



**NATIONAL ASSOCIATION OF LONG
TERM CARE ADMINISTRATOR BOARDS**

BYLAWS

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I ARTICLE I NAME

The name of the association shall be the NATIONAL ASSOCIATION OF LONG TERM CARE ADMINISTRATOR BOARDS, hereinafter referred to as the association, or NAB.

II ARTICLE 2 DEFINITION

NAB is a not-for-profit corporation developed by the long-term care administrator boards of examiners and/or licensing authorities of the states, commonwealths, territories of the United States of America and the District of Columbia.

III ARTICLE 3 MISSION STATEMENT AND OBJECTIVES

SECTION 1: Enhance the effectiveness and success of member boards and agencies.

SECTION 2: The objectives of the association shall be in accordance with the NAB Strategic Plan

IV ARTICLE 4 MEMBERSHIP

SECTION 1 TYPES: The membership of the association shall be composed of governing, subscribing, international, organizational and Randy Lindner distinguished leadership award members.

SECTION 2. GOVERNING: The boards of examiners and/or licensing authorities of a state, commonwealth, territories of the United States of America and the District of Columbia charged with the examining, licensing and/or registration of senior living and health services executives shall be eligible for governing membership in the association.

- A. Governing members in good standing are eligible to name a delegate to serve on the Board of Governors and access the NAB exam candidate application system for candidate eligibility and score reporting for use of any credentialing examination(s) authorized and developed by the association.
- B. Only appointed/elected representatives, their executive director/secretary, and/or a designated employee(s) of NAB member state licensing boards/authorities shall be eligible to hold office, serve on committees, attend regular and special meetings of the association at the member rate, and have voting privileges if so, designated by the board of examiners and/or licensing authority, as defined in [Article VI, Section 1](#). Each governing member shall be limited to one designated voting delegate.

SECTION 3. SUBSCRIBING: Individual representatives Board members, upon the expiration of their term on a governing member state board, and executive directors/secretaries, upon termination of employment by the board, shall be eligible for subscribing membership in the association. Members of the faculty, holding academic rank at any university, college, or school offering a course of instruction for senior living and health services executives, representatives or paid staff members of any business or professional organization engaged in activities which relate to the objectives of NAB and who are not eligible for governing membership shall be eligible for subscribing membership in the association.

- A. Subscribing members shall be eligible to serve on any committee, except for any NAB examinations committee/subcommittee, unless approved by the NAB executive committee.
- B. Subscribing members (*except representatives or paid staff of trade, professional or other non-governmental organizations that present a conflict of interest*), shall be eligible to hold office, serve on committees, and to serve as a committee chair, but shall be ineligible to serve as a state delegate.

SECTION 4. INTERNATIONAL: Governmental bodies outside of a state, commonwealth, territories of the United States of America and the District of Columbia charged with the examining, licensing and/or registration of senior living and health services executives shall be eligible for international membership in the association.

- A. International members in good standing are eligible to name a primary and secondary member representative designated by the international member, and when utilizing NAB examinations as a requirement for licensure, certification, or registration, access the NAB exam candidate application system for candidate eligibility and score reporting.
- B. International member representatives shall be eligible to serve as standing committee member, participate in committee meetings except the examination committee meetings and attend regular and special meetings of the association at the member rate. International members shall be ineligible to hold office, serve as committee chair or vice-chair or hold representation on the Board of Governors.

SECTION 5. ORGANIZATIONAL: Academic Institutions offering a course of instruction for senior living and health services executives and non-profit professional societies and trade organizations.

- A. Organizational membership shall include one primary and one secondary individual representative designated by the organizational member.
- B. Organizational member representatives shall be eligible to serve on any committee, except for any NAB examinations committee/subcommittee, unless approved by the NAB Executive Committee.
- C. Organizational members (*except representatives that represent a conflict of interest*) shall be eligible to hold office, serve on committees, and to serve as a committee chair, but shall be ineligible to serve as a state delegate.

