



National Association of Long Term Care Administrator Boards

Policies

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I. Organization

A. Incorporation

The National Association of Long Term Care Administrator Boards (NAB), formerly the National Association of Boards of Examiners for Nursing Home Administrators, formed on November 23, 1970. It is incorporated under the Not-for-Profit Corporation Law of the State of New York.

NAB was established by representatives of some of the state, commonwealth, territories of the United States and the District of Columbia boards and/or agencies responsible for licensing nursing home administrators as mandated by Title 42 Code of Federal Regulations, Part 431,700-708.

B. Objectives (Goals)

The NAB's Board of Governors, through the strategic plan, establishes the objectives of the association.

C. Organizational Structure

NAB is organized in a manner that focuses efforts and activities of its members and staff on accomplishing the objectives of NAB. The Board of Governors may change the organizational structure as it deems advisable and as is permissible under its legal authority. NAB operates under the following organizational structure.

II. Membership

A. Membership Types

1. *Governing Membership* – Governing members are members of state, commonwealth, district, and territorial boards of the United States and the District of Columbia and the executive director/secretary of the boards. Governing members are eligible to serve on the Board of Governors and committees, to hold office, and to serve as the state delegate and vote based on one vote per state as described under Section III of this policy document.
2. *Subscribing Membership* – Board members, upon expiration of their term on a governing member board, and executive directors/secretaries, upon termination of employment by the board/agency, shall be eligible for subscribing membership in the association. Individual representatives of the faculty of universities, colleges, or schools that offer a long term care administrator course approved by any state board or agency charged with licensing and/or registering nursing home administrators; and representatives or paid staff members of any business or professional organization engaged in activities which relate to the objectives of NAB. They are eligible to hold office, to serve on all committees except for the examination subcommittees, and to serve as the committee chair, except representatives or paid staff of trade, professional or other non-governmental organizations that would present a conflict of interest. Subscribing members are ineligible to serve as a voting state delegate.
3. *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. 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. International member representatives shall be eligible to be appointed to serve as standing committee member except for the Examination Committees/Subcommittees. As a standing committee member, they can fully participate in meetings and vote on issues coming before this group. Additionally, international members may 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.
4. *Organizational* – Academic Institutions offering a course of instruction for senior living and health services executives and non-profit professional societies and trade organizations. Organizational membership shall include one primary and one secondary individual representative designated by the organizational member. 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. 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 or vice-chair, but shall be ineligible to serve as a state delegate.

NAB accredited College and University organizational member dues are included in the accreditation and annual report fees.

5. *Randy Lindner Distinguished Leader Membership* - A Randy Lindner Distinguished Leadership member is an individual who has served the association with distinction for at least five years and has made significant contributions to the operations and growth of the organization, and/or a person who has made significant contributions to the goals, philosophy, and ethics of the long term care administration profession. Randy Lindner Distinguished Leadership members are entitled to attend meetings and serve on committees but cannot hold office or vote unless otherwise eligible/qualified. These memberships are awarded on a lifetime basis and dues are not owed for this membership type. The following stipulations apply to this membership category:

- a. The executive committee may award no more than one Randy Lindner Distinguished Award Membership per year for each of the two categories.
- b. the award shall consist of a lifetime waiver of annual membership dues in addition to the reimbursement of expenses to attend the meeting during which the award is presented.
- c. The awardee will receive an appropriate certificate or plaque for recognition of honor.

B. Membership Suspension and Expulsion

NAB believes it is important to underscore that anyone who attends a NAB-sponsored event has an individual responsibility to act professionally and to treat other attendees in a respectful manner, regardless of their age, gender, ethnicity, race, disability, religion, or sexual identity in accordance with the NAB Statement of Professional Behavior (PO-II.5).

III. Board of Governors

A. Members

The Board of Governors is the legal authority charged with operations of NAB. It comprises one representative of each member state, commonwealth, territories, and the District of Columbia. Such representatives are governing members and the elected officers of NAB. Each member state, commonwealth, district, and territory may cast one vote on all matters brought before the Board of Governors. In the event an officer is designated voting privileges by any member state, commonwealth, territory or the District of Columbia, the officer may only cast one vote.

B. Duties of the Board of Governors

The Board of Governors has supervision, direction, and control of the affairs of the association. It appoints agents to assist with carrying out its duties as it deems advisable and assigns duties and delegates authority to its officers and committees as it sees fit. Such action must follow New York Not-for-Profit Corporation Law and the association bylaws.

The Board of Governors at its regular meetings or by mail/electronic ballot, as it deems advisable, shall adopt policies which delineate the:

- a. duties and authority of the chair, chair-elect, secretary, treasurer, and the immediate past chair;
- b. duties, authority, and conduct of meetings of the Executive Committee and each of the standing committees;
- c. ethical standards governing the behavior of officers and employees; and,

- d. manner in which all association business and activities shall be conducted.

IV. Officers

A. Board Officers

The elected officers of the association are chair-elect, secretary, and treasurer. The Chair-elect automatically succeeds to chair of the association. A term of office is two years. The chair may not succeed himself/herself. Other officers may serve no more than two consecutive terms in any one office. In the event an officer loses his/her status as governing member of the association, s/he assumes subscribing member status without paying dues for the remainder of the term and may serve out his/her full term as officer. An officer who has served half or more of a two-year term is considered to have served a full term in that office. No member may hold more than one office at any one time. Any officer may be removed for cause as determined by two-thirds ($\frac{2}{3}$) vote of the member states.

The elected officers of the association shall demonstrate commitment and vision to the organization. Elected officers shall have demonstrated leadership ability to the organization by serving in a leadership position within the last four years.

Officers must be dues paying members in good standing. Officers are exempt from paying registration fees for the Annual and Mid-Year Meetings

B. Officer Job Descriptions

Job descriptions are developed by the Bylaws, Policies, and Procedures Committee and submitted to the Board of Governors for review and approval. They outline the authority and duties of each officer. The Board of Governors may change job descriptions as it sees fit. Each officer job description is listed in the subsequent sections below.

