

# BYLAWS

As Amended June 26, 2006

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## **HISTORICAL SKETCH OF ANA**

September 2, 1896. Delegates from 10 alumnae associations met near New York City for the purpose of organizing a national professional association for nurses.

1897. Constitution and bylaws were completed and the Nurses Associated Alumnae of the United States and Canada was organized.

1899. Name changed to Nurses Associated Alumnae of the United States.

April 18, 1901. The incorporation of the Nurses Associated Alumnae of the United States completed and filed in Albany, New York.

1911. Name changed to American Nurses Association.

May 3, 1917. Incorporated in the District of Columbia.

January 19, 1920. Incorporation in New York State annulled.

July 1, 1982. The American Nurses Association became a federation of constituent state nurses associations.

March, 2000. Upon conferment of constituent member status on the Federal Nurses Association by the ANA Board of Directors, ANA became a federation of constituent member associations rather than a federation of constituent state nurses associations.

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# CERTIFICATE OF INCORPORATION AMERICAN NURSES ASSOCIATION

We, the undersigned, a majority of whom are residents of the District of Columbia, desiring to avail ourselves of the provisions of Section 599, *et sequitur*, of the Code of Laws of the District of Columbia, do hereby certify as follows:

1. The name or title by which this Society shall be known is AMERICAN NURSES ASSOCIATION.
2. The term for which it is organized shall be perpetual.
3. The purposes of this corporation are and shall be to promote the professional and educational advancement of nurses in every proper way; to elevate the standard of nursing education; to establish and maintain a code of ethics among nurses; to distribute relief among such nurses as may become ill, disabled, or destitute; to disseminate information on the subject of nursing by publications in official periodicals or otherwise; to bring into communication with each other various nurses and associations and federations of nurses throughout the United States of America; and to succeed to all rights and property held by the American Nurses Association as a corporation duly incorporated under and by virtue of the laws of the District of Columbia.
4. The number of its trustees for the first year of its existence shall be thirteen.

*IN WITNESS WHEREOF*, the undersigned Jane A. Delano, a resident of the District of Columbia, and Georgia M. Nevins, a resident of the District of Columbia, and Clara D. Noyes, a resident of the District of Columbia, and Annie W. Goodrich, a resident of the City of New York, and Sara E. Sly, a resident of Birmingham, Michigan, have hereto set our hands and seals this 28th day of April, 1917.

*JANE A. DELANO* (Seal)  
*GEORGIA M. NEVINS* (Seal)  
*CLARA D. NOYES* (Seal)  
*ANNIE W. GOODRICH* (Seal)  
*SARAH E. SLY* (Seal)

STATE OF PENNSYLVANIA,  
PHILADELPHIA COUNTY SS:

Personally appeared before me, a Notary Public in and for the Commonwealth of Pennsylvania, Jane A. Delano, Georgia M. Nevins, Annie W. Goodrich, Clara D. Noyes, and Sara E. Sly, who are personally well known to me to be the individuals who signed the foregoing and annexed certificate of incorporation and acknowledged the same to be their act and deed.

Given under my hand and notarial seal this 28th day of April, 1917.

ROSE MARIE KELLY  
*Notary Public*

(Notarial Seal)  
Commission expires 19 Jan., 1919

# **ARTICLE I**

## **Name, Purposes, and Functions**

### **Section 1. Name**

The name of this association shall be the American Nurses Association, hereinafter referred to as ANA.

### **Section 2. Purposes**

- a. The purposes of ANA shall be to --
  - 1) work for the improvement of health standards and the availability of health care services for all people, and
  - 2) foster high standards of nursing, and
  - 3) stimulate and promote the professional development of nurses and advance their economic and general welfare.
- b. These purposes shall be unrestricted by consideration of age, color, creed, disability, gender, health status, lifestyle, nationality, race, religion, or sexual orientation.

### **Section 3. Functions**

The functions of ANA shall be to --

- a. establish standards of nursing practice, nursing education, and nursing services.
- b. establish a code of ethical conduct for nurses.<sup>1</sup>
- c. ensure a system of credentialing in nursing.
- d. initiate and influence legislation, governmental programs, national health policy, and international health policy.
- e. support systematic study, evaluation, and research in nursing.
- f. serve as the central agency for the collection, analysis, and dissemination of information relevant to nursing.
- g. promote and protect the economic and general welfare of nurses.
- h. provide leadership in national nursing and, through appropriate channels, in international nursing.
- i. provide for the professional development of nurses.
- j. conduct an affirmative action program.

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<sup>1</sup>*Code of Ethics for Nurses*

- k. ensure a collective bargaining program for nurses.
- l. ensure a workplace advocacy program for nurses.
- m. provide services to constituent member associations (CMAs) and the Individual Member Division (IMD).
- n. maintain communication with CMAs and the IMD through official publications.
- o. assume an active role as consumer advocate.
- p. represent and speak for the nursing profession with allied health groups, national and international organizations, governmental bodies, and the public.
- q. protect and promote the advancement of human rights related to health care and nursing.

