

Revised May 2006

BYLAWS

LOUISIANA DENTAL ASSOCIATION

BYLAWS OF THE LOUISIANA DENTAL ASSOCIATION

CHAPTER I - MEMBERSHIP & DUES

Section 10 - Classification :

The membership of this Association shall be composed of:

Active Members
Life Members
Student Members
Retired Members
Honorary Members
Associate Members
Affiliate Members

Section 20 - Qualification:

- A. **Active Members:** All dentists who are legally and ethically practicing their profession in the State of Louisiana and are members in good standing of a component dental association, except those who fall into other categories of membership, shall automatically be active members of this Association, except that the active membership of each component association shall be limited to dentists practicing or residing within the territorial jurisdiction of such component association as set out in Chapter 2, Section 10, of these Bylaws.

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

- B. **Life Members:** A life member shall be a member in good standing who (1) has been an active and/or retired member in good standing for thirty (30) consecutive years or a total of forty (40) years of active and/or retired membership and (2) has attained the age of sixty-five (65) years. Life membership shall be effective the calendar year following the year in which the requirements are fulfilled. Maintenance of membership in good standing in the American Dental Association and the member's component society shall be a requisite for continuance of life membership in this Association. To qualify for retired life membership status, the member shall submit an affidavit attesting to the member's qualifications for retired life membership through said component society and said component society shall submit a certificate verifying such qualifications. A dentist who was an active member, but subsequently became a student member, shall be entitled to

have the year or years of such subsequent membership counted as active membership for the sole purpose of establishing possible later eligibility for life membership.

- C. Student Members: A pre-doctoral student of a dental school accredited by the American Dental Association or any dentist engaged full time in an advanced training course of at least one (1) academic year in an accredited school or an internship or residency program approved by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs or an advanced training course of not less than one academic year's duration in an accredited school or residency program in areas neither recognized by the association nor accredited by the Commission on Dental Accreditation of this Association, may become a student member provided application is made through, and approved by the Louisiana Dental Association.
- D. Retired Members: An active member in good standing who is now a retired member of a component society, and no longer earning income from the performance of service as a member of the faculty of a dental school, as a dental administrator or consultant, or as a practitioner of any activity for which a license to practice dentistry is required by the state, may be classified as a retired member upon application to the Executive Director and upon proof of qualification. To qualify for retired membership status, the active member shall submit an affidavit attesting to the members' retirement through said component society and said component society shall submit a certificate verifying such retirement. Maintenance of active or retired membership in good standing in the American Dental Association and the member's component society shall be requisite for entitlement to and continuance of retired membership in this Association.
- E. Honorary Members: Honorary membership may be conferred on persons who have made valuable contributions to the arts and sciences pertaining to dentistry, or who shall have rendered important services to the dental profession. The name of a candidate for honorary membership shall be presented to the Board of Directors by five (5) members. The Board, after satisfying itself that such proposed Honorary Member has the qualifications as prescribed above, shall refer the candidate to the House of Delegates for election. An affirmative three-fourths vote of all ballots cast shall be necessary to elect.
- F. Associate Members: A person, not eligible for any other type of membership in this Association, who contributes to the advancement of the objectives of this Association and has not met the educational requirements for licensure as a dentist anywhere in the United States may, upon application to and approval by the appropriate component association, be classified as an associate member of this Association provided he or she is:
- (1) licensed as a dental hygienist by the Louisiana State Board of Dentistry, or
 - (2) a dental auxiliary employed by a practicing dentist who is a member in good standing of this association.
- G. Affiliate Members: A dentist who is a member in good standing of another constituent society of the ADA and who is not eligible for any other category of membership in this

association may be classified as an affiliate member of this association upon application to and approval by the Executive Office.

- H. Provisional Members: A provisional member shall be a dentist who has received a D.D.S. or D.M.D. degree from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or shall be a graduate of an unaccredited dental school who has recently been licensed to practice dentistry in Louisiana. Provisional membership shall terminate December 31 of the calendar year in which the application was made.

Section 30 - Definition of "In Good Standing":

Any member of this Association not under final sentence of suspension or expulsion, and

- (1) Whose dues and assessments for the current year have been paid, and who has maintained continuous membership or met the requirements for reinstatement under Chapter I, Section 50 – G of these Bylaws, or who is exempt from payment of dues and assessments by these Bylaws, and
- (2) Who has met such standards of continuing education as may have been established within the Bylaws of his/her District Association, and
- (3) Who has completed the forty (40) hours of continuing education biennially required to retain membership in the Louisiana Dental Association in accordance with Chapter I, Section 31 of these Bylaws, shall be considered a member in good standing.
- (4) The requirement of paying current dues and assessments does not apply to retired life members of this Association for the purpose of determining their good standing.
- (5) A member of this Association who is totally disabled for a period of one year and who is unable to engage in the duties of the dental profession and who was a member in good standing at the time total disability was incurred, shall be exempt from the payment of dues and assessments and shall be in good standing during the period of total disability. A totally disabled member, in order to receive entitlement to an exemption from dues and assessments, shall submit through the member's component society to this Association a medical certificate attesting total disability and a certificate from said component society attesting this total disability. During the period of exemption from dues and assessments, further such certificates shall be presented on request to this Association.

Section 31 - Continuing Education Requirements:

- A. To retain membership in the Louisiana Dental Association, each active member, except as specified below, shall be required to complete forty (40) hours of continuing education biennially.
- (1) Active members not engaged in dentistry related occupations.
 - (2) Active members who are retired or disabled.
 - (3) Life members.
 - (4) Members in the Armed Services.
 - (5) Special cases.

Section 40 - Privileges:

- A. An Active, Active Life, Retired or Retired Life Member in good standing shall be entitled to all privileges and services provided by the Association, and shall be eligible for election or appointment to any office, committee, council, board or similar position in the Association, except as hereinafter provided.
- B. One Student Member shall be entitled to all privileges and services provided by the Association, except the right to vote, to election to office, or privileges of the American Dental Association. The student delegate to the LDA House of Delegates will have voting privileges in that body only.
- C. Honorary Members, shall be entitled to all privileges and services provided by the Association, except the right to vote, to election to any office, or privileges of the American Dental Association.
- D. Right of Hearing and Appeal: A member against whom any charges are made shall have the right to a hearing and appeal as described by these Bylaws.
- E. Associate Member - An associate member in good standing shall receive a certificate of associate membership and an annual acknowledgment of renewal. An associate member shall be entitled to attend any scientific session of this Association eligible to participate in any Louisiana Dental Association sponsored major medical and ancillary insurance coverage, to attend Louisiana Dental Association sponsored continued education courses at reduced rates comparable to those charged Louisiana Dental Association active members and such other services as are authorized by the Board of Directors.
- F. Affiliate Members shall be entitled to all privileges and services provided by the association except the right to vote, hold elective office in the association and serve in any leadership or committee positions, nor shall they have the right to benefit from the LDA

Relief Fund, LDA Assistance Fund and/or programs of the LDA Dentist Well-Being Committee.