1. *Title: NAB Chair*

This is the top-level leadership and management position in NAB. Authority is granted by the Board of Governors for the chair to oversee the operations of the association, to make certain appointments and to communicate matters of importance to the Board of Governors. Decisions are made within guidelines of legal provisions, the association's bylaws and the policies and procedures adopted by the Board of Governors. Incumbent provides direction to the association staff.

Chair's Duties

It is the duty of the chair to:

- serve as chair of the Board of Governors and of the Executive Committee;
- preside at meetings of the association, the Board of Governors, and the Executive Committee;
- appoint the chairs, vice chairs (co-chair) and members of all standing and special committees except the Executive Committee and the Nominating Committee and may designate an officer to serve as liaison for each committee;
- serve as an ex officio member with the right to vote in all committees, except the Nominating Committee;

- advise the Board of Governors of problems needing its attention and make suggestions for promoting the welfare and increasing usefulness of the association;
- call special meetings as provided in the bylaws;
- develop proposed agendas for the Board of Governors and Executive Committee meetings;
- approve and sign all notifications of meetings of the membership, Board of Governors, and the Executive Committee;
- give general direction and oversee the work of the staff and membership in the operations of the association including among other tasks an annual performance evaluation of the President and CEO, and the periodic self-assessments of the Executive Committee;
- authorize payment of travel and other expenses as provided in the bylaws and the policies and procedures;
- perform such other duties as may be necessary to the position of chair and/or as assigned by the Board of Governors; and,
- serve as immediate past chair upon leaving office as chair as provided by the policies and procedures.

2. *Title: NAB Chair Elect*

This is the second highest level of leadership and management position in NAB. Duties are assigned and authority delegated by the Board of Governors and the chair. Incumbent reports to the chair and to the Board of Governors. Decisions are made within legal provisions, association bylaws, and policies and procedures. For purposes of continuity, the chair-elect shall automatically succeed to the office of the chair.

Chair Elect's Duties

It is the duty of the chair elect to:

- serve on the Board of Governors and the Executive Committee;
- serve as directed by the chair or the Board of Governors when the chair is temporarily unable to perform his duties;
- succeed to the chair's role in the event the chair cannot serve on a permanent basis, should resign, or should be removed from office;
- serve as liaison to a standing committee(s) as directed by the chair; and,
- assist the CEO/President in identifying and soliciting speakers for the annual and mid-year meetings;
- serve as chair of the Bylaws, Policies and Procedures Committee; and
- perform such other duties as are assigned by the chair and/or the Board of Governors.

3. *Title: Secretary*

This is a responsible elective position that requires attention to detail and accuracy in recording. The chair and the Board of Governors assign duties. All decisions are made within legal provisions, association bylaws, and policies and procedures.

Secretary's Duties

It is the duty of the secretary to:

- serve on the Board of Governors and the Executive Committee;
- assure that minutes are accurate records of both the Board of Governors and the Executive Committee meetings;
- serve as liaison to a standing committee(s) as directed by the chair; and,
- perform such other duties as may be assigned by the chair and/or the Board of Governors.

4. *Title: Treasurer*

The treasurer shall be responsible for ensuring that proper records are kept of all receipts and disbursements of funds of the association, that an annual audit is compiled, and financial reports are made to the Board of Governors and shall perform such other duties as are assigned by the chair or the Board of Governors. (Article VIII, Section 7)

Treasurer's Duties

It is the duty of the treasurer to:

- serve on the Board of Governors and the Executive Committee;
- attend orientation and other meetings with the CEO/President and other designated accounting staff at the beginning of a new term and periodically thereafter;
- supervise the maintenance of financial records of the association;
- serve as chair of the Budget and Finance Committee;
- serve as liaison to a standing committee(s) as directed by the chair;
- ensure that bills are paid promptly, and financial obligations are properly met within policies and procedures imposed by the association; and,
- perform such other duties as may be assigned by the chair and/or the Board of Governors.

5. *Title: Past NAB Chair*

This is an advisory, supportive position, which involves sharing experiences with the chair and the Executive Committee. All duties are carried out and decisions made within legal provisions and association bylaws, policies, and procedures.

Past Chair's Duties

It is the duty of the past chair to:

- serve as a member of the Executive Committee;

- provide information, support, and assistance to the chair and the Executive Committee in carrying out programs of the association; and,
- perform such other duties as assigned by the chair and/or the Board of Governors.

6. *Title: Committee Chair*

Committee chair is a position of leadership and responsibility for the activity of a given committee. The chair assigns duties, delegates authority, and gives instructions. All decisions are made within legal provisions, association bylaws, and policies and procedures. Committee Chairs must be dues paying members in good standing. Committee Chairs are exempt from paying meeting registration fees for the Annual and Mid-Year Meetings.

Committee Chair's Duties

It is the duty of the committee chair to:

- develop an agenda for all meetings of the committee;
- attend and preside over all of the committee's meetings;
- expedite work assigned or referred to the committee by the Board of Governors and/or the chair;
- submit written reports on committee actions and recommendations to the Board of Governors or the Executive Committee, as appropriate, with a copy to the liaison officer.
- keep standing committee members informed of all meetings and committee reports;
- appoint a committee secretary to record, compile, and circulate minutes as required by association policy and procedure;
- participate in all conferences relative to contracts or other important matters affecting the committee; and,
- perform such other duties as may be assigned by the Board of Governors and/or the chair.

Additional duties and requirements for Examinations Committee Chair(s)

The Examinations Chair and Vice Chairs shall attend an orientation meeting with NAB's testing agency at the beginning of each new term and periodically thereafter.

7. *Title: Committee Vice-Chair*

In the event the chair cannot attend a meeting, the vice-chair assumes the duties of the chair. If there are multiple vice chairs, such as with the Examinations Committee, the committee chair will designate one of them to assume the duties in his/her absence.

Committee Vice-Chair's Duties

It is the duty of the committee vice-chair to:

- Perform duties as requested by the Chair; and,
- When required, attend orientation, training, and other meetings.
- Be dues paying members in good standing.

8. *Title: President and CEO*

This is a highly responsible position directing the administrative activities of the association. Duties are assigned and authority delegated by the chair. Incumbent reports directly to the chair unless otherwise instructed by the chair. The position involves directing a central office staff of employees. Incumbent may be a salaried or a contractual employee of the association. The chair and the Board of Governors, through reports, observations, and conferences, review the work of the president and CEO. All decisions are made within legal provisions, association bylaws, policies, and procedures.

