prior to said vote, and in accordance with the principles of fairness and due process.
- B. Imposition of discipline of censure or suspension from membership in the AAOMS by the Commission on Professional Conduct or the Appeals Board of the Board of Trustees.

### **Chapter III: EXECUTIVE COUNCIL**

#### Section 1 - Composition

The Executive Council shall be composed of the Immediate Past President, President, President-elect, the Vice-President, the Treasurer, and the Delegates and Alternate Delegates to the House of Delegates of the American Association of Oral and Maxillofacial Surgeons.

#### Section 2 - Presiding Officer

The President shall be the presiding officer at the meeting of the Executive Council, and in his absence, the President-elect. The Treasurer shall serve as the recording officer.

#### Section 3 - Duties

The Executive Council shall be the governing body of this Society, manage its affairs, conduct its business and control disbursements of its funds with the sanction of the Society at large through proper report.

### **Chapter IV: COMMITTEES AND THEIR DUTIES**

The President, immediately after his election, shall appoint the standing committees to be known as follows:

- A. Committee on Professional Conduct: The committee shall be composed of three (3) members, appointed each year on a regional basis. The President may appoint auxiliary members for a one year term on a regional basis to aid the committee in its duties. The duties of the committee shall be to supervise, investigate, and conduct matters pertaining to competency and ethics and professional conduct, within the guidelines set forth by the Ohio Dental Association and the American Association of Oral and Maxillofacial Surgeons.
- B. Committee on Anesthesia: The committee shall investigate and recommend action by the Society to help insure that local and general anesthesia is provided in a proper fashion by its members according to the guidelines of the Ohio Dental Board and the AAOMS.
- C. Committee on Constitution and by-laws: The committee shall review the



articles of the Constitution and By-laws in order to keep them consistent with the Society's programs; recommend editorial corrections in the Bylaws, and act as the standing committee on Constitution and Bylaws.

D. Committee on Health Care Programs: The Committee shall formulate and recommend policies relating to the planning and administration of oral and maxillofacial surgery in dental and other health care programs; and assist the ODA Council on Dental Care Programs in the development and implementation of Peer review and quality assurance programs.

E. Committee on Hospital Affairs: The committee shall review and analyze all matters pertaining to hospital affairs and present such recommendations as are designed to promote the role of oral and maxillofacial surgery in hospitals.

F. Committee on Government Affairs: The committee shall investigate and recommend action by the Society in local and state legislative matters, but no such recommendations shall be undertaken except upon approval of the Executive Committee or wherever previous policy has been established and upon establishment of proper liaison with the American Dental Association.

G. Committee on Membership: The committee shall conduct an investigation of the professional and ethical qualities of each applicant for membership. If the credentials meet the requirements for membership as established, the committee shall report its findings, with recommendations, to the membership. If deemed necessary in its deliberations, the committee may conduct a personal interview with the candidate.

H. Committee on Practice Management: The committee shall develop, plan, implement and evaluate practice management continuing education programs and non-professional liability and insurance matters.

I. Committee on Public Information: The committee shall plan, develop and implement continuing education programs and services for the general public and health professions in regards to oral and maxillofacial surgery.

J. Committee on Scientific Sessions: The committee shall plan, develop, and implement the scientific programs for the Annual Meeting and Clinical Congresses.

K. Committee on Membership Appeals: The committee shall be composed of three (3) Fellows or Members, appointed each year on a regional basis. The duties of the committee shall be to evaluate the applicant or individual who has been denied or lost membership in the OSOMS and wishes to follow the appeals process. This committee will follow the guidelines of the membership appeals process of the AAOMS.

## **Chapter V: FEES AND DUES**

### **Section 1**

The initiation fee for all categories of membership shall be that which is established by the Executive Committee and approved by majority vote of the Fellows and Members in good standing and voting at regularly scheduled Annual Meetings.

### **Section 2**

The fiscal year of this Society shall be the calendar year.

### **Section 3**

A. The annual dues for all categories of membership shall be that which is established by the Executive Committee and approved by the Fellows and Members in good standing. The dues shall be payable during the fiscal year of the Society. Life, Retired and Honorary Members shall be exempt from annual dues. Dues are waived for graduating Residents for the year they are elected to membership. The dues may be changed at the regularly scheduled Annual Meeting upon a vote of three-fourths

(3/4) of the Fellows and Members present at the meeting, provided that the proposal shall have been presented in writing to the entire membership at least thirty (30) days prior to the meeting.