- G. Provisional members in good standing shall be entitled to all the privileges of an active member except that, notwithstanding anything in these Bylaws to the contrary, a provisional member shall have no right to appeal from a denial of active membership in the Association. A provisional member under a disciplinary sentence of suspension shall not be privileged to hold office, either elective or appointive, including delegate and alternate delegate, in such member's component society and this Association, or to vote or otherwise participate in the selection of officials of such member's component society and this Association.
- H. The eligibility of any member to enroll in association-sponsored insurance plans may be contingent upon his or her maintaining a primary residence in Louisiana in accordance with policies adopted by the Allied Dental Association Trust and/or the LDA Council on Insurance and approved by the LDA Board of Directors.

Section 50: Assessments, Dues and Reinstatement:

- A. Active Members: The dues of active members shall be three hundred twenty-four dollars (\$324.00) due January 1st of each year except that any dentist, who satisfies the eligibility requirements for active membership under Chapter 1, Section 20-A, of these Bylaws and who satisfies any of the following conditions shall be entitled to pay the reduced active member dues and assessments listed under such satisfied condition so long as such dentist maintains continuous membership, subject to the further reductions permitted under the provisions of Chapter 1, Section 50-H, of these Bylaws.
 - (1) On a one-time basis, the dentist, when awarded a D.D.S. or D.M.D. degree, shall be exempt from the payment of active member dues and assessments for the remaining period of that year and the following first full calendar year, and shall pay 25% of active member dues and assessments for the second full calendar year following the year in which the degree was awarded, 50% of active member dues and assessments in the third year, 75% in the fourth year, and 100% in the fifth and thereafter.
 - (2) The dentist who is engaged full-time in (A) an advanced training course of not less than one academic year's duration in an accredited school or residency program in areas neither recognized by this Association nor accredited by the Commission on Dental Accreditation or (B) a residency program or advanced education program in areas recognized by this Association and in a program accredited by the Commission on Dental Accreditation shall be exempt from assessments and pay thirty dollars (\$30.00) due on January 1st of each year until December 31st following completion of such program. For the dentist who enters such a course or program within one (1) year of the award of D.D.S. or D.M.D. degree and who

pays dues of thirty dollars (\$30.00) per annum while in such a program, the applicable foregoing condition (1) shall toll until completion of that program. Upon completing the program, the dentist shall pay dues and assessments for active members at the next period-in-time level that is applicable under condition (1).

- (3) An active member who is serving dentistry full-time for a charitable organization and is receiving neither income nor a salary for such charitable service other than a subsistence amount which approximates a cost of living allowance shall be exempt from assessments and pay dues of five dollars (\$5) due January 1 of each year provided that such charitable service is being performed continuously for not less than one year and provided further that such member does not supplement such subsistence income by the performance of services as a member of the faculty of a dental or dental auxiliary school, as a dental administrator or consultant, or as a practitioner of any activity for which a license to practice dentistry or dental hygiene is required.

B. Life Members:

(1) Active Life Members

Regardless of a member's previous classification of membership, the dues of life members who have not fulfilled the qualifications of Chapter 1, Section 20-D of these Bylaws with regard to income related to dentistry shall pay fifty percent (50%) of the dues and assessments of active members, due January 1st of each year.

(2) Retired Life Members

Life members who have fulfilled the qualifications of Chapter 1, Section 20-D of these Bylaws with regard to income related to dentistry shall be exempt from payment of dues and assessments.

C. Honorary Members and Retired Members: Honorary members shall be exempt from dues or assessments of the LDA.

The annual dues of retired members shall be twenty-five dollars (\$25).

The annual dues of the retired members are payable on the first of January of each year.

Retired members shall be exempt from assessments of the LDA.

D. Student Members: The dues of pre-doctoral student members shall be \$0. The dues of a dentist who is engaged full-time in (A) an advanced training course of not less than one academic year's duration in an accredited school or residency program in areas neither recognized by this Association nor accredited by the Commission on Dental Accreditation

or (B) a residency program or advanced education program in areas recognized by this Association and in a program accredited by the Commission on Dental Accreditation shall be thirty dollars (\$30.00) due January 1st of each year. Student membership terminates on December 31 after graduation or after completion of a residency or graduate work as provided in Chapter 1, Section 20C. Student members shall be exempt from assessments of the LDA.

- E. Associate Members: The dues of associate members shall be set by the Board of Directors. Associate members shall be exempt from assessments of the LDA.
- F. Affiliate Members: Affiliate members shall pay the same dues as active members in accordance with Section 50-A of these Bylaws with the exception that affiliate members shall be exempt from assessments of the LDA.
- G. Provisional Members: The dues and/or special assessments of provisional members shall be the same as the dues and/or special assessments according to the membership classification, as defined in Chapter I of these Bylaws, for which the provisional member has applied.
- H. Assessment: Each assessment levied shall require a two-thirds (2/3) vote of the House of Delegates.
- I. Members Elected After July 1 and October 1: Those members elected to active membership in this Association after July 1, except for those where membership has lapsed for failure to pay the current year's dues and/or assessments, shall pay one half (1/2) of the current year's dues and assessments, and those elected after October 1, shall be exempt from the payment of the current year's dues and assessments on a one-time only basis; except that a student member, upon classification as an active member by a constituent society, shall pay no further dues and assessments for the remainder of the calendar year in which the member was entitled to the benefits of student membership.
- J. Loss of Membership and Reinstatement
 - a. An active, life, retired or student member whose dues and/or assessments have not been paid by March 31 of the current year shall cease to be a member of this Association.
 - b. Reinstatement of active, life, retired or student membership may be secured on payment of all dues and/or assessments of this Association for the entire period of lapsed membership by a former active member in accordance with Chapter I, Section 50A, by a former life member in accordance with Chapter I, Section 50-B (a), by a former retired member in accordance with Chapter I, Section 50-C, and by a former student member in accordance with Chapter I, Section 50-D, and on

compliance by a former active, life or retired member with the pertinent bylaws and regulations of the component society involved.

- c. Any former active, active life, retired or student member whose membership has lapsed for a period greater than three years shall not be eligible for reinstatement, but must re-apply for membership in the association in accordance with Chapter I, Section 20 and Section 50.

- K. Full Disability/Hardship: Those members who have suffered a significant financial hardship that prohibits them from payment of their full dues and/or assessments may be excused from the payment of full dues (100%) of the current year's dues as determined by their component dental society. The component society secretary shall certify the reason for the waiver, and the component society shall provide the same proportionate waiver of their dues as that provided by this Association.

- L. 50% Disability/Hardship: Those members who have suffered a significant financial hardship that prohibits them from payment of their full dues and/or assessments may be excused from the payment of fifty percent (50%) of the current year's dues as determined by their component dental society. The component society secretary shall certify the reason for the waiver, and the component society shall provide the same proportionate waiver of their dues as that provided by this Association.

Section 60 - Change of Jurisdiction of Members:

A member who has changed the location of the member's practice from the jurisdiction of one component association to that of another component association may maintain active membership in the component association in which membership is being held for the calendar year following that of the member's removal from jurisdiction of such association.

A dentist who retires from active practice and establishes residence in an area outside of the jurisdiction of the component association in which the dentist holds membership shall be permitted to continue membership in such component association for the period of retirement. A member who is unsuccessful in transferring membership from one component association to another shall be entitled to appeal from a denial of the member's application for transfer of membership, in accordance with the provisions of Chapter XI of these Bylaws, even though a disciplinary penalty is not involved. This provision shall not affect the membership status of any member who held membership on or before April 8, 1989.