President and CEO's Duties

It is the duty of the president and CEO to:

- serve as chief administrative officer of the association;
- plan, direct, and control activities of the national office so that programs of the association are efficiently and economically operated;
- supervise the handling of all correspondence as directed by the chair;
- maintain accounting records, make purchases, develop financial reports, approves payables as directed;
- assist with public relations for the association;
- maintain standards for corporate compliance, risk management, and records retention as outlined in Policy Document PO-IV.1; keep the Executive Committee apprised of any status changes and report annually on the Risk Management Program (refer to Policy Document PO-IV.2) to the Chair, Budget, and Finance Committee;
- represent the association with other organizations as directed;
- supervise arrangements for meeting rooms, hotel rooms, transportation, etc., for the meetings of the association, Executive Committee, and special meetings, as directed;
- distribute and maintain association records such as minutes, reports, etc.;
- participate in Executive Committee and other meetings as directed; and,
- perform such other duties as may be assigned by the chair and the Board of Governors or Executive Committee.

V. Association Meetings

The annual meeting of the association is held each year at a time determined by the Executive Committee to elect officers biennially, receive reports, convene committees, and transact other business. Special meetings may be called at any time. The time and arrangement of meetings are determined by the Executive Committee, which considers the desires of the membership in order to maximize attendance. A majority of the registered voting delegates present at the Board of Governors meeting constitutes a quorum. Accurate records of all meetings are kept and circulated to the membership.

VI. Committees and Task Forces

A. Standing Committees

There are ten standing committees: ¹Executive, ²Bylaws, Policies, and Procedures, ³Examinations, ⁴Education, ⁵Budget and Finance, ⁶Continuing Education, ⁷State Governance, ⁸Member Relations and Outreach, ⁹Nominating, and ¹⁰Credentialing Commission. The chair of NAB may establish ad hoc committees for a limited period of time to address a specific need. 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, policies, and procedures.

B. Executive Committee

The Executive Committee consists of the chair, chair-elect, secretary, treasurer, and immediate past chair. The president and CEO serves as an ex officio, non-voting member. The committee's duties are assigned, and its authority delegated by the Board of Governors. All acts of the Executive Committee are submitted to the Board of Governors for review, revision, and approval, as the board of governors deems advisable.

C. Bylaws, Policies, and Procedures Committee

This committee continuously reviews the association's bylaws and policies and procedures to ensure that they are designed to assist in operations and the attainment of NAB goals. The chair carries out his/her duties according to the job description for committee chairmen. Any association member may recommend a change in bylaws, job description, or policies and procedures.

Recommended changes must be sent to the Bylaws Committee in time to be considered by the committee before any regular or special meeting. However, if the NAB Chair determines a matter needs immediate attention, s/he may direct the Bylaws Committee to consider the matter and prepare a recommendation for the Board of Governors' review. Should this occur, the chair:

- a. may direct that the committee's recommendations be acted on at any board meeting (policy) or Executive Committee Meeting (Procedures), in which case a majority of voting members will decide.

OR

- b. may direct that the recommendation be submitted by mail/electronic ballot in which case most of the member state (policy) boards or Executive Committee members (Procedures) will decide.

D. Examinations Committee

The Examinations Committee is responsible for development and continuous review of the NAB examinations under the direction of an examinations committee chair. As part of the Examinations Committee, four subcommittees will be established, each overseeing one of the NAB examination modules: General Core of Knowledge (CORE), the Nursing Home Administration (NHA), the Resident Care Assisted Living (RC/AL), and the Home and Community Based Services (HCBS). Each subcommittee has an appointed subcommittee chair and vice chair for the purpose of providing leadership for each subcommittee of the overall Examinations

Committee. It is the duty of the Examinations Committee to ensure the following criteria is met for all NAB Examinations¹:

- Select items for NAB examinations in accordance with generally accepted professional examination development standards.
- Address all problems concerning the examinations and make appropriate recommendations to the Board of Governors.
- Review all committee policies and procedures governing the Examinations Committee and subcommittees, at minimum, on an annual basis.
- Develop new policies and procedures as needed for the orderly conduct of committee business.

Each subcommittee shall develop and review items for their assigned examination. Under special circumstances a subcommittee may be appointed by the Examinations Committee Chair to develop and review NAB examinations that differ from the ones developed by their assigned subcommittee.

Prior to individuals agreeing to serve as a NAB examinations item writer and/or as a NAB Examinations Committee member, they must complete the [*Exam Committee Responsibilities and Standards form \(Appendix C2\)*](#) as well as complete the [*NAB Examination Status and Intent Form \(Appendix C3\)*](#), acknowledging they understand that they are ineligible to take any and all NAB exams for a minimum of two years from the time of their last date of participation with the NAB examination process in any capacity. Violation of this policy will result in an invalidation of their exam score, reporting of same to the appropriate licensure or credentialing bodies, and termination from current and future participation with the NAB examination program. Those individuals who need to complete a NAB exam will be strongly encouraged to do so prior to serving as an item writer and/or Examinations Committee member. For individuals accepted into the NAB examinations program, there is no cost to take the exam(s) prior to serving.

Exam Committee Members and those serving as alternates must be NAB members in good standing. They may qualify for membership by:

- Being one of the named individuals on a professional or trade association's organizational membership if employed by the entity.
- Serving as the state executive or a board member for a NAB member board. Individuals in these roles qualify for membership under their state's governing membership.
- Being awarded the Randy L. Lindner Leadership Award as these individuals are gifted a lifetime, subscribing membership within NAB.
- Joining as a subscribing member of the NAB.

Standing committee members and committee alternates who are not in good standing will be recommended to the Executive Committee for removal from participation in the NAB

¹ While the NAB Examinations Committee holds responsibilities for the four national examinations, it does not develop any of the individual state examinations. As a service to governing members, many state examinations may be taken throughout NAB's third party company's vast network of testing centers. These examinations, however, are developed at the state level and not by the NAB Examinations Committee.

examination processes. When invited to the NAB Annual and/or the Mid-Year Meeting, standing committee members and/or alternates are exempt from paying meeting registration fees.