- B. The policy of the Ohio Society of Oral and Maxillofacial Surgeons regarding delinquency in annual dues and assessments shall be the same as the policy of the American Association of Oral and Maxillofacial Surgeons, being February 1st of the fiscal year. A late charge of 15 will be added to all dues and assessments not paid by February 1st of the fiscal year of the Society.

#### Section 4

A Fellow or Member is in good standing, unless disqualified, when the dues are paid up to and including the current year. Fellows, Members, etc. shall be classified as delinquent when dues, assessments and fees are not paid on or before February 1 of the current fiscal year and will automatically be dropped from the membership rolls or failure to pay dues, assessments and fees prior to the Annual Meeting of the first year of delinquency.

#### Section 5

- A. Any Fellow or Member dropped for non-payment of dues and assessments may be reinstated within one year of being dropped, by payment of past dues, dues for the current year including assessments and delinquency charges.
- B. If reinstatement requests are made after one year following termination of fellowship or membership, a Fellow or Member may reapply only by submitting a reinstatement form with a reinstatement fee which shall be twice the current application fee, payment of current year's dues and all assessments that have not been paid within the past five years and meeting all current eligibility requirements.

### **Chapter VI: MEETINGS**

#### Section 1 - Annual Meeting

The Executive Committee shall determine the time, place and budget of the Annual meeting.

#### Section 2 - Special Meetings

- A. The President of the Ohio Society of Oral and Maxillofacial Surgeons shall be able to convene meetings when he deems that it is necessary. Thirty (30) days advance notice, in writing, is required.
- B. Any six (6) members of the Executive Council shall be able to convene meetings when they deem that it is necessary. Thirty (30) days advance notice, in writing, is required.
- C. There should be four Executive Council meetings a year.

### **Chapter VII: CODE OF ETHICS**

Members of this Society shall be governed in ethical matters by the Code of Ethics of the American Dental Association and the American Association of Oral and Maxillofacial Surgeons, and the Pledge of Membership.

### **Chapter VIII: DEFINITIONS OF THE ASSOCIATION**

#### Section 1

Dentistry is defined as the evaluation, diagnosis, prevention and/or treatment non-surgical, surgical or related procedures of diseases, disorders and/or conditions of the oral cavity, maxillofacial area and/or adjacent and associated structures and their impact on the human body;

provided by a dentist, within the scope of his/her education, training and experience, in accordance with the ethics of the profession and applicable law.

Oral and Maxillofacial Surgery is the specialty of dentistry which includes the diagnosis, surgical and adjunctive treatment of diseases, injuries and defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial region.

## **Chapter IX: AMENDMENTS AND MISCELLANEOUS PROVISIONS**

### **Section 1 - Amendments**

These By-laws and any part thereof may be amended or repealed and new By-laws adopted by written ballot of three-fourths (3/4) of the fellows and members at an annual business meeting, provided the proposed amendment shall have been presented in written form to the Officers, Fellows and members of the Society at least thirty (30) days before the meeting at which this amendment is proposed for adoption. The Bylaws may also be amended at any annual meeting by the unanimous vote of fellows and members present and registered.

Changing of Practice Location: AAOMS fellows and members changing the location of their primary practice to another state shall apply for membership in the new component society and must complete all the requirements, including the office anesthesia evaluation, if applicable, within two years of the relocation of their primary practice. Following the two-year period, those who have applied for membership in the component society but have not completed their office anesthesia evaluation program shall be transferred to provisional member status.

### **Section 2 - Order of Business**

The Order of Business of this Society shall be:

- A. Reading the minutes
- B. Communications
- C. Treasurer's report
- D. Reporting of officers and delegates
- E. Committee reports (shall be acted upon immediately after being given)
- F. Balloting for candidates for membership
- G. Unfinished business
- H. New business
- I. Election of officers when applicable
- J. Good and Welfare
- K. Adjournment

The Sturgis Standard Code of Parliamentary Procedure, as most recently revised, shall be parliamentary authority for all activities of the Society not otherwise governed by rules, by-laws, or procedures of this Society.