Section 70 - Multiple Jurisdiction:

A member may hold membership in two component associations with the consent of the component associations involved. A member is required to maintain active membership in the component association, if accepted therein, in whose jurisdiction the member maintains or uses a secondary or "branch" office. If such a member is accused of unethical conduct and disciplinary

proceedings are brought, then those proceedings shall be instituted in the component association where the alleged unethical conduct occurred. A disciplinary ruling affecting membership in one component association shall affect membership in all component associations and in the Louisiana Dental Association. A member shall have the right of appeal as provided in Chapter XI of these Bylaws. Such member shall pay dues in the component association in whose jurisdiction the member conducts the major part of the member's practice.

CHAPTER II - DISTRICT ASSOCIATION

Section 10 - Designation:

The members of the Louisiana Dental Association belong to nine (9) Component Associations.

The Association, the limits of each being the parishes or portions of parishes as listed, and which are component parts of this Association, and are governed by the Articles of Incorporation and Bylaws hereof, shall be as follows:

Acadiana District Dental Association

Acadia	St. Landry
Evangeline	St. Martin
Iberia	St. Mary (that portion West of the Calumet Cut Canal)
Lafayette	Vermillion

Bayou District Dental Association

Assumption	St. Mary (that portion East of the Calumet Cut Canal)
Lafourche	Terrebonne

Central Louisiana Dental Association

Allen (that portion North of latitude 30 45')	Natchitoches
Avoyelles	Rapides
Catahoula	Sabine
Concordia	Vernon
Grant	Winn
LaSalle (that portion South of latitude 31 53')	

Greater Baton Rouge Dental Association

Ascension	Iberville	St. Helena
East Baton Rouge	Livingston	West Feliciana

East Feliciana

Pointe Coupee

West Baton Rouge

Northeast Louisiana Dental Association

Caldwell

Lincoln

Richland

East Carroll

Madison

Tensas

Franklin

Morehouse

Union

Jackson

Morehouse

West Carroll

LaSalle (that portion North of latitude 31 53')

New Orleans Dental Association

Jefferson

St. Charles

Orleans

St. James

Plaquemines

St. John the Baptist

St. Bernard

St. Tammany (that portion east of Bayou Lacombe)

Northlake Dental Association

St. Tammany (that portion West of Bayou Lacombe)

Tangipahoa

Washington

Northwest Louisiana Dental Association

Bienville

Claiborne

Webster

Bossier

Desoto

Caddo

Red River

Southwest District Dental Association

Allen (that portion South of latitude 30 45')

Cameron

Beauregard

Jefferson Davis

Calcasieu

LOUISIANA CITIES REFERENCED BY COMPONENT DISTRICTS

Acadiana District

Abbeville

Esterwood

New Iberia

Arnaudville

Franklin

Opelousas

Breaux Bridge

Gueydan

Rayne

Carencro

Jeanerette

Scott

Churchpoint

Kaplan

St. Martinville

Crowley

Lafayette

Sunset

Delcambre

Loreauville

Ville Platte

Erath

Mamou

Washington

Eunice

Melville

Bavou District

Belle Rose
Berwick
Bourg
Chauvin
Cut Off
Galliano
Golden Meadow

Houma
Labadieville
LaRose
Lockport
Montegut
Morgan City

Napoleonville
Paincourtville
Patterson
Raceland
Shriever
Thibodaux

Central District

Alexandria
Ashland
Boyce
Bunkie
Campti
Chestnut
Colfax
Cottonport
Ferriday
Ft. Polk
Glenmore

Harrisonburg
Hornbeck
Jena
Jesmer
Jonesville
Lecompte
Leesville
Many
Marksville
Marthaville
Natchitoches

Olla
Oakdale
Pineville
Pollack
Rosepine
Sicily Island
Simmesport
Urania
Vidalia
Winnfield
Zwolle

Northeast District

Bastrop
Bernice
Calhoun
Columbia
Delhi
Farmerville
Forest
Grambling

Jonesboro
Lake Providence
Mangham
Mer Rouge
Monroe
Monterey
Newellton
New Llano

Oak Grove
Rayville
Ruston
St. Joseph
Tallulah
Waterproof
West Monroe
Winnsboro

Greater Baton Rouge District

Angola
Baker
Baton Rouge
Clinton
Denham Springs
Donaldsonville
Gonzales
Greensburg

Greenwell Springs
Innis
Jackson
Livingston
Maringouin
Morganza
New Roads
Oak Ridge

Plaquemine
Port Allen
Prairieville
Pierre Part
St. Francisville
White Castle
Zachary

New Orleans District

Allemands
Arabi
Belle Chasse
Buras
Chalmette
Convent
Des Allemands
Edgard
Garyville
Gretna
Hahnville

Harahan
Harvey
Jefferson
Kenner
LaPlace
Luling
Lutcher
Marrero
Metairie
New Orleans
Norco

Pearl River
Port Sulphur
Reserve
River Ridge
Slidell
St. Bernard
Vacherie
Venice
Violet
Westwego

Northlake District

Abita Springs	Covington	Kentwood
Amite	Franklinton	Mandeville
Bogalusa	Hammond	Ponchatoula
Bush	Independence	Tickfaw

Northwest District

Arcadia	Haughton	Minden
Benton	Haynesville	Oil City
Bossier City	Homer	Pelican
Castor	Junction City	Plain Dealing
Cotton Valley	Keatchi	Ringgold
Coushatta	Logansport	Shreveport
Dixie	Mansfield	Springhill
Gibbsland	Maynesville	Stonewall
Grand Cane	McCade	Vivian

Southwest District

Big Lake	Iota	Maplewood
Cameron	Iowa	Merryville
Creole	Jennings	Moreauville
DeQuincy	Kinder	Sulphur
DeRidder	Lake Arthur	Vinton
Elton	Lake Charles	Welsh
Hackberry	Mansura	Westlake

Section 20 - Bylaws:

The district association shall adopt bylaws subject to the approval of the Board of Directors of this Association, and subject to the following provisions:

- A. The location of the boundaries of such district associations must conform with Chapter II, Section 10, of these Bylaws.
- B. Objects must conform with Article II of the Articles of Incorporation of this Association.
- C. Any reference to membership must conform to Chapter I of the Bylaws, except that an associate membership for persons not eligible for other classes of membership may also be established, and that the District Association may require its members to meet such additional standards of Continuing Education as may be established within the Bylaws of the District Association. Fully privileged voting members shall be limited to Active, Active Life, Retired, and Retired Life Members of the Louisiana Dental Association and the American Dental Association. Any provision for application for membership must provide that the same shall be made on form approved by the Board of Directors of this Association. There shall also be included regulations relating to election, resignation, suspension, expulsion, and reinstatement of members, the latter to be subject to the payment of dues provided in Chapter I, Section 50.