SECTION 6. RANDY LINDNER DISTINGUISHED LEADERSHIP AWARD MEMBER: A member who has served the association with distinction for at least five years and has made significant contributions to the operation and growth of the organization, and/or who has made significant contributions to the goals, philosophy and ethics of the senior living and health services executive profession shall be eligible for the Randy Lindner Distinguished Leadership Award.

Distinguished Leadership award members are entitled to attend meetings and serve on committees but cannot hold office or vote unless otherwise eligible/qualified.

SECTION 7. SUSPENSION AND EXPULSION: Governing members may be suspended or terminated for cause by vote of the Board of Governors following prior written notice to the member documenting the basis for such action. Sufficient cause for such suspension or termination of membership shall be a violation of the bylaws, violation of a lawful rule or practice duly adopted by the association, or other conduct constituting egregious harm to the association.

If the conduct of an executive director/secretary or representative/delegate of a governing member board is determined by the Executive Committee to be inconsistent with applicable duties or ethical standards, the presiding officer of his/her board shall be notified, and a replacement shall be selected.

If the conduct of a subscribing, international, organizational or a distinguished leadership member is determined by the Executive Committee to be inconsistent with applicable duties or ethical standards, the individual's membership may be suspended or terminated following prior written notice. If the individual represents a subscribing organizational member, the presiding officer of the organization shall be notified, and a replacement shall be selected.

V ARTICLE 5 DUES

SECTION 1. AMOUNT: The Board of Governors shall determine annual dues for all types of membership of the association. Past chairmen/presidents of NAB shall be exempt from paying membership dues. Membership dues are due and payable January 1 of each calendar year.

SECTION 2. GOVERNING MEMBER DUES: Payment of dues assessed for each NAB member state, commonwealth, district, or territory shall entitle governing members to name a delegate and to use the examinations as defined in [Article IV, Section 2](#). Payment of dues also entitles all members of governing member state boards and their executive director/secretary or designated representative/delegate of a state licensing authority the privileges defined in [Article IV, Section 2](#).

SECTION 3. SUBSCRIBING MEMBER DUES: Payment of dues assessed for subscribing members entitles the individual to subscribing membership privileges as defined in [Article IV, Section 3](#).

SECTION 4. INTERNATIONAL MEMBER DUES: Payment of dues assessed for international members entitles the member representatives to international membership privileges as defined in [Article IV, Section 4](#).

SECTION 5. ORGANIZATIONAL MEMBER DUES: Payment of dues assessed for organizational members entitles the member representatives to Organizational membership privileges as defined in [Article IV, Section 5](#).

SECTION 6. DISTINGUISHED LEADERSHIP MEMBER DUES: Distinguished leadership award winners are given a lifetime membership within NAB therefore paying no yearly dues.

SECTION 7. FAILURE TO PAY DUES: Members who fail to pay their dues within sixty (60) days from the time they become due shall be notified. If payment is not made within the next succeeding thirty (30) days that member shall, without further notice and without a hearing, be dropped from the membership rolls and thereupon forfeit all rights and privileges of membership, with the provision that the Board of Governors, **by rule**, may prescribe procedures for extending the time of payment of dues and continuation of membership privileges upon request of a member and for good cause shown.

VI ARTICLE 6 BOARD OF GOVERNORS

SECTION 1. MEMBERSHIP: The membership of the Board of Governors shall consist of:

- A. One (1) delegate from each governing member board/jurisdiction. Each governing member shall verify the jurisdiction's representative to the secretary of NAB on forms furnished by the association. The representative may cast one vote on all matters based on one vote per member board or agency.

SECTION 2. THE ELECTED OFFICERS OF THE NAB: Only designated delegates from each governing member board and NAB elected officers shall be eligible to serve on the Board of Governors. The governing member board delegate

continues to serve until a successor is appointed.

SECTION 3. DUTIES: The Board of Governors shall have supervision, direction, and control of the affairs of the association. It may appoint such agents, as it may consider necessary, to assist in the execution of the powers granted.