## **ARTICLE II**

### **Membership and Affiliations**

ANA shall be composed of organizations and individuals who have member or affiliate status. Member status is available for organizations meeting the criteria for constituent member associations or associate organizational members. Affiliate status is available for organizations meeting the criteria for organizational affiliates. Both member and affiliate status are available for individuals.

#### **Section 1. Constituent Member Associations**

- a. **Definition**  
State nurses associations, multi-state nurses associations, nurses associations of the District of Columbia, and territories of the United States of America, United States of America nurses overseas associations, and a federal nurses association composed of registered nurses whose employers are members of the Federal Nursing Services Council, limited to membership of the active component of the U.S. Army, Navy and Air Force, and uniformed Public Health Service nurses are hereinafter referred to as constituent member associations.
- b. **Qualifications**  
To be qualified as a CMA, the association must be one that --
  - 1) is composed of individual members and may include organizational members/affiliates.

- 2) has articles of incorporation or constitution and bylaws that govern its individual members and regulate its affairs.
- 3) has stated and demonstrated purposes and functions congruent with those of the ANA.
- 4) provides that each of its individual members has been granted a license to practice as a registered nurse<sup>2</sup> in at least one state or territory of the United States and does not have a license under suspension or revocation in any state, or is otherwise entitled by law to practice.
- 5) may, in accord with its policies and procedures, include in its membership the nurse in recovery who has surrendered a license to practice.
- 6) provides that each of its organizational members or affiliates --
  - a. has a mission and purpose harmonious with the CMA.
  - b. has a governing body composed of a majority of registered nurses. This shall not preclude the participation of organizations of associate nurses. The rights and privileges of the organizational members or affiliates shall be determined by and limited to participation in the CMA.
- 7) with the exception of a federal nurses association, and a US overseas nurses association, serves a geographic area such as a state, or territory of the United States, any combination thereof, foreign country, or region of the world, where there is no other recognized CMA.
- 8) maintains a membership that meets the qualifications in these bylaws, unrestricted by consideration of age, color, creed, disability, gender, health status, lifestyle, nationality, race, religion, or sexual orientation.
- 9) is not delinquent in paying dues to the ANA.
- 10) is a member of the United American Nurses (UAN), either as a CMA or through its

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<sup>2</sup>See Proviso, page 31.

- collective bargaining program, if the CMA engages in collective bargaining<sup>3</sup>.
- 11) has membership open to all registered nurses.

c. Responsibilities

- 1) The bylaws of each CMA shall --
- a. provide for the obligation of the CMA to pay dues to the ANA in accordance with policies adopted by the ANA House of Delegates.
  - b. provide for the CMA/ANA members to elect delegates and alternates to the ANA House of Delegates according to provisions of these bylaws.
  - c. protect individual members' right to participate in the CMA.
  - d. specify the obligations of individual members.
  - e. provide for disciplinary action and an appeal procedure for individual members pursuant to common parliamentary and statutory law.
  - f. provide for the recognition of disciplinary action taken by any CMA against its individual member.
  - g. provide for official recognition of constituent associations of the CMA.
  - h. provide that additional dues shall not be required from nor refunded to individual members transferring from another CMA if the individual member has made full payment of dues.
- 2) Each CMA shall --
- a. apprise individual members of the CMA of their right to --
    - i. receive a membership card and the ANA news periodical.
    - ii. be a candidate for ANA elective and appointive positions in accordance with these bylaws and applicable policies.

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<sup>3</sup>See Proviso, page 31.

- iii. participate in the election of CMA delegates to the ANA House of Delegates in accordance with these bylaws.
- iv. attend the meetings of the ANA House of Delegates, the convention, and other unrestricted ANA activities.
- v. attend the congress of the International Council of Nurses.
- b. require that individual members of the CMA abide by the *Code of Ethics for Nurses* and applicable ANA bylaws.
- c. submit current bylaws and proposed amendments for review by ANA.
- d. comply with contractual agreements and statements of understanding between the CMA and the ANA.
- e. maintain membership for itself or its collective bargaining program in the United American Nurses (UAN), if it represents nurses for collective bargaining.
- f. Require a two-thirds (2/3) vote of the entire CMA/ANA membership for disaffiliation from the ANA. CMA/ANA membership for these purposes, is defined as members of CMAs who are also members of the ANA, hereinafter designated as "CMA/ANA members".

d. Rights

Each CMA shall be entitled to --

- 1) display a certificate of membership in ANA.
- 2) distribution of the ANA news periodical to its individual members.
- 3) hold voting seats in the ANA House of Delegates.
- 4) submit proposals for consideration by ANA.
- 5) submit the names of nominees for ANA elective and appointive positions in accordance with provisions of these bylaws and applicable policies.
- 6) a fair hearing before any disciplinary action is taken.

- 7) hold a voting seat in the Constituent Assembly.
- 8) establish individual in-state only membership options, contingent upon agreement between the CMA and the ANA for residents of that state. This in-state only member shall not be entitled to representation at the ANA House of Delegates or other benefits of member status.
- 9) other rights as provided under common parliamentary and statutory law.