- D. The Bylaws shall provide for officers, a director (or directors) for the Association, Delegates to the House of Delegates of the Louisiana Dental Association, and a Board of Governors for the said District Association from its roster of Active, Active Life, Retired, and Retired Life Members in good standing, the method of election, installation, privileges and duties and the number of meetings and the quorum necessary for the said Board of Governors.
- E. Such Bylaws must provide for at least one meeting of said District Association annually, the number of members necessary for a quorum and the order of business at meetings.
- F. Said Bylaws must provide for dues and assessments, methods of payment thereof and penalties for non-payment.
- G. Said Bylaws shall provide for the method of amending the same and generally provide any other rules or regulations desired by the District Association not in conflict with the Articles of Incorporation or the Bylaws of this Association.
- H. Such Bylaws shall provide for a code of ethics not in conflict with that of this Association and the American Dental Association and the procedure in case of violations and appeals there from.
- I. With the approval of the Board of Directors, a District Association may divide geographically and administratively, except that from the standpoint of the Louisiana Dental Association the divisions shall still comprise one District Association, with one treasurer for the collection and forwarding of dues, and whose director to the Louisiana Dental Association shall be elected annually at a joint meeting of the divisions.
- J. In all matters other than those already set out in this section, the component Bylaws may not be in conflict with those in the constituent associations or with those in the American Dental Association.

Section 30 - Membership:

The active membership of each component society shall consist solely of dentists practicing or residing within the territorial jurisdiction of the component society.

CHAPTER III - BOARD OF DIRECTORS

Section 10 - Composition:

The Board of Directors of this Association shall consist of the President, President-Elect, Secretary-Treasurer, Immediate Past President and one director for each component Association,

except that the New Orleans Dental Association shall elect two. The President of the Louisiana Dental Association shall act as Chairman of the Board, but shall vote only in case of a tie. The Speaker of the House and the Editor shall be ex-officio members without a vote. In addition the President of the board of directors of Louisiana Dental Services shall serve as an ex-officio member of the Louisiana Dental Association board of directors, without vote, and all expenses related to his serving in such a capacity shall be borne by the operating budget of Louisiana Dental Services, Inc. The Louisiana Dental Association board of directors may upon a motion passed by a simple majority, excuse the Louisiana Dental Services, Inc. representative from any Executive session of the Louisiana Dental Association board of directors.

For each Director, the component association shall also elect an Alternate Director who shall serve in the capacity of the director should the Director be unable to attend a meeting of the Board of Directors. In the event that neither the Director(s) nor Alternate Director(s) is able to attend a meeting of the Board of Directors, the component President or governing Board may appoint a substitute Director(s) to attend the meeting. It is required that written notification by the District President be given to the Association Secretary/Treasurer at least two (2) days prior to the meeting at which the substitute Director will serve. When seated at a meeting of the LDA Board of Directors, the Alternate Director(s) or substitute Director(s) shall have all the rights and privileges normally given to a Director(s) of the LDA Board of Directors. Neither an Alternate Director(s) nor a substitute Director(s) shall be prohibited from being a delegate to the LDA House of Delegates.

Section 20 - Meetings:

The Board shall meet at the call of the President of the Association.

- A. There shall be four (4) regular meetings of the Board of Directors each year.
 - 1. A meeting shall be held immediately after the close of the House of Delegates of the Louisiana Dental Association.
 - 2. The time and place of the other three meetings of the Board of Directors shall be determined by the Board so as to meet the requirements of these Bylaws and the functioning of the Association.
- B. The President shall call a special meeting of the Board of Directors at the written request of three (3) members of the Board or on his own initiative when the necessity arises.
- C. The Board may meet in closed session.
- D. The Board shall have the privilege of extending invitations to individuals to attend all or part of a meeting.

Section 30 - Quorum:

If 50% of the voting members of the Board of Directors are present at a meeting, it shall constitute a quorum and a majority of those present shall be required for any action.

Section 40 - Voting:

The Board of Directors need not physically meet but may act and vote by mail, telephone or telegraph, facsimile, or other methods as the Board may deem satisfactory, provided that shall the Board not physically meet, then a majority vote of the entire Board must be obtained for the passage of any business conducted in this matter.

Section 50 - Dual Office Holding:

Any member of the Board of Directors who is elected to an office in this Association shall resign his position as Component Association Director and his unexpired term shall be filled by his Component Association. Furthermore, no member of the Board of Directors except the President serving in the capacity of an ex-officio member, shall serve as a member of a standing committee or council or as a director of a for-profit subsidiary of the Association, except as designated by the Association Board of Directors Executive Committee.

Section 60 - Powers:

- A. The Board of Directors shall be the managing body of the Association vested with full power to conduct all business of the Association subject to the Articles of Incorporation, the Bylaws and the Mandates of the House of Delegates.
- B. The Board of Directors shall pass on all expenditures of all monies belonging to this Association. It may authorize certain officers or committees to expend monies for specific purposes and the routine expenses of this Association. The Board of Directors shall have full control of all trust funds of this Corporation.

Investment of trust funds shall only be made in such securities as are acceptable to trust estates and savings banks under the laws of the State of Louisiana.
- C. It shall have the power to establish rules and regulations not inconsistent with these Bylaws to govern its organization and procedures.
- D. It shall have the power to establish emergency policies when the House of Delegates is not in session and when such policies are essential to the management of the Association, provided however, that all such policies must be presented for review at the next session of the House of Delegates.
- E. It shall be responsible for the employment or dismissal of the Executive Director.

- F. The Board of Directors shall appoint an Editorial Board, consisting of five members each to serve a five year term to operate and administer the Journal of the Louisiana Dental Association.
- G. The Board of Directors shall act as an appeal tribunal in all matters pertaining to discipline of members by the District Associations.
- H. The powers and duties of the House of Delegates may be assumed by the Board of Directors except the powers to amend, enact, or repeal the Articles of Incorporation and Bylaws and the duty of electing officers for an interim period during a national emergency or if the House of Delegates cannot convene or reach a quorum at a regular or specially called meeting.
- I. The Board of Directors shall have full authority to borrow money, purchase immovable property, and to sell, lease, encumber or otherwise alienate any immovable property owned by the Louisiana Dental Association.
- J. The Board of Directors of this Association shall be designated as the representative of the Association as a stockholder in LDS, Inc.

Section 70 - Duties:

- A. The Board shall act for the House of Delegates in the general interpretation of established policies and programs and shall make recommendations on matters of policy and operations to the House of Delegates. It shall report fully and promptly to the House of Delegates on all actions.
- B. The Board shall receive reports of Committees or other agencies and refer such reports with recommendations to the House of Delegates.
- C. It shall determine the date and place of convening each annual meeting.
- D. It shall prepare an annual budget for carrying on the activities of the Association and submit same to the House of Delegates for approval.
- E. It shall perform such other duties as specified in the Bylaws or as directed by the House of Delegates.

CHAPTER IV - OFFICERS & THEIR DUTIES

Section 10 - Duties of the President:

The President shall be the spokesperson of this Association and shall preside at all meetings of the Board of Directors, and shall perform all the duties usually devolving on a presiding officer. He shall be an ex-officio member of all Committees. He shall call regular and special meetings of the Board of Directors and the House of Delegates as prescribed in these Bylaws, Chapter III and Chapter V. The President does not vote except in case of a tie.