E. Education Committee

The Education Committee addresses issues related to basic education and other requirements for people entering the profession of senior living and health services administration. In collaboration with the Examination Committee, it evaluates education materials including study resources for preparing candidates for the national examination. The committee also accredits academic programs in senior living and health services administration.

In addition to accreditation, the committee recommends to the board the minimum education requirements for entrance into the profession of senior living and health services administration. The committee establishes a review and approval process (*refer to Policy Document PO-VI.1*) for accrediting academic programs at both the undergraduate and graduate levels. The committee is responsible for making recommendations to the Board of Governors on all matters related to association publications and accreditation of academic institutions.

F. Budget and Finance Committee

The committee is comprised of the NAB Chair, the NAB Treasurer, who serves as the chair of the committee, and other members of the association appointed by the chair. The Budget and Finance Committee shall prepare the annual budget for review and approval by the Board of Governors. The committee continuously reviews and makes recommendations on policies and procedures governing the generation of and expenditure of funds.

NAB has established an Investment Policy Statement (IPS) (*refer to Policy Document PO-VI.2*) that determines a structure and process for selecting and prudently managing the organization's investment portfolio. Investment objectives and guidelines, including formal criteria to monitor and evaluate investment performance and the frequency of policy reviews, are detailed in the IPS.

G. Continuing Education Committee

The Continuing Education (CE) Committee oversees the National Continuing Education Review Service (NCERS), NAB's CE program, which reviews and approves thousands of CE programs offered by hundreds of providers across the country. The committee is tasked with maintaining a quality CE program that meets/exceeds standards for CE set forth by state boards and/or licensing authorities.

The Continuing Education Committee approves certified sponsor applications, pending final approval by the NAB Board of Governors, and develops procedures to market NCERS services. In order to avoid the appearance of a conflict of interest (COI), NCERS will not issue CEs for time spent volunteering as examination item writers, NCERS reviewers, or for speaking at NAB sponsored events.

H. State Governance Committee

The committee monitors, identifies, and analyzes regulatory issues that may have a potential impact on NAB members. The committee may recommend actions or solutions to the identified issues. The committee also addresses issues of substandard conduct related to the practice of senior living and health services administrators. It receives and disseminates information on persons against whom member boards have taken disciplinary action that is a matter of public

record. It recommends model standards and procedures for governing member boards. The recommended model standards and procedures are as follows:

- PO-VII. AIT Model
- PO-VII. Board Orientation Model
- PO-VII. Disciplinary Process Models
- PO-VII. Endorsement Models
- PO-VII. Model Licensure Applications
- PO-VII. Model Member Ethics
- PO-VII. Records Retention Models
- PO-VII. RCAL Generic Model Act
- PO-VII. Reciprocity/Endorsement Licensure Questionnaire
- PO-VII. Test Confidentiality Attestation

The State Governance Committee also provides oversight to the Tools & Resources Subcommittee. While this subcommittee operates autonomously from the State Governance Committee, they will report back to the committee on a periodic basis.

I. [Nominating Committee](#)

At the NAB Annual Meeting held during odd-numbered years, the Board of Governors shall elect a Nominating Committee comprised of the current chair, the immediate past chair, who shall chair the committee, and three (3) additional governing, subscribing or organizational members. International members are ineligible to serve on the nominating committee. The committee is tasked with thoroughly vetting and nominating candidates for the officers of the association, paying particular attention if/when a subscribing member is nominated that no pre-existing conflicts of interest exist that would bar the individual from properly executing the duties of the office for which they are under consideration. NAB's President and CEO shall be an ex officio, non-voting member of the Nominating Committee.

A slate of nominees for each office, as defined in Section 1 of Article VIII of the bylaws, shall be distributed to each member state at least sixty (60) days prior to the date on which the election shall occur.

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 has completed the vetting process. Members wishing to nominate an individual to be considered and vetted by the Nominating Committee must have submitted their name along with any additional requisite information by December 31st of the year prior to the election to be considered.

J. [Member Relations and Outreach Committee](#)

The Member Relations and Outreach Committee is responsible for addressing issues such as marketing, membership recruitment and retention, development of a communications plan, identifying internal and external resource needs, and promotion of NAB's computer-based exam programs and other products and services.

In order to ensure that published material contains accurate, consistent, and current information and data, any NAB member, academician, or entity desiring to write, contribute,

and/or publish an article or document on behalf of NAB or referencing an affiliation to NAB shall obtain prior written approval of the Executive Committee followed by a review by the Member Relations and Outreach Committee.

K. Credentialing Commission

The Credentialing Commission is responsible for vetting and approving applications for the Health Services Executive (HSE™) qualification in addition to all approvals of NAB's third party certification programs.

The commission ensures that HSE™ applicants meet the minimum standards and qualifications necessary to be designated HSE™ qualified (*refer to supplemental document Appendix B5: The Health Services Executive (HSE™) Credentialing Commission Procedures Guide for the pathways to HSE™ qualification*).

The commission will approve third party certification programs designed by eligible not-for-profit associations in both Residential Care/Assisted Living (RCAL) and/or Home and Community Based Services (HCBS). If approved, the organizations are qualified to use NAB's RCAL and/or HCBS examinations as a certification program requirement. The commission will provide a comprehensive, thorough review of the certifying body's program design to ensure it meets contemporary practice standards in senior living and health services supports and services.

It is the duty of the Credentialing Commission to ensure the following criteria are met:

- Credentials standards may be adopted, amended, or repealed by a majority vote of the Commissioners, with recommendation to the NAB Board of Governors for final action. The Commission has final authority on HSE™ qualification decisions.
- Regular verbal reports, in addition to an annual meeting written report, shall be considered the minimum requirements for communication with the Board of Governors.
- Review all committee policies and procedures governing the Credentialing Commission, at minimum, on an annual basis.
- Develop new policies and procedures as needed for the orderly conduct of credentialing commission business.