## **Section 2. Associate Organizational Members**

### **a. Definition**

An associate organizational member (AOM) is a nursing organization that establishes a working relationship with the ANA through a formal affiliation agreement approved by the ANA Board of Directors. There shall be only one AOM for collective bargaining, that is, an organization that has as its primary focus offering collective bargaining representation in the workplace, and one AOM for workplace advocacy, that is, an organization that has as its primary focus offering non-collective bargaining representation in the workplace.

### **b. Qualifications**

To be qualified as an AOM, the nursing organization must be one that –  
is composed of individual members or organizational members and may include organizational affiliates.

- 1) has articles of incorporation or constitution and bylaws that govern its individual members and regulate its affairs.
- 2) has stated and demonstrated purposes and functions congruent with those of the ANA.
- 3) has entered into an affiliation agreement with the ANA.

c. Responsibilities

Each AOM shall comply with the provisions of affiliation agreements and memoranda of understanding between the AOM and the ANA.

d. Rights

The president of an AOM, if elected in conformance with federal law, shall have an *ex officio* voting seat on the ANA Board of Directors.

The AOM presidents shall participate in all portions of the Board of Directors meetings except those specified in the Board of Directors policy and as designated by the ANA president that address business matters or involve confidential discussion regarding ANA's strategic position in relation to other organizations.

### **Section 3. Organizational Affiliates**

a. Definition

An organizational affiliate of ANA is an association that --

- 1) is a national nursing organization that meets criteria established by the ANA House of Delegates.
- 2) has been granted organizational affiliate status by the Board of Directors.

b. Qualifications

Each organizational affiliate shall meet the criteria established by the ANA House of Delegates.

c. Responsibilities

Each organizational affiliate shall --

- 1) maintain a mission and purpose harmonious with the purposes and functions of the ANA.
- 2) pay an affiliation fee to the ANA

d. Rights

Each organizational affiliate shall be entitled to –

- 1) two representatives at the House of Delegates one of whom is a registered nurse participant who is a member of a CMA or the IMD and who shall be eligible to vote on all matters in the ANA House of Delegates except the setting of membership dues, amendment of bylaws and the election of officers and directors.
- 2) make reports or presentations to the ANA House of Delegates within its area of expertise, including the presentation of action reports.
- 3) submit the names of qualified registered nurse members as nominees for appointment to serve on the congress, committees, task forces, ad hoc groups, and; as ANA representatives to external groups.
- 4) a liaison representing the body of organizational affiliates who shall be an RN and shall have voice but no vote at the ANA Board of Directors.

## Section 4. Individual Members

a. Definition

- 1) An individual member shall be a registered nurse:
  - a. who elects to join the ANA directly. This membership option is contingent upon the agreement between the CMA and the ANA. This membership option is on a pilot project/state option basis<sup>4</sup>; or
  - b. who is a member of the United American Nurses but is not a CMA member<sup>5</sup>; or
  - c. who resides or works where there is no CMA and elects to join ANA directly; or

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<sup>4</sup>See Proviso, page 31.

<sup>5</sup>See Proviso, page 32.

- d. who resides or works where CMAs do not provide for in-state only members and where the CMAs categorically exclude members of certain nurse groups from all elective offices in CMA governance, and who elects to join the ANA directly. Only those individuals affected by the exclusion to elected office may individually join ANA.

- 2) The ANA individual members constitute the Individual Member Division (IMD).

b. Qualifications

Membership in the individual member category shall be unrestricted by consideration of age, color, creed, disability, gender, health status, lifestyle, nationality, race, religion, or sexual orientation.

To be qualified as an individual member, a registered nurse:

- 1) must have been granted a license to practice as a registered nurse in at least one state or territory of the United States and does not have a license under suspension or revocation in any state, or is otherwise entitled by law to practice.
- 2) may be a nurse in recovery who has surrendered a license to practice, in accord with the IMD policies and procedures.
- 3) must either:
  - a. reside or work in a state in which ANA has an agreement for this membership category; or
  - b. be a member of the UAN, as the ANA AOM for collective bargaining, but not a CMA.

c. Responsibilities

Each individual member shall pay dues established by the ANA House of Delegates.

- 1) Registered nurses who become individual members pursuant to a voluntary agreement between ANA and the CMA for residents or nurses employed in that state shall pay the

- dues established by the House of Delegates which shall include a portion to be remitted to the CMA.
- 2) Registered nurses who become individual members through the UAN will pay the full dues conversion factor.

d. Rights

Each individual member shall be entitled to:

- 1) representation at the ANA House of Delegates through the Individual Member Division (IMD), which shall elect officers and ANA delegates and alternates by secret ballot elections.
- 2) all other benefits of member status.

## Section 5. Individual Affiliates

a. Definition

An individual affiliate is a registered nurse who elects to join ANA in accordance with the provisions of this section.

b. Qualifications

Membership in the individual affiliate category shall be unrestricted by consideration of age, color, creed, disability, gender, health status, lifestyle, nationality, race, religion, or sexual orientation.