- A. The Board of Governors shall have power to buy, lease, or contract and maintain an executive office.
- B. The Board of Governors shall employ, contract and/or terminate the president and CEO. It shall adopt policies, which delineate the qualifications, duties, authority, and tenure of the president and CEO. The president and CEO, who is the general manager of the association, shall act on the directions of the Board of Governors through the NAB Chair.
- C. The Board of Governors at its regular meetings or by mail/electronic ballot, as it deems advisable, shall adopt policies which delineate the:
 - i. duties and authority of the chair, chair-elect, secretary, treasurer, and past chair.
 - ii. duties, authority, and conduct of meetings of the Executive Committee and each of the standing committees.
 - iii. ethical standards governing the behavior of officers and employees.
 - iv. manner in which all association business and activities shall be conducted.
- D. The Board of Governors shall review and approve the association budget.
- E. The Board of Governors shall provide for the audit of the accounts of the association by a certified public accountant at the end of each fiscal year and at such other times as deemed necessary.
- F. The Board of Governors may delegate such duties, as it deems advisable, to the Executive Committee.
- G. If an urgent matter arises which is not covered by policy, is within legal provisions and the association bylaws, and a decision is required, the Executive Committee may act on it and submit it for approval by the Board of Governors at its next meeting.

SECTION 3. MEETINGS: The Board of Governors shall meet during the annual and special meetings of the association as defined in [Article VII](#).

SECTION 4. COMPENSATION: Appointed delegates to the Board of Governors, including its officers, shall not receive any compensation for their services as governors and/or officers, but the Board of Governors shall have expenses reimbursed that are incurred in the performance of their duties as specified by the association's policies and procedures. Payment of expenses shall be approved by the treasurer in addition to the president and CEO of NAB as prescribed by the Board of Governors. Nothing herein shall preclude a governor or officer from serving the association in any other capacity and receiving compensation for his/her services.

VII ARTICLE 7 MEETINGS

SECTION 1. ANNUAL MEETING: There shall be an annual meeting of the association for receiving reports, meetings of committees, and transaction of business. The Executive Committee shall determine the specific time and arrangements of the meeting. Virtual meetings may be held in compliance with the Not-for-Profit Corporation Law of the State of New

York. Notice of the meeting, signed by the NAB Chair, shall be communicated to the membership as directed by the Executive Committee at least ninety (90) days prior to the time appointed for the meeting.

SECTION 2. SPECIAL MEETINGS: Special meetings of the association may be called by the NAB Chair, the Executive Committee, or upon written request of one-third ($\frac{1}{3}$) of the governing members. Notice of any special meeting shall be communicated to the membership as directed by the Executive Committee at least thirty (30) days in advance. The notice shall contain the specific time, arrangements, and information on the specific subject to be considered. Virtual meetings may be held in compliance with the Not-for-Profit Corporation Law of the State of New York.

SECTION 3. ESTABLISHING A QUORUM: The majority of the Board of Governors voting delegates present for a specified meeting shall constitute a quorum. Any less number may adjourn until such time a quorum is present.

SECTION 4. ORDER OF BUSINESS: The NAB Chair shall develop the order of business to be followed at meetings. The Board of Governors shall review and approve the agenda as the first item of business at all meetings of the association. The order of business may be altered or suspended at any meeting by a majority vote of voting delegates present. The parliamentary rules of "Roberts Rules of Order" shall govern all deliberations when not in conflict with the association bylaws.

VIII ARTICLE 8 OFFICERS

SECTION 1. ELECTED OFFICERS: The elected officers of the association shall be a chair, chair-elect, secretary, and treasurer. The chair-elect, treasurer, and secretary shall be elected biennially by the designated representatives of the Board of Governors, to be held in the even-numbered years. Elections may take place electronically or in person. Elections shall be by held by secret ballot, and a majority vote shall elect the officers. Electronic balloting may be utilized in compliance with the Not-for-Profit Corporation Law of the State of New York.