Section 20 - Duties of the President-Elect:

The President-Elect shall serve as a member of the Board and shall assume the duties of the President and shall act for and in the place of the President in the event of his death, resignation, absence, or inability to act.

Section 30 - Duties of the Secretary-Treasurer:

The Secretary-Treasurer shall perform all duties usually devolving on such an officer. Together with the President, he shall certify to all official acts of the Association. He shall receive and collect all monies due the Association from members, district associations and all other sources, giving a receipt therefore and shall pay all orders drawn and signed by such officers as are empowered to draw and sign same, and submit a complete report at each annual meeting. He shall give a bond or ensure equivalent security against loss due to acts of infidelity or dishonesty in the execution of his duties in the amount required by the Board of Directors before entering upon his duties. He shall preside in the absence of the President and President-Elect.

Section 40 - The Executive Director and his Duties:

There shall be an Executive Director who shall be employed by the Board of Directors and compensated at the discretion of the Board. He shall be the head of the Executive Office, and shall supervise and coordinate the activities of all councils and committees in regard to their specific assignments, and systematize the preparation of all reports of such councils and committees. He shall engage such employees as may be authorized by the Board of Directors. He shall assist the Secretary-Treasurer in all matters and, more particularly in collecting all money due the Association, giving receipt and accounting therefore. He shall give a bond or ensure equivalent security against loss due to acts of infidelity or dishonesty in the execution of his duties in an amount required by the Board of Directors and perform such other duties as are prescribed by the Board of Directors or by these Bylaws.

Section 50 - Speaker of the House of Delegates:

The Speaker of the House of Delegates shall preside at all sessions of the House of Delegates without vote and shall perform such duties as custom and parliamentary usage require. The Speaker shall be an ex-officio member of the Board of Directors without vote.

Section 60 - The Editor of the Journal of the Louisiana Dental Association:

The Editor shall be editor in chief of the Journal of the Louisiana Dental Association and shall exercise full editorial control over such publication subject only to policies established by the House of Delegates and these Bylaws. The Editor shall be an ex-officio member of the Board of Directors without vote.

Section 70 - Terms of Office:

The term of office for the President and President-Elect shall be for one (1) year. The term of office for the Speaker of the House of Delegates shall be for three (3) years, not to exceed two (2) consecutive terms. The term of office for the Secretary-Treasurer shall be for three (3) years, not to exceed two (2) consecutive terms. The term of office for a component director of the Louisiana Dental Association board of directors shall not exceed six consecutive years. A district director may serve another term after rotating off the board for at least one year.

Section 80 - Removal from Office:

- A. Any state officer of this association may be removed for **valid cause** by the body that elected him/her.
- B. Before any officer may be removed from his/her office, the following sequential events must have occurred:
 - 1. A written complaint explaining all details be made to the Board of Directors;
 - 2. A hearing before the Board of Directors in which all parties who wish to speak are heard;
 - 3. The Board of Directors votes by a two-thirds (2/3) margin to remove the officer;
 - 4. The majority of the House of Delegates votes to remove the officer.
- C. **VALID CAUSES** for removal include, but are not limited to:
 - 1. Gross or willful neglect of the duties of the office;
 - 2. Failure or refusal to disclose to the Board of Directors necessary information of matters of LDA business;
 - 3. Unauthorized expenditures, signing of checks or misuse of LDA funds;
 - 4. Unwarranted attacks on the President or refusal to cooperate with the President;
 - 5. Misrepresentation of the LDA and its officers to the outside public;
 - 6. Conviction of a felony; (revised March 1995)
 - 7. Unwarranted actions which severely disrupt the goals and functions of the LDA.

CHAPTER V - HOUSE OF DELEGATES

Section 10 - Composition and Certification of Delegates:

- A. Composition: The House of Delegates shall be limited to 75 voting members from the 9 component districts, 2 student members of the LDA and the Speaker of the House. Any Active, Active Life, Retired, or Retired Life member of the Louisiana Dental Association in good standing shall be eligible for election as a delegate. The number of component delegates shall be based on the proportionate percentage of the total number of Active, Active Life, Retired, and Retired Life members listed in good standing in each component as determined in the executive office as of September 30th of the preceding year. The elected officers, members of the Board of Directors, the Editor and the Past-Presidents shall be ex-officio members of the House of Delegates with all privileges except the power to vote or present motions unless certified as delegates. Two pre-doctoral student members of the Louisiana Dental Association, one voting and one non-voting, shall be seated with the delegates. Both students shall be LSU School of Dentistry representatives to the American Student Dental Association (ASDA) as elected by the LSUSD student body, one of these representatives being LSUSD's First Delegate to ASDA and the other being LSUSD's Legislative Liaison to the LDA. In the event one of the student representatives is unable to serve, he or she will be replaced by either LSUSD's ASDA Second Delegate or LSUSD's ASDA alternate representative.

Note: The Method of Least Proportionate Error shall be the formula used to calculate the additional number of voting delegates allocated annually to each district association.

- B. Certification of Delegates: The secretary of each district association shall file with the Executive Director at least sixty (60) days prior to the date of the annual meeting the names of delegates designated by this association. If any district association delegate is unable to attend an annual meeting of the Association or any session of the House of Delegates or if he is elected Speaker of the House of Delegates, he shall notify the president of the district association who shall thereupon appoint an alternate delegate and shall certify this appointment in writing to the Executive Director of this Association. No alternate delegate shall be recognized unless these conditions have been fulfilled.

Section 20 - Powers:

- A. The House of Delegates shall be the supreme authoritative body of this Association.
- B. It shall possess the legislative powers.
- C. It shall have the power to enact, amend and repeal the Articles of Incorporation and Bylaws. (See Chapter XIV, Section 10)
- D. It shall determine the policies which shall govern this Association in all its activities.

- E. It shall have the power to approve all memorials, resolutions, or opinions issued in the name of the Louisiana Dental Association.
- F. It shall have the power to adopt such rules and regulations as it may deem necessary for the conduct of its business.

Section 30 - Duties

- A. It shall elect the Elective Officers and Delegates and Alternate Delegates to the American Dental Association.
- B. It shall receive and act upon all resolutions proposed and committee reports and recommendations brought before it.
- C. It shall adopt an Annual Budget.

Section 40 - Regular Meetings:

- A. The House of Delegates shall meet once during the annual session of the Louisiana Dental Association. Resolutions to be voted on at the Annual Session should be studied by the individual district associations prior to the Annual Meeting.
- B. All motions and resolutions shall be mailed to the Delegate Body at least thirty (30) days prior to the opening of the Annual Session, unless submitted by the Board of Directors. New Business or resolutions may be introduced during the session only by the affirmative vote of three-fourths of the delegates present and voting. The term "Majority Vote" shall mean the majority of Delegates present and voting.

Section 50 - Special Meetings:

Special Meetings of the House of Delegates shall be called by the President on a majority vote of the Board of Directors or on a written request of one-third of the officially certified delegates of the last House of Delegates. The time and place of a special meeting shall be determined by the President but shall not be more than forty-five (45) days after the request was received.

Section 60 - Official Call:

The Executive Director of the Association in the name of the President shall notify all members in good standing of Regular Meetings, at least thirty (30) days prior to the opening of such meeting and at least fifteen (15) days prior to the opening of any Special Meeting.