To be qualified as an individual affiliate, a registered nurse:

- 1) must have been granted a license to practice as a registered nurse in at least one state or territory of the United States and does not have a license under suspension or revocation in any state, or is otherwise entitled by law to practice.
- 2) may be a nurse in recovery who has surrendered a license to practice, in accord with the relevant ANA policies and procedures.
- 3) must not be represented for purposes of collective bargaining by the ANA, its members and affiliates.

c. Responsibilities

Each individual affiliate shall pay dues established by the ANA Board of Directors.

d. Rights

Each individual affiliate shall be entitled to access specific designated areas of the ANA website and to ANA benefit programs, as specified by the ANA Board of Directors.

## **Section 6. Disciplinary Action by ANA**

a. Cause for disciplinary action against a CMA or the IMD shall be limited to –

- 1) failure to meet and maintain the qualifications and fulfill all the responsibilities of membership as specified in these bylaws including timely payment of dues.
- 2) failure to submit its bylaws or any amendments for ANA review.
- 3) engaging in dual unionism.
- 4) failure to comply with contractual agreements and statements of understanding between the member and ANA.
- 5) default on any obligations, financial or otherwise, to ANA.

b. Disciplinary action shall be conducted in accordance with ANA policies and procedures.

## **ARTICLE III Dues**

### **Section 1. Amount of Dues**

The ANA House of Delegates shall establish the CMA and the IMD dues.

### **Section 2. Notification of Change**

The CMAs and the IMD shall be notified in writing of any proposal to change the dues at least 180 days prior to the

meeting of the ANA House of Delegates at which the proposal is to be voted upon.

### **Section 3. Vote**

A vote of two-thirds of the delegates present and voting shall be required to change the amount of dues.

### **Section 4. Payment**

ANA dues shall be paid in accordance with policy adopted by the ANA House of Delegates.

## **ARTICLE IV House of Delegates**

### **Section 1. Definition**

The ANA House of Delegates is the governing and official voting body of ANA. The ANA House of Delegates provides stewardship for the profession through the creation of policy and positions that support the purposes of ANA.

### **Section 2. Composition**

- a. There shall be up to a total of 675 delegate seats in the ANA House of Delegates, of which 600 delegates seats shall be for the CMAs, 15 delegate seats shall be for the elected ANA Board of Directors, and up to 60 delegate seats for the IMD and representatives of associate organizational member and organizational affiliates.<sup>6</sup> The following requirements shall be met:
  - 1) ANA delegates duly elected by secret ballot by CMA/ANA members, and IMD members. A mail ballot is permissible.
  - 2) the members of the Board of Directors, whose voting rights are limited, as provided herein.
  - 3) two representative of each organizational affiliate one of whom shall be the voting delegate. The voting delegate who shall be a registered nurse and a CMA/ANA member or an IMD member may vote on matters except membership dues, bylaws amendments, and

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<sup>6</sup> See Proviso, page 32

- election of officers and directors, as defined elsewhere in the bylaws.
- 4) the registered nurse presidents of AOMs who are elected in accordance with federal law and who therefore hold ex officio seats on the ANA Board of Directors.

- b. The ANA House of Delegates shall also include the following who shall have courtesy seats without vote:
  - 1) the past presidents of ANA.
  - 2) the chairperson or designee of the ANA congress.
  - 3) presidents/chairpersons or designees of the American Academy of Nursing (AAN), American Nurses Association-Political Action Committee (ANA-PAC), American Nurses Credentialing Center (ANCC), American Nurses Foundation (ANF), and each associate organizational member (AOM) that does not have representation through its president serving on the ANA Board of Directors.
  - 4) one representative each of the Federal Nursing Services Council and the National Student Nurses Association.

### **Section 3. Authority**

The ANA House of Delegates shall --

- a. determine policy and positions of the association.
- b. delegate authority to the ANA Board of Directors to define accountability for the implementation of association policies and positions approved by the ANA House of Delegates.

### **Section 4. Responsibilities**

The ANA House of Delegates shall --

- a. establish rules of procedure for meetings of the ANA House of Delegates.
- b. elect ANA officers, directors, congress members, and the Nominating Committee, as provided for in these bylaws.
- c. adopt and maintain bylaws.
- d. adopt a code of ethics.
- e. assure the development and promulgation of nursing standards.
- f. establish the policy of the association.

## **Section 5. Apportionment**

Each CMA shall be entitled to a minimum of three delegates at any meeting of the ANA House of Delegates. The IMD shall be entitled to a minimum of one delegate. The members of the ANA Board of Directors shall be provided delegate seats. Each organizational affiliate shall be entitled to two representatives, one of whom is a delegate who shall also be a CMA/ANA member, or an IMD member, with voting rights as established by these bylaws. The delegate seats reserved for CMA and IMD representation shall be allocated proportionately based on the policy adopted by the ANA House of Delegates. The policy shall be adopted by a vote of two-thirds of the delegates present and voting.

## **Section 6. Notification of Change in Apportionment**

The CMAs and the IMD shall be notified in writing of any proposal to change the apportionment policy at least 60 days prior to the meeting of the ANA House of Delegates at which the proposal is to be voted on.