SECTION 2. TERMS OF OFFICE: Each elected officer shall assume their respective organizational leadership role upon installation at the close of the annual meeting of the association in the even-numbered years. Each officer shall serve for a term of two years or until his/her successor is duly elected and qualified. In the event an incumbent officer loses status as a governing member of the association, the officer assumes subscribing member status without payment of dues for the duration of their term and may serve out his/her term of office.

- A. The NAB Chair may not succeed himself/herself. Other officers may serve no more than two consecutive terms in any one office. For purposes of determining eligibility to continue in office, an officer who has served half or more of a two-year term is considered to have served a full term in that office.
- B. A member of the association may hold only one elected office at any given time.
- C. For purposes of continuity, the chair-elect shall automatically succeed to the office of chair.

SECTION 3. VACANCIES: If an officer, except for the NAB Chair, is unable to fulfill their term in which he or she was elected, the chair shall appoint a successor, upon approval of the Executive Committee, to fill the unexpired term. The appointment shall be subject to approval at the next meeting of the Board of Governors.

SECTION 4. NAB CHAIR: The NAB Chair shall be the principal officer of the organization, serving as the chair to both the Board of Governors and the Executive Committee. S/he shall preside at meetings of the association, of the Board of Governors, and of the Executive Committee. S/he shall be an ex-officio member, with the right to vote on all

committees. At the annual meeting, and at such other times as the chair deems appropriate, s/he shall communicate to both association membership and the Board of Governors on such matters and suggestions that may, in his/her opinion, promote the welfare and increase the usefulness of the association. The chair shall perform such other duties as are necessary to the office of chair, or as may be assigned by the Board of Governors.

SECTION 5. NAB CHAIR-ELECT: The chair-elect shall automatically succeed to the office of the chair. In the event the chair is unable to serve on a permanent basis, the chair-elect shall immediately succeed to the office of the chair. The chair-elect may be delegated by the chair to perform the chair's duties in the event of a temporary disability or an absence from meetings and shall perform such other duties as assigned by the chair or the Board of Governors.

SECTION 6. SECRETARY: The secretary shall attend all meetings of the association to keep a record of all proceedings and/or to attest documents accurately reflect actions taken, as well as carrying out such other duties as are assigned by the chair or the Board of Governors.

SECTION 7. TREASURER: The treasurer shall be responsible for ensuring that proper records are kept of all receipts and disbursements of funds belonging to the association, that an annual audit is compiled, financial reports are made to the Board of Governors in addition to performing such other duties as are assigned by the chair or the Board of Governors.

SECTION 8. IMMEDIATE PAST NAB CHAIR: The immediate past chair shall serve in an advisory capacity to the chair and perform such other duties as assigned by the chair or the Board of Governors.

SECTION 9. REMOVAL FROM OFFICE: Any officer of the association may be removed for cause as determined by the Board of Governors by two-thirds ($\frac{2}{3}$) vote of the governing member states. Such voting may be by mail/electronic referendum.

SECTION 10. OFFICE ADMINISTRATION: The administration and management of the association shall be by a contractual or salaried president and CEO employed by the Board of Governors. The president and CEO shall be directly responsible to the NAB Chair, whose administrative actions are subject to approval by the Board of Governors. The president and CEO shall also serve as the assistant secretary-treasurer of the association.

SECTION 11. BONDING: At the direction of the Board of Governors, any officer or employee of the association shall furnish, at the expense of the association, a fidelity bond, in an amount prescribed by the Board of Governors.

IX ARTICLE 9 COMMITTEES AND TASK FORCES

SECTION 1. COMMITTEES: There are ten standing committees of the association: ¹. Executive; ². Bylaws, Policies and Procedures; ³. Examinations; ⁴. Education; ⁵. Budget and Finance; ⁶. Continuing Education; ⁷. State Governance; ⁸. Member Relations and Outreach; ⁹. Nominating; and ¹⁰. Credentialing Commission. The NAB Chair may establish ad hoc committees for a limited time to address a specific need(s) of the association. When the work of the ad hoc committee is completed, the committee is dissolved (*e.g. Ethics, Strategic Planning, Capital Campaign*). The Board of Governors and/or the chair assigns duties and delegates authority to each committee. All activities and decisions of the committees are made within legal provisions, the association bylaws, and policies and procedures.