Section 70 - Officers:

- A. Speaker of the House: Any Active, Active Life, Retired or Retired Life member of the Louisiana Dental Association in good standing shall be eligible for the office of Speaker of the House. Upon being elected, for a term of three (3) years, the Speaker of the House shall become a member of the House without vote and shall preside at all of its sessions. He shall determine the order of business for all sessions subject to the approval of the House. He shall appoint tellers to assist him in determining the result of any action taken by vote. He shall perform such other duties as custom and parliamentary procedure require. His decision shall be final unless appeal from such decision is made by a member of the House on which case final decision shall be by a majority vote.
- B. Secretary-Treasurer and Executive Director: The Secretary- Treasurer and Executive Director of the Louisiana Dental Association shall serve in their respective capacities for the House of Delegates and shall cause a record of the proceedings of the House to be published as the official transactions of the House.

Section 80 - Quorum:

A quorum of the House shall consist of twenty-seven (27) voting members with 50% of the District Associations represented.

CHAPTER VI - ANNUAL MEETING/SPECIAL MEETINGS:

Section 10:

- A. The Annual House of Delegates Meeting shall convene at a place and time designated by the Board of Directors that affords adequate opportunity for the House of Delegates to dispense with all matters of business for that year that may appropriately come before it.
- B. Attendance: Admission to all annual and special meetings of the House of Delegates shall be limited to members in good standing of the American Dental Association and such other persons as approved by the Board of Directors.

CHAPTER VII - NOMINATION & ELECTION OF OFFICERS, DELEGATES AND ALTERNATE DELEGATES TO THE AMERICAN DENTAL ASSOCIATION VACANCIES

Section 10:

All persons elected to office in this Association shall have been nominated, as provided in this Chapter, at the Nominating Committee meeting held at least fifty (50) days but not more than one

hundred and twenty (120) days prior to the annual meeting at which they are elected, except in the cases provided in Sections 40, 80, 90, 100 and 120 of this Chapter.

Section 20:

At a Nominating Committee held at least fifty (50) days, but not more than one hundred and twenty (120) days prior to the annual meeting at which they are elected, the Nominating Committee, shall be composed of the director elected by each District Association, plus the President, who shall preside without vote, shall nominate one member each for the office, when the applicable term of office is expiring, of President-Elect, Secretary-Treasurer, and Speaker of the House of Delegates. If any member has expressed a desire to serve as Trustee of the Twelfth Trustee District of the American Dental Association, this committee will carry out the nomination procedure as with other nominations. Any person nominated must be an Active, Active Life, Retired or Retired Life member of this Association and shall have received the recommendation of the component association of which he or she is a member. In the event, however, that no persons shall have been recommended by any of the component associations for a given office of the Association the Nominating Committee shall be authorized to nominate a person of their selection, who is a member of this Association, for the said office so as to present at all times a full slate of nominees to the membership. In the event that a majority of the Nominating Committee, after due deliberation, is unable to select a single nominee for any given office, then said Committee may nominate more than one member for the office or offices upon which there is a deadlock.

Section 30:

The names of all persons so nominated by the Nominating Committee shall be mailed to each member of this Association at least thirty (30) days prior to the Annual Meeting and shall be presented to the House of Delegates during its Annual Session.

Section 40:

Nominations to any of the offices mentioned in Sections 20, 110, and 120, of this Chapter may be made in writing by any component association of the LDA or when signed by 3 duly elected members of the House of Delegates of the LDA. The nominations must be received by the Secretary-Treasurer of the LDA at least forty-five (45) days prior to the opening of the Annual Session. Thereafter nominations to the several offices shall be closed. New nominations may be made during the Session of the House of Delegates by the affirmative vote of three fourths (3/4) of the delegates present and voting. Voting by proxy is forbidden.

Section 50:

Each delegate shall receive a ballot at the Annual Session of the House of Delegates which he or she may mark and personally vote at a place designated by the Credentials Committee. Voting by proxy is forbidden.

Section 60:

Immediately after the time for voting has lapsed, the ballots shall be counted and the person securing the majority of votes cast for the office for which he was nominated shall be elected.

Section 70:

In the event of more than two nominees for an office, and no candidate receives a majority of the votes cast, a second election shall be held between the two candidates receiving the highest number of votes. In the event of a tie vote after the second balloting the election or selection shall be by majority vote of the Board of Directors between the two candidates so dead-locked.

Section 80:

If a person nominated to office by the Nominating Committee is unable for any reason to accept the office for which he was nominated, then at any time prior to the election the Nominating Committee shall again nominate one person to such office, as provided in Section 20, 110, and 120 of this Chapter.

Section 90:

The unexpired term of any office of this Association which shall have come vacant may be filled by a majority vote of the Board of Directors. A person so appointed to the office of President-Elect shall not automatically become President of this Association.

Section 100:

If for any reason the President-Elect is unable to assume the office of President, or if the office of the President-Elect has been filled in accordance with Section 90, of this Chapter, then in either event, at the first regular session of the House of Delegates at the annual meeting or at any time up to fifteen (15) days proceeding the first regular session at the annual meeting and mailed to the general membership of the Association, the Nominating Committee shall nominate one person who has received the recommendation of the district association of which he is a member to the office of President. Any delegate of this Association may also nominate persons to said office by due notification to the Secretary-Treasurer of this Association. At the regular session of the House of Delegates at the annual meeting, the President shall be elected from the persons so nominated as provided in Sections 50 and 60 hereof.

Section 110:

One delegate to the ADA from the active, active life, retired life and retired members of the Louisiana Dental Association, including the President and President-Elect, shall be elected from each delegate area. Preferably, delegates to the ADA, should come from the ranks of present or previous alternate delegates. The term of office for these delegates shall be for three (3) years. Based upon the historical allocation of six delegates and six alternate delegates to the LDA, the delegate areas are as follows: Delegate areas #1 and #2 (New Orleans Dental Association),

Delegate area #3 (Acadiana Dental Association and Southwest Dental Association), Delegate area #4 (Greater Baton Rouge Dental Association), Delegate area #5 (Northeast Dental Association and Northwest Louisiana Dental Association), and Delegate area #6 (Bayou Dental Association, Central Dental Association and Northlake Dental Association). Should a delegate area fail to produce a nominee, then nominees from the state at large will be considered.

After delegates to the ADA have been nominated, then five (5) alternate delegates shall be nominated. These alternate delegates shall be nominated as follows:

Delegate areas #1 and #2 – one alternate delegate.

Delegate area #3 – one alternate delegate.

Delegate area #4 – one alternate delegate.

Delegate area #5 – one alternate delegate.

Delegate area #6 – one alternate delegate.

For delegate areas #3, #5, and #6, the alternate delegates should generally be nominated from those component associations within the delegate area from which a delegate has not been nominated. The term of office for all alternate delegates shall be one (1) year. If the president-elect is not filling a delegate slot from delegate areas #1 through #6, then the president-elect shall be the alternate delegate nominee for the delegate area that includes his/her component. Should an alternate delegate not be nominated from delegate areas #3, #5, or #6, then an additional nominee for alternate delegate shall come from delegate area #1, #2, or #4. Should an alternate delegate not be nominated from delegate area #1, #2, or #4, then an additional nominee for alternate delegate shall be from delegate areas #3, #5 or #6.