## **Section 7. Delegates**

- a. Qualifications
  - 1) All voting delegates shall be individual members of a CMA or the IMD and other delegates as defined in these bylaws.
  - 2) Delegates shall be credentialed by the Delegate Credentials Committee, provided that the CMA is current in dues payment in accordance with policy established by the Board of Directors, or has established an approval dues repayment plan for dues with which the CMA is current.
  - 3) The officers and directors of the ANA Board of Directors can not be CMA delegates.
- b. Term of Office  
Each CMA or IMD delegate and alternate shall be elected for a two-year term or until a successor is elected. Other delegates shall have terms as determined by the organization they represent.
- c. Vacancies  
Vacancies of CMA and the IMD delegates shall be filled with alternates elected by secret ballot in

accordance with procedures for election of delegates. A mail ballot is permissible consistent with the requirements of the CMA and the IMD. Vacancies of other delegates shall be filled with alternates as determined by the organizations whose delegate seats are vacant.

d. Voting Rights

- 1) All duly elected ANA delegates shall have the right to vote in the ANA House of Delegates
- 2) The members of the Board of Directors, who are not duly elected ANA delegates, shall not vote for officers and directors of the association, but they shall have the right to vote on all other matters before the ANA House of Delegates.
- 3) Delegates representing the organizational affiliates shall not vote for officers and directors of the association, on bylaws, or on dues, but shall have the right to vote on all other matters before the ANA House of Delegates.

## Section 8. Meetings

- a. The ANA House of Delegates shall meet biennially<sup>7</sup>.
- b. The time and place of the meeting shall be determined by the Board of Directors.
- c. All who hold seats in the ANA House of Delegates shall be notified in writing of a meeting of the ANA House of Delegates at least 60 days prior to the meeting.
- d. A special meeting of the ANA House of Delegates may be called by a two-thirds vote of the Board of Directors and shall be called by the president upon the written request of a majority of the combined CMAs and the IMD.

## Section 9. Quorum

A quorum for transaction of business by the ANA House of Delegates shall consist of 50 percent of the total delegate population, representing a majority of the combined CMAs

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<sup>7</sup>See Proviso, page 32.

and the IMD, and five members of the Board of Directors, one of whom shall be the president or a vice president; or of 90 percent of the total delegate population, representing two-thirds of the combined CMAs and the IMD.

## **Section 10. Nominations and Elections for Office**

- a. Nominations
  - 1) Candidates for office shall meet established qualifications and shall consent to serve if elected.
  - 2) Individual members of CMAs and the IMD shall be considered eligible for only one elective office in ANA at any one time.
  - 3) An individual member of a CMA or the IMD who meets the established qualifications for an elective office may declare as a candidate by writing to the secretary of ANA.
  - 4) The slate of candidates shall be published in the ANA news periodical at least 60 days prior to the biennial meeting. The CMAs and the IMD shall be notified of the slate of candidates in writing in accordance with approved policy.
- b. Elections
  - 1) Elections shall be held at the biennial meeting of the ANA House of Delegates and shall be by secret ballot.
  - 2) The delegates shall be notified of the dates and hours of voting in the notice of the biennial meeting.
  - 3) The Delegate Credentials Committee, appointed by the Board of Directors, shall accredit delegates and verify eligibility of all voters.
  - 4) A plurality vote shall constitute an election. In case of a tie, the choice shall be by lot.
  - 5) The term of office shall begin at the adjournment of the biennial meeting of the ANA House of Delegates.
- c. Challenge

Any challenge to the election shall be filed with the secretary of ANA not more than 30 days after adjournment of the biennial meeting of the ANA House of Delegates.
- d. Removal of Elected Officials

Any official elected by the ANA House of Delegates may be removed by the ANA House of Delegates whenever such action is deemed to be in the best interest of the association, or for other just cause. Removal of an elected official requires a majority vote of the ANA House of Delegates.

## **ARTICLE V Board of Directors**

### **Section 1. Definition**

The Board of Directors is the corporate body composed of officers and directors elected by the ANA House of Delegates and other individuals as designated in these bylaws.

### **Section 2. Composition**

The Board of Directors shall consist of ANA elected officers and directors, each of whom shall be an individual member of a CMA or the IMD.

- a. There shall be five officers: president, first vice president, second vice president, secretary, and treasurer.
- b. There shall be ten directors elected at-large; four of whom shall hold seats designated for staff nurses<sup>8</sup>.
- c. There shall be additional seats designated for the president of each AOM provided that such person is an RN and is elected in conformance with federal law.
- d. The Board of Directors shall provide a seat to the Constituent Assembly chairperson or designee. The chairperson may participate in meetings of the board without vote.
- e. The Board of Directors shall provide a liaison seat without vote to an RN representative of the organizational affiliates.

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<sup>8</sup>A staff nurse is defined as one who is non-supervisory, non-managerial, and includes one or more of the following: (a) is employed by a health care institution or agency; (b) whose primary role is a provider of direct patient care; (c) who is collective bargaining eligible under applicable labor law.

### **Section 3. Authority**

The Board of Directors shall have the authority delegated to it by the ANA House of Delegates, including the duty and power of acting for the membership in the intervals between meetings of the ANA House of Delegates, and other duties and powers as defined in these bylaws.