Task Forces

Task forces can be formed by:

- Appointment by the NAB Chair.
- Request from the Board of Governors that a task force be appointed. The NAB Chair would still be the appropriate individual to finalize task force members.

Task Forces are formed, as deemed advisable, to study and make recommendations on special problems or needs of the association. Task forces serve in an ad hoc capacity and are dissolved upon completion of their assigned task.

L. Committee Minutes, Reports, and Recommendations

Committee chairs designate an individual to serve as a meeting minute record and assures meeting minutes are recorded in an accurate and precise manner.

Draft committee meeting minutes, after review and approval by the respective committee chair, are included in subsequent association meeting binders for review and final approval by standing committee members.

VII. General Management

General Management shall be under direction of the NAB Executive Committee Chair and the NAB President and CEO. The president and CEO staffs, maintains, and supervises the national office for NAB. S/he is in charge of its day-to-day operations, which are carried out within guidelines established by the association. The chair oversees the governance along with the Board of Governors on behalf of the organization.

A. Document Retention and Destruction Policy

This Document Retention and Destruction Policy of National Association of Long Term Care Administrator Boards identifies the record retention responsibilities of staff, volunteers, members of the Board of Governors, and outsiders for maintaining and documenting the storage and destruction of the association's documents and records.

The rules as outlined below are required to be honored by the association's staff, volunteers, members of the Board of Governors and outsiders (*i.e., independent contractors via agreements with them*):

- a. Paper or electronic documents identified in the terms for retention schedule below will be transferred and maintained by the Human Resources, Legal or Administrative staffs/departments or their equivalents.
- b. Any additional paper documents not included in the terms for retention schedule below will be destroyed after three years.
- c. All other electronic documents will be deleted from individual computers, databases, networks, and back-up storage after one year, unless part of the organizational backup systems.
- d. No paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.

B. Terms of Retention

RETAIN PERMANENTLY

- a. Governance Records – Organizational charter and amendments, bylaws, articles of incorporation other organizational documents, Board of Governors meeting minutes, executive/standing committee minutes.
- b. Tax Records – Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence, files related to tax audits.
- c. Intellectual Property Records – Copyright and trademark registrations and samples of protected works.
- d. Financial Records – Audited financial statements, attorney contingent liability letters

RETAIN FOR TEN YEARS

- a. Pension and Benefit Records – Pension (ERISA) plan participant/beneficiary records, actuarial reports, related correspondence with government agencies, and supporting records.
- b. Government Relations Records – State and federal lobbying and political contribution reports and supporting records.

RETAIN FOR THREE YEARS

- a. Employee/Employment Records – Employee names, addresses, social security numbers, dates of birth, INS Form I-9, resume/application materials, job descriptions, dates of hire and termination/separation, evaluations, compensation information, promotions, transfers, disciplinary matters, time/payroll records, leave/comp time/FMLA, engagement and discharge correspondence, documentation of basis for independent contractor status (retain for all current employees and independent contractors indefinitely and for three years after departure of each individual).
- b. Lease, Insurance, and Contract/License Records – Software license agreements, vendor, hotel, and service agreements, independent contractor agreements, employment agreements, consultant agreements, and all other agreements (retain during the term of the agreement and for three years after the termination, expiration, non-renewal of each agreement).

RETAIN FOR ONE YEAR

- a. All Other Electronic Records, Documents and Files – Correspondence files, past budgets, bank statements, publications, employee manuals/policies and procedures, survey information.

Exceptions to these terms for retention may be granted only by the association's chief staff executive or NAB Chair of the Board of Governors.

VIII. National Continuing Education Review Service (NCERS)

In order to provide a standard and uniform method of evaluating the continuing education (CE) activities required for maintenance of long term care administrator licenses, the association operates the National Continuing Education Review Service (NCERS). Applications and proposed CE courses offered by national and regional organizations are reviewed by trained subject matter experts (SMEs). Once a course has been approved by the assigned SMEs, program information is available for any state, commonwealth, district, or territory that desires to use the service. Licensees may also access a list of NAB approved courses through NAB's public CE course database.

NCERS reviewers are not required to be dues paying members of NAB when serving in the sole capacity as a reviewer.

A. NABVerify – NAB's Continuing Education Registry Service

With the aim of allowing governing member boards to verify continuing education for their licensees, NABVerify, the first national continuing education registry service for health services and supports administrators, is available for use at no charges for those leaders licensed by NAB governing member boards who are in good standing. Additionally, the CE Registry is available

for use by those professionals who are able to use NAB credits to renew their license but are not licensed by a NAB member board. If not licensed by a member board, a nominal fee will be charged on an annual basis as outlined in the NAB Procedures.

IX. Financial Management

A. Accounting System

Financial accounting practices of NAB are in accord with generally accepted accounting practices (GAAP). An accrual system of accounting is used.

B. Budgeting

The Budget and Finance Committee prepares an annual budget based on the prior years' experience and anticipated future revenues. The NAB budget covers the fiscal year, which begins on January 1st ending on December 31st of each calendar year. The budget includes a chair's contingency, and the Board of Governors votes to adopt the budget in the year prior to its implementation.

C. Banking

The handling of NAB income shall be in a manner that ensures accuracy, security, and the generation of additional income wherever possible.

D. Dues, Rates, Rights, and Privileges

Membership dues and all rates and fees are set by the Board of Governors and are reviewed annually.

E. Sales and Rentals

Examinations and services are available for use by any state, commonwealth, territory, or district. However, members who are in good standing with the association pay a lower rate as provided in the schedule mandated in this part. All items for resale have member and non-member rates.

F. National Continuing Education Review Services (NCERS) Finances

The NAB office provides information to interested and eligible agencies on the NCERS and its costs.

G. Contracting

NAB contracts for association management, examinations, and other services as approved by the Board of Governors.

H. Purchasing

All purchases, other than those prescribed by direct contract with a vendor, are to be made with terms that are in the best interest of NAB.

I. Compensation and Expenses

1. Compensation

The compensation of NAB staff, in addition to other contractors, is handled according to contracts between NAB and the contractors. Board of Governor delegates, officers, committee chairs, and other member volunteers of the association may not be compensated, other than for expenses, for any service rendered in their official capacity

within the association. The association may contract with and pay any member to perform a professional or technical task for the association after receiving approval by the Executive Committee and in accordance with XI Conflict of Interest Policy.