SECTION 2. EXECUTIVE COMMITTEE: The Executive Committee shall consist of the chair, chair-elect, secretary, treasurer, and immediate past chair. The president and CEO shall be an ex officio, non-voting member of the executive committee.

- A. The Executive Committee shall adopt procedures and rules, within legal provisions and the association bylaws, which delineate the qualifications, duties, authority, and tenure of the president and CEO.
- B. The Executive Committee at its regular meetings or by mail/electronic ballot, as it deems advisable, shall adopt procedures and rules, within legal provisions and the association bylaws, which delineate the:
 - i. duties and authority of the chair, chair-elect, secretary, treasurer, and past chair.
 - ii. duties, authority, and conduct of meetings of the Executive Committee and each of the standing committees.
 - iii. ethical standards governing the behavior of officers and employees.
 - iv. manner in which all association business and activities shall be conducted.
- C. The Executive Committee shall have authority within policies, procedures, and rules, within legal provisions and the association bylaws, to act for the association and shall have charge of its routine affairs in the intervals between meetings of the Board of Governors. Such actions shall be subject to review and confirmation by the Board of Governors.
- D. The Executive Committee shall meet at such times as determined by the chair of the association or at the written request of three (3) members of the Executive Committee. Executive Committee meetings shall be open to any official representative of a member state.

SECTION 3. STANDING COMMITTEES: The chair shall determine the number of members for standing committees except for the Executive Committee in addition to other committee(s) where the number of members is prescribed in the association bylaws, policies, or procedures. S/he shall appoint committee members within one month after taking office and notify association members as soon as feasible. The chair may delegate the appointment of standing committee members to the committee chair. Additional members may be added to standing committees, as the chair deems necessary and advisable, unless otherwise prohibited by the bylaws.

- A. The chair shall appoint a governing, subscribing or organizational member, as chair/co-chairs of each standing committee.
- B. Duties and authority of each committee chair shall be defined by the chair as approved by the Board of Governors.
- C. Terms of appointments of committee chairs and members shall be concurrent with the term of the appointing chair.
- D. Elected officers may not chair standing committees, except for the treasurer serving as the Budget and Finance Committee chair, and the chair-elect serving as the Bylaws, Policies and Procedures Committee Chair.

SECTION 4. TASK FORCE: The chair may appoint a task force along with a chair of each task force.

- A. The chair shall define duties and authority of task forces in addressing special problems that are of interest to the association.
- B. Task forces shall serve in an ad hoc capacity with terms of members set to expire when the task force's assignment is complete.

SECTION 5. NOMINATING COMMITTEE: During the NAB Annual Meetings held in odd-numbered years, the Board of Governors shall elect a Nominating Committee. The committee is comprised of the current NAB Chair; the immediate past chair, who chairs the committee; and three (3) additional governing, subscribing or organizational members, tasked with the responsibility to thoroughly vet and nominate candidates for the officer positions within the association. Should a subscribing member be nominated, committee members are tasked with paying considerable attention that no conflicts of interest exist that would bar the individual from properly executing the duties of the office for which they were being considered. The NAB President and CEO shall be an ex officio, non-voting member of the Nominating Committee.

- A. A slate of nominees for each office as defined in [Article VIII, Section 1](#) shall be distributed to each member state at least sixty (60) days prior to the annual meeting at which the election shall occur.
- B. Independent nominations may be made from the floor for the offices of chair-elect, secretary, and treasurer at the time of the election only if/when the individual being nominated had gone through the vetting process. Members wishing to nominate an individual to be considered and vetted by the Nominating Committee must have requested this individual be considered and vetted by December 31st of the year prior to the annual meeting at which the election shall occur.
- C. The slate of nominees may not include member(s) of the Nominating Committee.