### **Section 4. Accountability**

The Board of Directors shall report and be accountable to the ANA House of Delegates.

### **Section 5. Responsibilities**

The Board of Directors shall --

- a. exercise the corporate responsibility and fiduciary duties of the association consistent with applicable provisions of law.
- b. provide for implementation of association policies and positions approved by the ANA House of Delegates.
- c. establish policies and procedures for the transaction of business, coordination of association activities, and operation and maintenance of a national headquarters.
- d. establish financial policies and procedures, adopt the budget, submit all books annually to a certified public accountant for audit, and present an annual financial statement to the membership and the ANA House of Delegates.
- e. establish policies and procedures for approving publications and other printed materials prior to their distribution.
- f. establish policies and procedures for the collection, analysis, and dissemination of information.
- g. establish policies and procedures for nominations and elections.
- h. establish standing and special committees of the board as deemed necessary for the performance of its duties, and define the purpose and authority of such committees.
- i. make appointments and fill vacancies as delegated to the board in these bylaws.
- j. define qualifications for appointive office unless otherwise specified in these bylaws.

- k. appoint, define the authority and responsibilities of, and annually review the performance of the executive director as the chief executive officer.
- l. confer membership on those meeting qualifications established in these bylaws.
- m. consult with the Constituent Assembly on issues affecting CMAs and the IMD.
- n. collaborate with the Constituent Assembly in determining services to be offered by ANA to the CMAs and the IMD and enter into the appropriate contractual agreements with the CMAs and the IMD.
- o. comply with contractual agreements and statements of understanding between ANA and CMAs, the IMD and AOMs.
- p. establish policies and procedures for disciplinary action against CMAs or the IMD.
- q. develop guidelines for the creation and dissolution of multi-state nurses associations and United States of America nurses overseas associations.
- r. grant organizational affiliate status in accordance with these bylaws.
- s. establish fees for organizational affiliates.
- t. establish fees for conventions, specified activities, and services.
- u. control the use of the official ANA insignia and the procurement and sale of replicas thereof.
- v. ensure the maintenance of a national archive for the collection and preservation of documents and other materials that have contributed and continue to contribute to the historical and cultural development of nursing.
- w. provide for ANA liaison or representation at meetings of organizations and of public or governmental agencies.
- x. maintain relationships and collaboration with the National Student Nurses Association.
- y. constitute the membership of the American Nurses Foundation and function in that capacity as specified in the bylaws of the American Nurses Foundation.
- z. maintain official membership in the International Council of Nurses.
- aa. appoint members to the Board of Trustees of the American Nurses Association Political Action Committee (ANA-PAC) as specified in the bylaws of ANA-PAC.
- bb. appoint the president and Board of Directors of the American Nurses Credentialing Center (ANCC), a

- separately incorporated subsidiary of ANA, as specified in the bylaws of ANCC.
- cc. receive annual reports from the American Academy of Nursing.
  - dd. provide for dissemination of the *Code of Ethics for Nurses*.
  - ee. establish the mechanism to advocate for and protect the human rights and ethical concerns of the nursing profession.
  - ff. subject to the ratification of the House of Delegates by the most expedient means, negotiate and execute, on such terms and conditions as the ANA board considers appropriate, mergers or consolidations with organizations representing registered nurses or other appropriate groups.
  - gg. assume other duties as may be provided for elsewhere in these bylaws and by the ANA House of Delegates.

## **Section 6. Term of Office**

- a. Officers shall be elected biennially to serve for two years or until their successors are elected.
- b. Five directors shall be elected at a biennial meeting of the ANA House of Delegates and five directors shall be elected in the next biennial meeting, each to serve four years or until their successors are elected.
- c. No officer or director shall serve more than two consecutive terms in the same office nor more than eight consecutive years on the Board of Directors. An officer or director who has served one half term or more shall be considered to have served a full term.

## **Section 7. Qualifications**

- a. To be eligible to serve on the Board of Directors, a person shall --
  - 1) hold current individual membership in a CMA or the IMD.
  - 2) not concurrently serve as an officer or director of another organization if such participation might result in a conflict of interest with ANA.
- b. To be eligible to be elected to serve on the ANA board in any of the four (4) seats designated for staff nurses, a registered nurse shall meet the definition of

a staff nurse as defined by-action of the ANA House of Delegates<sup>9</sup>.

## Section 8. Vacancies

- a. In the event of a vacancy --
  - 1) in the office of president, the first vice president shall become president for the remainder of the term.
  - 2) in the office of first vice president, the second vice president shall become first vice president for the remainder of the term.
  - 3) in the office of another officer or of a director-at-large not holding a seat designated for a staff nurse, the Board of Directors shall fill the vacancy by appointment until the next meeting of the ANA House of Delegates, when such vacancy shall be filled by election.
- b. In the event that a person holding a seat designated for a staff nurse no longer meets the definition of a staff nurse, the board position held by that member shall be declared vacant, unless the occupant has less than one year remaining in his/her term of office. In the event of a declared vacancy, the position shall be filled by appointment of an eligible staff nurse<sup>10</sup> until the next meeting of the ANA House of Delegates, when such vacancy shall be filled by election.