2. *Expenses*

Travel and related expenses may be paid as identified under Travel Criteria, which follows this section. Expenses of NAB's President and CEO, internal staff, and of any other contractors are handled according to contractual agreement. NAB shall not reimburse any expenses, which will be or have been reimbursed by other means.

J. *Travel Criteria*

Travel and related expenses including fees may be paid as follows (refer to Travel Reimbursement Policy PO-IX.1):

- Officers for the Annual, Mid-Year, Executive Committee, and additional special meetings and for other travel authorized by the NAB Chair within budget provisions (PO-IX.2).
- Chairs of standing committees for Annual, Mid-Year, and other meetings as authorized by the NAB Chair within budget provisions (PO-IX.2).
- Committee members and other association members when on special assignment as authorized by the Executive Committee (PO-IX.2).
- Delegates to the Board of Governors for travel to Annual and Mid-Year Meetings (PO-IX.3)

K. *Accounting Reports*

Financial statements are prepared each month and distributed to authorized persons.

L. *Auditing*

A CPA audit is conducted at the end of each fiscal year.

M. *Bonding*

Any NAB staff member and/or officer who handles receipt and/or disbursement of NAB funds may be required to furnish bond at NAB expense. The amount is set by the Board of Governors, which considers whether the cost of bonding is more than the probable benefit.

N. *Process for Determining Compensation Policy*

This *Process for Determining Compensation Policy* of National Association of Long Term Care Administrator Boards applies to the compensation of the following persons employed by the association:

- The association's **chief staff executive**

- Other **Officers**² or **Key Employees**³ of the association by title: Chair, Chair-Elect, Immediate Past Chair, Treasurer, Secretary

The process includes all of these elements: (1) review and approval by the Board of Governor's or compensation committee of the association; (2) use of data as to comparable compensation; and (3) contemporaneous documentation and recordkeeping.

1. *Review and Approval*

The compensation of the person is reviewed by a compensation committee, which is to be comprised of three members of the Executive Committee appointed by the chair. Provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval. The chairperson will present the recommendation of the compensation committee to the Board of Governors for approval.

2. *Use of Data as to Comparable Compensation*

The compensation of the person is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations.

3. *Contemporaneous Documentation and Recordkeeping*

There is contemporaneous documentation and recordkeeping with respect to the deliberations and decisions regarding the compensation arrangement.

X. Ethics

It is essential to the proper operation of NAB that the Board of Governors, elected officers, committee chairs, vice chairs, association members, contractual, salaried, and wage employees be independent and impartial; that no office and/or employment be used for personal or private gain other than remuneration provided in the bylaws, policies, and procedures; and that there be member confidence in the integrity of the association.

The attainment of one or more of these ends is impaired when a conflict exists between the personal and private interests of an officer, committee chair, vice chair, association member, or an employee and his/her duties as such. Therefore, the association interests require that it establish appropriate ethical standards with respect to conduct of officers, committee chairs, vice chairs,

² An **officer** is defined as a person elected or appointed to manage the association's daily operations, such as a president, vice-president, secretary, or treasurer. Officers of the association are determined by reference to its organizing document, bylaws, or resolutions of its governing body, or as otherwise designated consistent with state law, but at a minimum include those officers required by applicable state law. Include as officers the association's top management official and top financial official (the person who has ultimate responsibility for managing the association's finances).

³ A key employee is defined as an **employee** of the association who meets all three of the following tests: (a) \$150,000 Test: receives reportable compensation from the association and all related organizations in excess of \$150,000 for the year; (b) Responsibility Test: the employee: (i) has responsibility, powers, or influence over the association as a whole that is similar to those of officers, directors, or trustees; (ii) manages a discrete segment or activity of the association that represents 10% or more of the activities, assets, income, or expenses, as compared to the association as a whole; or (iii) has or shares authority to control or determine 10% or more of the association's capital expenditures, operating budget, or compensation for employees; and (c) Top 20 Test: is one of the 20 employees (that satisfy the \$150,000 Test and Responsibility Test) with the highest reportable compensation from the association and related organizations for the year.

members, and employees (*as referenced in the Conflict of Interest Policy*) without creating unnecessary barriers to the operations of the association.

It is incumbent upon every officer, committee chair, vice chair, member, and employee (*contractual or otherwise*) to adhere to the policies and the following procedures.

XI. Conflict of Interest Policy

This *Conflict of Interest Policy* of National Association of Long Term Care Administrator Boards: (1) defines conflicts of interest; (2) identifies classes of individuals within the association covered by this policy; (3) facilitates disclosure of information that may help identify conflicts of interest; and (4) specifies procedures to be followed in managing conflicts of interest.

A. Definition of Conflicts of Interest

A conflict of interest arises when a person in a position of authority over the association may benefit financially from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This policy is focused upon, but not limited to, material financial interest of, or benefit to, such persons.

B. Individuals Covered

Persons covered by this policy are the association's officers, Board of Governors, appointed leadership, committee chairs, vice chairs, standing committee members, chief employed/contract executive, and chief employed/contract finance executive.

C. Facilitation of Disclosure

Persons covered by this policy will annually disclose or update to the Chair of the Board of Governors on a form provided by the association (refer to Policy Document PO-XI.1) their interests that could give rise to conflicts of interest, such as, but not limited to, a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.

XII. Whistleblower Policy

This *Whistleblower Policy* of National Association of Long Term Care Administrator Boards: (1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the association; (2) specifies that the association will protect the person from retaliation; and (3) identifies where such information can be reported.

A. Encouragement of Reporting

The association encourages complaints, reports or inquiries about illegal practices or serious violations of policies, including illegal or improper conduct by the association itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the association has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the association's human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

B. Protection from Retaliation

NAB prohibits retaliation by or on behalf of the association against staff or volunteers for making good faith complaints, reports, or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The association reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports, or inquiries or who otherwise abuse this policy.