The sixth (6th) alternate delegate to the ADA shall have a term of office of one (1) year and shall be filled as follows:

1. If the president of the LDA is not filling a delegate or alternate delegate slot allocated to delegate areas #1 through #6, then the president shall be the sixth (6th) alternate delegate.
2. If the secretary-treasurer is not filling a delegate or alternate delegate slot from delegate areas #1 through #6, and if a slot remains because the president is a delegate or alternate delegate from one of these six delegate areas, then the secretary-treasurer shall be the sixth (6th) alternate delegate.
3. If an alternate delegate slot remains because both the president and secretary-treasurer are delegates or alternate delegates from one of the six delegate areas, then nominations from the state at large will be accepted and the sixth (6th) alternate delegate will be elected by the House of Delegates at the annual meeting of the Louisiana Dental Association.

If the secretary-treasurer is not nominated as one of the six delegates or five alternate delegates from one of the six delegate areas, nor as the sixth (6th) alternate delegate, then he/she shall serve as the delegation's secretary for all business relating to the District Caucus(es) and ADA House of

Delegates. Notwithstanding any contrary provisions of the ADA House of Delegates, the secretary-treasurer, when serving as delegation secretary, should occupy the secretary's seat on the floor of the ADA House of Delegates, but will have no vote in the ADA House. The secretary-treasurer shall be reimbursed for expenses related to serving as secretary of the delegation in the same manner as delegates and alternate delegates.

Additional nominations for ADA delegates or alternate delegates may be made by any member of the LDA House of Delegates provided that the nominee and nominator are from the same ADA delegate area. Such nominations must be made from the floor of the House of Delegates during the Annual Session.

Section 120:

In the event that the Louisiana Dental Association should qualify to be represented in the House of Delegates of the ADA by an additional voting member above the number which have been elected and are nominated and when the intelligence of this fact is known only after nominations for Officers and Delegates to the ADA have been closed, the following procedure shall be followed.

1. The Nominating Committee shall meet in advance of the regular Session of the House of Delegates at the Annual Meeting and select a nominee or nominees for the additional Delegate and/or Alternate Delegate positions, in the manner prescribed for Officers (Chapter VII, Section 20).
2. The name or names of the member or members so selected shall be presented to the House of Delegates during the regular session of the House of Delegates at the Annual Meeting.
3. Nominations for the office or offices may be made by any Delegates during this same session of the House of Delegates.
4. Election to office or offices shall be made from the nominees selected in accordance with the provisions of Section 50, Chapter VII, of these Bylaws.
5. The term of office of the Delegate and /or Alternate Delegate to ADA so elected shall be one year only. The same member may be re-elected to these positions an unlimited number of terms.

CHAPTER VIII – COUNCILS AND COMMITTEES

Section 10:

The House of Delegates shall establish such councils and committees, along with duties, as are necessary to the functioning of this Association.

Section 20 - Appointment of Councils and Committees:

Except as otherwise provided herein, the President shall appoint members to all councils and committees, subject to the approval of the Board of Directors. Whenever possible, appointments to membership of councils and committees should be made from those members serving as chairmen of corresponding district councils and committees.

Section 30 - Report of Councils and Committees:

The Chairman of each council or committee shall make a written report to the Board of Directors whenever requested by the Board.

Section 40:

Committees related to the functioning of the House of Delegates shall be appointed by the President from the list of certified delegates.

CHAPTER IX - JOURNAL OF THE LOUISIANA DENTAL ASSOCIATION

Section 10:

This Association shall publish in the state of Louisiana a periodical to bear the name Journal of the Louisiana Dental Association. The journal shall not be published for profit, but for the objects of this Association.

Section 20:

An Editorial Board shall be appointed as specified in Chapter III, Section 60-F. The Editor and Business Manager of said Journal shall be elected annually by the Editorial Board from the membership of said Board, and said Editor shall arrange for publication of matter appearing in the Journal and select such assistants as he may deem necessary.

Section 30:

The Editorial Board of said Journal shall supervise all materials appearing in the said Journal. They shall also collect all funds and pay all bills incident to the publication and operation of said periodical.

Section 40:

All contracts and honorariums agreed to by the Editorial Board of the Journal shall be subject to the approval of the Board of Directors.

Section 50:

The Editorial Board of the Journal shall make a detailed business report at least annually or whenever requested by the Board.

CHAPTER X - PRINCIPLES OF ETHICS

Section 10:

The Principles of Ethics of the American Dental Association is hereby adopted as the Principles of Ethics of this Association.

CHAPTER XI - JUDICIAL PROCEDURE, CHARGES & APPEALS

Section 10 - Professional Conduct of Members:

The professional conduct of a member of this Association shall be governed by The Principles of Ethics of the American Dental Association, the Code of Ethics of the District Association within whose jurisdiction he practices, or conducts or participates in other professional dental activities.

Section 20 - Discipline of Members by District Association:

A. Conduct Subject to Discipline: A member may be disciplined by his District Association for:

- 1) having been found guilty of a felony;
- 2) having been found guilty of violating the Dental Practice Act of Louisiana
or;
- 3) violating the Bylaws of this Association or his District Dental Association, the American Dental Association Principles of Ethics and Code of Professional Conduct of the District Association of which he is a member or within whose jurisdiction he practices, or conducts or participates in other professional dental activities.

B. Disciplinary Penalties: A member may be placed under a sentence of censure, or suspension, or may be expelled from membership for any of the offenses enumerated in Section 20-A of this Chapter.

Suspension means all membership privileges, except continued entitlement to coverage under insurance programs, are lost during the suspension period. Suspension shall be unconditional and for a specific period at the termination of which full membership privileges are automatically restored. A subsequent violation shall require a new disciplinary procedure before additional discipline may be imposed.

Expulsion is an absolute discipline and may not be imposed conditionally.

C. Disciplinary Proceedings: Before a disciplinary penalty is invoked against a member, the following procedure shall be followed by the District Association where in the charges are preferred:

1. Charges:

Any person may bring a charge against a member of this Association by filing with the Secretary of the District Association of which he is member, a written statement of the charges signed by the complainant. The Secretary shall refer this statement to a committee appointed by the Board of Governors of this District Association, which committee shall investigate the charges and report to the Board of Governors of the District Association in writing, together with their recommendations. If the Board of Governors considers the report of the committee and such evidence as it may wish to consider sufficient to require disciplinary action, it shall call a special meeting of the members of the District Association to consider the charges.

2. Notice:

The board shall notify the accused member, in writing, of the charges brought against him and of the time and place of the hearing, such notice to be sent by registered mail, addressed to his last known address and mailed not less than twenty-one (21) days prior to the date set for the hearing. An accused member, upon his request, shall be granted one postponement for a period not to exceed thirty (30) days. The written charges shall include an official certified copy of the alleged conviction or determination of guilt, or specification of the Bylaws or ethical provisions alleged to constitute such violation.