SECTION 7. BYLAWS, POLICY, AND PROCEDURES COMMITTEE: Recommended changes must be submitted to the Bylaws Committee at least sixty (60) days prior to a meeting of the association. The committee reviews, analyzes, and develops a proposal based upon individual recommendations. It sends the proposal(s) to the NAB national office in time to be distributed to the membership at least thirty (30) days prior to an annual meeting or thirty (30) days prior to a special meeting.

- A. If the Bylaws Committee recommends and the chair concurs, the chair may direct that the proposal(s) be submitted to the Board of Governors by mail ballot.
- B. Amendments are approved by a two-thirds ($\frac{2}{3}$) vote at any meeting or by two-thirds ($\frac{2}{3}$) of the member states through mail/electronic ballot.

X ARTICLE 10 VOTING

SECTION 1. MAIL/ELECTRONIC BALLOTS: Whenever, in the judgment of the Executive Committee, any question arises which it believes should be put to a vote of the active membership of the association but deems it inexpedient to call a special meeting for such purpose, the committee may, unless otherwise required by these bylaws, submit such matter to the membership in writing or electronically for vote and decision. Electronic balloting may be utilized in compliance with the Not-for-Profit Corporation Law of the State of New York. The question thus presented shall be determined by the majority vote of the Board of Governors. Votes shall be returned to the association office by certified mail within twenty (20) days after dissemination to the membership or by the specified deadline if utilizing electronic balloting in compliance with the Not-for-Profit Corporation Law of the State of New York. All action taken in pursuance of a majority vote in each such case shall be binding upon the association in the same manner as would be taken at a duly called meeting.

The delegates serving on the Board of Governors cast the mail/electronic vote.

XI ARTICLE 11 FINANCE

SECTION 1. USE OF FUNDS: The association shall use its funds only to accomplish the objectives specified in these bylaws, and no part of said funds shall inure, or be distributed to the members of the association.

SECTION 2. FISCAL YEAR: The fiscal year of the association shall be January 1st through December 31st.

SECTION 3. BUDGET: After preparation of the proposed budget by the Budget and Finance Committee, a copy shall be distributed to each member no later than thirty (30) days prior to the Mid-Year Meeting.

SECTION 4. BANKING: The Executive Committee shall approve the financial institutions in which the funds of the association shall be deposited, and all funds should be insured by the Federal Deposit Insurance Corporation or other similar insuring institutions.

SECTION 5. PAYMENTS: All financial obligations of the association provided for in the annual budget shall be paid in accordance with policies and procedures adopted by the Executive Committee.

SECTION 6. GRANTS: The association may accept financial grants and contributions from any source and shall be approved by the Executive Committee.

XII ARTICLE 12 INDEMNIFICATION

The corporation shall indemnify its officers and members of the Board of Governors to the extent permitted by the Not-for-Profit Corporation Law of the State of New York for all expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding, or liability arising therefrom in which they or any of them are made parties by reason of having been officers or members of the Board of Governors of the corporation.

XIII ARTICLE 13 DISSOLUTION

Upon the dissolution of the corporation, the Board of Governors shall, after paying or making provision for the payment of all the liabilities of the corporation, distribute all assets of the corporation exclusively to such organization or organizations formed and operated exclusively for charitable, educational, literary, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Governors may determine.

XIV ARTICLE 14 PARLIAMENTARY AUTHORITY

Any question arising in the association that is not covered by these bylaws or "Roberts Rules of Order, Newly Revised," shall be decided by a majority vote of the members of the Board of Governors in attendance at the meeting in which the matter is considered.

XV ARTICLE 15 AMENDMENTS

SECTION 1. BYLAWS MODIFICATIONS: Upon approval by the Board of Governors, these bylaws may be amended, repealed, or altered in whole or in part, ^A by a two-thirds ($\frac{2}{3}$) vote at any meeting of the association, provided that a copy of any proposed amendments shall be distributed to the last recorded address of each member at least thirty (30) days prior to the date of the meeting; or ^B by approval of two-thirds ($\frac{2}{3}$) of the member states through mail/electronic vote in accordance with the provision in [Article X, Section 1](#).

***BYLAWS ORIGINALLY APPROVED:** June 20, 1985*

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