C. Where to Report

Complaints, reports, or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports, or inquiries. They should be directed to the Organization's chief employed/contract executive or chair of the Board of Governors; if both of those persons are implicated in the complaint, report, or inquiry, it should be directed to the chair-elect of the Board of Governors. The Executive Committee will conduct a prompt, discreet, and objective review, or investigation. Staff or volunteers must recognize that the association may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

XIII. Voting

The Executive Committee may submit questions needing immediate attention to the active members for approval or disapproval by mail/electronic ballot. The majority vote of the member states shall decide. Such decisions are binding on the association the same as if made at a duly called meeting.

XIV. Communications

A. Correspondence

NAB correspondence shall be handled by the president and CEO as directed by the chair who is responsible for keeping the membership advised on all matters involving the association. All correspondence to NAB requiring a response is to be answered at the earliest possible time which shall be within two business days from the date of receipt, except when more time is needed for the collection of required information. The president and CEO supervises maintenance of files on all correspondence.

B. Other Communications

The Executive Committee will determine other channels for communicating with the membership. (e.g. newsletters, website, directory, social media, etc.).

C. Social Media Policy

The following policy applies to all individuals who have administrative rights to all NAB social network accounts, which include but are not limited to the association Twitter, Facebook, and LinkedIn accounts. It is NAB's expectation that all such individuals who participate and/or contribute to our online commentary and posts understand and follow these important guidelines. NAB's overall goal is simple: to participate online in a respectful, relevant way while protecting the association's reputation and avoid any instances that could lead to violation of the law. When an individual posts on behalf of the NAB brand, they should keep the following in mind:

- Be transparent, honest, and professional. NAB does not support inappropriate language or anything that can be perceived as inappropriate behavior (e.g. profanity, cyberbullying, sexual innuendo, provocative images, disregard for or breaking the law, threats or offensive behavior, political stances, or rants). This is not a comprehensive list and is subject to change at any time without warning. NAB expects professionalism at all times.
- Never represent NAB in a false or misleading way. All statements must be true, and all claims must be substantiated.
- Post meaningful, respectful comments — in other words, no SPAM or remarks that are off-topic or offensive.
- Understand and follow NAB's privacy and confidentiality guidelines. It is best to ask permission to publish or report on conversations that are meant to be private or internal to NAB. Make sure such efforts are transparent and do not violate NAB's privacy, confidentiality, and legal guidelines for external commercial speech.
- Stick to areas of expertise when providing a unique perspective on non-confidential activities at NAB.
- If there is a situation that is becoming antagonistic, do not get defensive; rather, disengage from the dialogue in a polite manner that reflects well on NAB.
- When writing about competitive organizations/associations, it is expected that individuals express thoughts diplomatically, communicate factual information, and ensure appropriate permissions have been granted.
- Never comment on anything related to legal matters, litigation, or any parties NAB may be in litigation with at any time.
- Never participate in a social media dialogue when the topic being discussed may be considered a crisis situation. Even anonymous comments may be traced back to NAB's IP address. Refer all social media activity around crisis topics to the NAB President/CEO.
- Be smart about protecting yourself, your privacy, and NAB's confidential information. What is published is widely accessible and will be around for a long time, so consider the content carefully.
- Media inquiries must be referred to the President/CEO of NAB.

D. Electronic Devices

The use of recording devices (audio or video) during NAB meetings is prohibited unless prior authorization by the committee chair is given. Cell phones brought into meetings must be turned off or placed in a silent or vibrating mode. Other electronic devices should be used in such a manner as not to disturb members in attendance.

E. Contributions to Publications

NAB's CEO and staff are prohibited from making contributions to commercial publications. NAB members are prohibited from making content contributions to commercial publications as

representatives of NAB. Contributions by NAB staff or members to industry or professional publications as representatives of NAB must be approved by the NAB Executive Committee.

XV. Joint Venture Policy

This *Joint Venture Policy* of the National Association of Long Term Care Administrator Boards requires that the association evaluate its participation in joint venture arrangements under Federal tax law and take steps to safeguard the association's exempt status with respect to such arrangements. It applies to any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity as further defined in this policy.

A. Joint Venture or Similar Arrangements with Taxable Entities

For purposes of this policy, a joint venture or similar arrangement (or a "venture or arrangement") means any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity without regard to:

- a. whether the association controls the venture or arrangement.
- b. the legal structure of the venture or arrangement.
- c. whether the venture or arrangement is taxed as a partnership or as an association or corporation for federal income tax purposes.

A venture or arrangement is disregarded if it meets both of the following conditions:

- a. 95% or more of the ventures or arrangement's income for its tax year ending within the association's tax year is excluded from unrelated business tax income (UBIT) [including but not limited to: (i) dividends, interest, and annuities; (ii) royalties; (iii) rent from real property and incidental related personal property except to the extent of debt-financing; and (iv) gains or losses from the sale of property]; and
- b. the primary purpose of the association's contribution to, or investment/participation in, the venture or arrangement is the production of income or appreciation of property.

B. Safeguards to Ensure Exempt Status Protection

The association will negotiate in its transactions and arrangements with other members of the venture or arrange such terms and safeguards adequate to ensure that the association's exempt status is protected in addition to taking steps to safeguard the association's exempt status with respect to the venture or arrangement. Some examples of safeguards include:

- a. control over the venture or arrangement sufficient to ensure that it furthers the exempt purpose of the association;
- b. requirements that the venture or arrangement gives priority to exempt purposes over maximizing profits for the other participants;
- c. that the venture or arrangement does not engage in activities that would jeopardize the association's exemption; and
- d. that all contracts entered with the association be on terms that are arm's length or more favorable to the association.

XVI. Use of NAB Assets

NAB copyrighted assets are protected by federal law, thus all material quoted and used by members should be referenced to the NAB. Members must always include a clear and conspicuous notice that the materials are published/reprinted with permission from the NAB. This is to ensure that the quality, integrity, and value of the material owned by the association is not compromised. The following guidelines should be referenced when utilizing NAB's copyrighted assets:

- a. Members are encouraged to purchase NAB literature when multiple copies are to be used.
- b. Copying and duplication of NAB videos and use of segment clips are strictly prohibited.
- c. Only members in good standing are allowed to use NAB assets.
- d. Non-members must obtain written permission from the NAB for the use of NAB assets.
- e. NAB's Privacy Policy sets out the association policies regarding treatment of information that may be considered private and demonstrates our commitment to data privacy; it governs both our offline and online data collection practices. The privacy policy must be followed at all times when using NAB copyrighted assets.