## Section 9. Duties of Officers

- a. The president of ANA shall serve as the official representative of the association and as its spokesperson on matters of association policy and positions; as the chairperson of the ANA House of Delegates, the Board of Directors, and the executive committee of the board; and as an *ex-officio* member of all committees except the Nominating Committee.

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<sup>9</sup>A staff nurse is defined as one who is non-supervisory, non-managerial, and includes one or more of the following: (a) is employed by a health care institution or agency; (b) whose primary role is a provider of direct patient care; (c) who is collective bargaining eligible under applicable labor law.

<sup>10</sup>See definition of a staff nurse above.

- As designated by the Board of Directors, the president may appoint standing committees of the Board of Directors and may fulfill other duties.
- b. The vice presidents, in order of rank, shall assume duties of the president in the president's absence or at the discretion of the president.
  - c. The secretary shall be responsible for ensuring that records are maintained of meetings of the ANA House of Delegates, the Board of Directors, and the executive committee of the board, and shall notify CMAs and the IMD of meetings of the ANA House of Delegates.
  - d. The treasurer shall be responsible for monitoring the fiscal affairs of the association and shall provide reports and interpretations of ANA's financial condition to the ANA House of Delegates, the Board of Directors, and the membership.
  - e. Officers and directors shall fulfill the responsibilities of the Board of Directors as defined in these bylaws.

### **Section 10. Executive Committee**

There shall be an executive committee of the Board of Directors composed of the officers, which shall have all powers of the Board of Directors, to transact business between board meetings in accordance with rules established by the board. Such transactions shall be reported at the next regular meeting of the Board of Directors.

### **Section 11. Executive Director**

- a. The Board of Directors shall delegate to the executive director, as the chief executive officer, the authority to manage the association according to policies established by the ANA House of Delegates and the Board of Directors.
- b. The executive director shall be accountable to the Board of Directors.
- c. The executive director shall employ, direct, promote, and terminate staff of the association.
- d. The executive director may represent the association and serve as spokesperson on matters of established policy and positions.

## **Section 12. Meetings**

- a. Meetings of the Board of Directors shall be held at least twice annually at a time and place determined by the Board of Directors. Special meetings may be called by the president and shall be called upon written request of at least ten of the combined CMAs and IMD or six members of the Board of Directors.
- b. Business requiring action by the Board of Directors may be conducted by mail or other media. Such action shall be subject to ratification at the next regular meeting of the Board of Directors.
- c. Absence from two consecutive regular meetings of the Board of Directors shall be cause for declaring a vacancy in the board position. Such vacancy shall be determined by a majority of the board.

## **Section 13. Quorum**

A majority of the Board of Directors, including the president or a vice president, shall constitute a quorum at any meeting of the Board of Directors.

# **ARTICLE VI Standing Committees**

## **Section 1. Definition**

There shall be standing committees of the ANA House of Delegates as follows: Committee on Bylaws, Reference Committee, Nominating Committee and Delegate Credentials Committee.

## **Section 2. Composition**

- a. The Committee on Bylaws, the Reference Committee and the Delegate Credentials Committee shall be composed of at least five CMA/ANA members or IMD members appointed by the Board of Directors.
- b. The Nominating Committee shall be composed of seven individual members of CMAs or the IMD elected by the ANA House of Delegates. Four members of the Nominating Committee shall be elected at a biennial meeting of the ANA House of Delegates and three members shall be elected in the

next biennial meeting. The nominees receiving the highest number of votes at each biennial election shall serve as members of the Nominating Committee. The remaining nominees shall serve as alternates. The nominee receiving the highest number of votes shall become chairperson-elect.

### **Section 3. Term of Office**

- a. Members of the Committee on Bylaws and the Reference Committee shall serve two-year terms or until their successors are appointed. No member of a standing committee may serve more than two consecutive terms on any one standing committee.
- b. Members of the Nominating Committee shall serve four-year terms or until their successors are elected. Members shall not serve consecutive terms. A chairperson-elect shall serve two years and succeed to the office of chairperson for two years.
- c. Members of the Delegate Credentials Committee shall serve a two-year term or until their successors are appointed. There is no limit to the number of terms a member may serve.

### **Section 4. Accountability**

Standing committees shall be accountable to the ANA House of Delegates and submit reports to the Board of Directors.

### **Section 5. Vacancies**

- a. Absence from two consecutive meetings shall be cause for declaring a vacancy in the position. Such vacancy shall be determined by a majority of the Board of Directors.
- b. A vacancy on a standing committee, except the Nominating Committee, shall be filled by appointment by the Board of Directors.
- c. A vacancy on the Nominating Committee shall be filled by the alternate receiving the highest number of votes.

### **Section 6. Responsibilities**

- a. The Committee on Bylaws shall --
  - 1) interpret these bylaws.