3. Hearing:

The Board of Governors shall appoint a member of the District Association to present the evidence at the special meeting of the membership. The accused member has the right to be heard at the special meeting and to present such evidence as he may desire and to be represented by legal counsel. When the District hearing, the accused member, at his own expense, shall be entitled to arrange for the services of a court reporter to transcribe the hearing.

4. Decision:

The District Association, after hearing the evidence, may render any one of the following decisions:

- a) It may censure
- b) It may suspend
- c) It may expel
- d) It may exonerate

A majority vote of those present and voting at the meeting is required to censure, suspend or expel. If the District Association fails to censure, suspend or expel the accused member, he shall stand exonerated. Every decision which shall result in censure, suspension or expulsion shall be reduced to writing and shall specify the charges made against the member, the facts which substantiate any or all of the charges, the verdict rendered, the penalty imposed, and a notice shall be mailed to the accused member so informing him together with his right to appeal. Within ten (10) days of the date on which the decision is rendered, the Secretary of the District Association shall send a copy thereof by registered mail to the last known address of each of the following parties: the accused member, the Secretary-Treasurer of the Louisiana Dental Association, the Chairman of the Judicial Council of the American Dental Association, and the Executive Director of the American Dental Association.

Section 30 - Appeals from Decision of District Association

An accused member under sentence of censure, suspension or expulsion shall have a right to appeal from a decision of his District Association to the Board of Directors of the Louisiana Dental Association by filing an appeal in affidavit form with the Secretary-Treasurer of the Louisiana Dental Association within thirty (30) days after such sentence has been rendered. Every party to an appeal shall be entitled to submit a brief in support of his or its position. The accused member initiating the appeal shall submit his brief to the Secretary-Treasurer of the Louisiana Dental Association within forty-five (45) days from the date upon which the decision appealed from was rendered.

If the accused member does not file an appeal with the Louisiana Dental Association within the thirty (30) day period allowed, the Secretary-Treasurer of the Louisiana Dental Association shall notify all parties of the failure to file an appeal, and the sentence shall take effect as of the date of the notice.

Section 40 - Appeal Proceedings by Board of Directors Louisiana Dental Association:

- A. Hearing on Appeals: An accused member shall be entitled to a hearing by the Board of Directors of the Louisiana Dental Association provided that such appeal satisfied the requirements of Section 30 of this Chapter, and shall be permitted to be represented by legal counsel. A party need not appear for his appeal to be heard by an appellate agency.
- B. Notice of Filing of Appeal: The Secretary-Treasurer of the Louisiana Dental Association, upon receipt of notice of appeal, shall immediately request the District Association which preferred charges to furnish to the Board of Directors which has received the appeal and to the accused member, a transcript of, or an officially certified copy of the minutes of the hearing accorded the accused member. The transcript or minutes shall be accompanied by certified copies of any affidavits or other documents submitted as evidence to support the charges against the accused member or submitted by the accused member as part of his defense. Failure of the District Association to furnish the transcript or minutes and

certified copies of affidavits and documents within the thirty (30) days of request shall result in dismissal of the charges by the Board of Directors.

- C. Notice of Hearing: The Board of Directors of the Louisiana Dental Association upon receipt of an appeal shall notify the District Association concerned and the accused member of the time and place of the hearing, such notice to be sent by registered mail to the last known address of the parties to the appeal and mailed not less than thirty (30) days prior to the date set for the hearing. Granting of continuances shall be at the option of the Board of Directors hearing the appeal.
- D. Appeals Jurisdiction: The Board of Directors shall be required to review the decision appealed from to determine whether the evidence before the district Association which preferred charges against the accused member supports the decision of the District Association or warrants the penalty imposed. The Board of Directors shall not be required to consider additional evidence unless there is a clear showing that either party to the appeal will be unreasonably harmed by failure to consider the additional evidence. The accused member may elect to rely on the record and/or on an oral presentation and not file a brief.
- E. Decisions on Appeal: Every decision on appeal shall be reduced to writing and shall state clearly the conclusion of the Board of Directors and the reason for reaching that conclusion. The Board of Directors shall have the discretion to: (1) uphold the decision of the District Association which preferred charges against the accused member; (2) reverse the decision of the District Association which preferred charges and thereby exonerate the accused member; (3) deny an appeal which fails to satisfy the requirements of Section 30 of this Chapter; (4) refer the case back to the District Association which preferred charges for new proceedings, if the rights of the accused member under all applicable laws were not accorded him; or (5) to uphold the decision of the society which preferred charges against the accused and reduce the penalty imposed. Within ten (10) days of the date on which a decision on appeal is rendered a copy thereof shall be sent by registered mail to the last known address of each of the following parties: the accused member, the Secretary of the District Association of which he is a member, the Chairman of the Judicial Council of the American Dental Association and the Executive Director of the American Dental Association.

Section 50 - Appeals from Decision of the Board of Directors of the Louisiana Dental Association:

Such an accused member or the District Association concerned shall have the right to appeal from a decision of the Board of Directors of the Louisiana Dental Association to the American Dental Association in accordance with the Bylaws of the American Dental Association.

Section 60 - Final Appellate Action:

No disciplinary penalty may be invoked against a member until final appellate action has been taken or until the time within which appellate action may be taken has elapsed and no appeal has been taken.

Section 70:

Anything in this Chapter to the contrary notwithstanding, all proceedings shall be in conformity with the Bylaws of the American Dental Association as presently constituted or as may be amended.

CHAPTER XII - INDEMNIFICATION

Section 10:

The Association shall indemnify and hold harmless each elective officer and any responsible representative acting under the direction of the Board of Directors now or hereafter serving the Association from and against any and all claims and liabilities to which he may be or become subject by reason of his now or hereafter being or having heretofore been an elective officer and responsible representative of the Association for all legal and other expenses reasonably incurred by him in connection with defending against any such claims or liabilities; provided, however, that no elective officer or responsible representative shall be indemnified against or be reimbursed for any claim or liability arising out of his own negligence or willful misconduct. The foregoing rights of elective officers or responsible representatives shall not be exclusive of other rights to which they may be entitled lawfully.

Section 20:

The Association shall indemnify itself during the annual meeting and any other activities as directed by the Board of Directors.

CHAPTER XIII - RULES OF ORDER

Section 10:

The latest edition of Sturgis Standard Code of Parliamentary Procedure shall govern this Association on all points of Parliamentary Law not covered by the Articles of Incorporation, the Bylaws, or the Manual of Operations of the House Delegates. A copy of each of these same three LDA documents shall be provided by the Secretary-Treasurer at all meeting of either the Board of Directors or House of Delegates of the Association.

CHAPTER XIV - AMENDMENTS:

Section 10 - Procedures:

The Articles of Incorporation and/or ByLaws may be amended or repealed at any Session of the House of Delegates by a two-thirds (2/3) majority vote of the members present and voting providing the proposed amendments have been:

1. Presented in writing at previous annual session
2. Presented at previous session of the House of Delegates at the same annual meeting
3. Disseminated to the voting delegates in written form at least thirty (30) days prior to the scheduled annual meeting

The Secretary-Treasurer shall publish proposed amendments received in written form from:

1. The LDA Board of Directors
2. Any component Dental Association of the LDA
3. When submitted over the signature of five (5) delegates