A. Public Areas of NAB Website

When using the public portion of the website, one can do so anonymously. One is not required to provide NAB with any personal information and we do not monitor or collect any personally identifiable information from anyone on their use of the public portions of the website. NAB may track the number of users who visit areas of the website for internal use such as improving accessibility to website facilities and marketing, but data is collected in aggregate and does not contain personal identifiable information. NAB may also record the location of a computer on the Internet for systems administration, troubleshooting purposes, and for reporting aggregate information.

B. Use of Personal Information

NAB uses the personal and professional information collected from NAB members and non-members (*unless they opt out*), when completing application forms, purchasing NAB products and services, signing up for a CE Registry, completing questionnaires and surveys, and completing or updating profiles, in order to:

- a. Meet our mission to communicate information to NAB stakeholders;
- b. Provide notice of important events, activities, and proposals;
- c. Provide opportunities for NAB-related networking, professional events, and professional memberships;
- d. Provide a directory accessible to others;
- e. Compile and provide mailings/e-communications, approval, and attendance lists for examinations and meetings;
- f. Provide a list of members to committees and the Board of Governors; and
- g. NAB-approved research projects, which do not disclose personal identity.

NAB permits use of information for purposes related to and provide benefits to the profession, such as licensing the list to nonprofit associations in related fields and providers of education for non-commercial use. NAB does not sell, lease, or provide to any person or organization personal information except as specified above, and approved by the NAB Executive Committee. NAB does not disclose credit card account information or social security numbers, except to submit the necessary information to an authorized state regulatory board/agency.

Any questions regarding privacy issues, updating/changing information provided to NAB, or if there is a suspicion that data was handled in a manner that does not comply with this Privacy Policy, they may contact NAB at nab@nabweb.org.

Use of NAB data is subject to approval and compliance with the *NAB's Data Use/Rental Agreement* (refer to Policy Document PO-XVI.1) and subject to approval of the Executive Committee

XVII. Use of the NAB Logo

The NAB logo is the property of the NAB but may be used by NAB/HSE™ accredited colleges and universities and by standard, corporate, and certified sponsors of NCERS approved programs in good standing and in accordance with the terms and conditions set forth below. Use of the logo shall constitute consideration for, agreement to, and acceptance of the following terms and conditions of this license by the user.

A. NAB Logo Use License

The NAB logo is the sole and exclusive property of the NAB. The logo may be used only by NAB/HSE™ accredited colleges and universities, and by standard, corporate, and certified sponsors of NCERS approved programs in good standing if, and only if, such is made pursuant to the terms and conditions of this limited and revocable license. Any failure by a user to comply with the terms and conditions contained herein may result in the immediate revocation of this license, in addition to any other sanctions imposed by NAB. NAB, in its sole discretion, shall make the interpretation and enforcement (or lack thereof) of these terms and conditions, and compliance therewith.

The logo is made available to NAB/HSE™ accredited Colleges and Universities and by standard, corporate, and certified sponsors of NCERS approved programs in good standing in camera-ready, electronic, in color and/ or black and white. If academic accreditation, registered or certified sponsor designation, or program approval is not in good standing, the organization agrees to destroy all related promotional materials and cease use of the NAB logo. The logo may not be revised or altered in any way and must be displayed in the same form as produced by NAB. It may, however, be displayed on different (neutral) backgrounds, so long as those backgrounds do not conflict graphically with the clear appearance, readability, and recognition of the logo. Ideally, the logo should be displayed as a black and white positive image against a neutral background. The logo may be displayed in black & white, or in NAB's current Pantone Matching System. No other colors may be used, nor may the logo be displayed on patterned backgrounds (such as polka dots, wavy lines, etc.) that alter its character and message. The logo is a graphic symbol, not a text character. It is not to be used as part of a sentence or headline.

The logo may be used in a professional manner on the user's promotional literature, including brochures, company website, or advertisements, or in any other comparable manner to signify the user's accreditation or approval by the NAB. The logo may never be used independent of

the term “NAB Accredited” by NAB/HSE™ accredited colleges and universities or “NCERS Approved” by sponsors of NCERS approved programs and/or NCERS certified or corporate sponsors.

The NAB logo and/or the term ‘NAB Accredited’ must be accompanied by the following statement: ‘The long term care administration program at (school name) is accredited by the National Association of Long Term Care Administrator Boards. For additional information, contact NAB at 1120 20th St., NW, Suite 750, Washington, DC 20036, (202) 712-9040, or www.nabweb.org.’

The NAB logo and/or the term ‘NCERS Approved’ must be accompanied by the following statement: ‘This program is approved by the National Association of Long Term Care Administrator Boards. For additional information, contact NAB at 1120 20th St., NW, Suite 750, Washington, DC 20036, (202) 712-9040, or www.nabweb.org.’

Notwithstanding the foregoing, the logo may not be used in any manner that, in the sole discretion of NAB, discredits NAB or tarnishes its reputation and goodwill; is false or misleading; violates the rights of others; violates any law, regulation, or other public policy; or mischaracterizes the relationship between NAB and the user.

Use of the logo shall create no rights for users in or to the logo or their use beyond the terms and conditions of this limited and revocable license. The logo shall remain at all times the sole and exclusive intellectual property of NAB. NAB shall have the right, from time to time, to request samples of use of the logo from which it may determine compliance with the terms and conditions. Without further notice, NAB reserves the right to prohibit use of the logo if it determines, in its sole discretion, that user’s logo usage, whether willful or negligent, is not in strict accordance with the terms and conditions of this license, otherwise could discredit NAB or tarnish its reputation and goodwill, or the user is not in good standing.

XVIII. Dissolution

In the event the association should be dissolved, the Board of Governors shall make provisions for meeting all financial obligations of the association. Remaining assets are to be distributed to an organization(s) that qualifies as charitable, educational, literary, or scientific under Section 501(c)(3) of the Internal Revenue Code of 1954.