- 2) receive and prepare proposed amendments to these bylaws or articles of incorporation, report them to the Board of Directors, and submit them to the ANA House of Delegates.
  - 3) review the articles of incorporation and bylaws of an association that applies to ANA for membership status in order to determine conformity with qualifications of CMAs and the IMD in these bylaws, and report its findings to the Board of Directors.
  - 4) determine a regular schedule to review bylaws of CMAs and the IMD and review their bylaws upon changes in qualifications or responsibilities of CMAs and the IMD in these bylaws, to determine continuing conformity with these bylaws, and report its findings to the Board of Directors.
- b. The Reference Committee --
- 1) shall receive, review, and report on proposals submitted for the consideration of the ANA House of Delegates.
  - 2) shall provide for hearings on proposals at meetings of the ANA House of Delegates.
  - 3) may recommend action on proposals to be considered by the ANA House of Delegates.
  - 4) shall develop procedures for presentation of proposals to the ANA House of Delegates for adoption.
- c. The Nominating Committee shall --
- 1) request names of candidates for elective offices.
  - 2) prepare a slate of at least two nominees for each elective office and publish such slate at least 60 days prior to the biennial meeting.
  - 3) present the slate of nominees to the ANA House of Delegates.
  - 4) implement the policies and procedures for nominations and elections as established by the Board of Directors.
  - 5) assume other responsibilities for nominations as provided for in these bylaws.
- d. The Delegate Credentials Committee --
- 1) shall credential delegates to the ANA House of Delegates;
  - 2) shall verify the eligibility of all voters during elections.

## **ARTICLE VII**

### **Congress on Nursing Practice and Economics**

#### **Section 1. Definition**

The congress is an organized, deliberative body which brings together the diverse experiences and perspectives of ANA members. The congress focuses on establishing nursing's approach to emerging trends within the socioeconomic, political and practice spheres of the health care industry by identifying issues and recommending policy alternatives to the Board of Directors.

#### **Section 2. Purpose**

The purpose of the congress shall be to further the purposes of the ANA.

#### **Section 3. Composition**

The congress shall consist of at least fifteen members, a minimum of two-thirds of whom shall be elected by the ANA House of Delegates and the remainder shall be appointed by the ANA Board of Directors from the CMAs and the IMD, and the others shall be from organizational affiliates. CMA/ANA members and IMD members may be elected or appointed from nominees submitted by CMAs, the IMD, AOMs, the congress, committees and the organizational affiliates.

#### **Section 4. Term of Office**

Appointment and election of congress members shall be for a four-year term or until successors have been appointed or elected. Congress members are not eligible to serve consecutive terms. Members having served 24 months or more shall be considered to have served a full term.

#### **Section 5. Accountability**

The congress shall be accountable to the Board of Directors and report to the ANA House of Delegates.

## Section 6. Responsibilities

The congress shall--

- a. develop policy alternatives essential to the mission of the association, including issues related to nursing practice and workforce issues, and recommend to the Board for action.
- b. maintain a plan of operation for carrying out its responsibilities.
- c. establish a communication mechanism to insure timely input from the CMAs, the IMD, AOMs and organizational affiliates on emerging practice and economic issues.
- d. establish a mechanism for identifying and accessing experts on particular practice and economic issues who can inform the congress.
- e. develop and adopt nursing practice standards and guidelines for board approval.
- f. develop and evaluate programs.
- g. address and respond to concerns related to equal opportunity and human rights, ethics, and to nursing education, research, and services.
- h. formulate revisions of the *Code of Ethics for Nurses* and recommend them to the ANA House of Delegates, and interpret the *Code of Ethics for Nurses*.
- i. analyze trend data related to professional nursing issues and recommend programmatic initiatives.
- j. provide for dissemination of information and maintain communication with CMAs, the IMD, AOMs, organizational affiliates, and others as approved by the Board of Directors.
- k. appoint, and seek advice and consultation from *ad hoc* work groups as needed and as authorized by the board.
- l. receive informational reports from the AOMs and organizational affiliates (OAs).
- m. identify and analyze the economic and financial impact of nurses' contributions and nursing standards of practice in the health care industry.
- n. assume other responsibilities as assigned by the ANA House of Delegates and the Board of Directors.

## **Section 7. Vacancies**

- a. Absence from two consecutive meetings shall be cause for declaring a vacancy in the position. Such vacancy shall be determined by a majority of the Board of Directors.
- b. A vacancy in the congress shall be filled by appointment by the Board of Directors from nominees submitted by CMAs, the IMD, AOMs, the congress, and committees, or organizational affiliates.

## **ARTICLE VIII Constituent Assembly**

### **Section 1. Definition**

The Constituent Assembly is a representative body of CMAs and the IMD which promotes deliberation on professional and organizational issues and consults with and advises the Board of Directors and reports to the ANA House of Delegates on such matters.

### **Section 2. Composition**

- a. The Constituent Assembly shall be composed of:
  - 1) two representatives from each CMA and the IMD who shall be the president and chief administrator or their designees. Each CMA president or the president's designee shall be a CMA/ANA member.
- b. The Constituent Assembly shall elect a chairperson from its members and shall elect other officers as determined by the assembly.

### **Section 3. Responsibilities**

The Constituent Assembly shall --

- a. consult with the Board of Directors on issues affecting the CMAs and the IMD.
- b. recommend policies, positions, and programmatic budgetary priorities to the Board of Directors and

- report to the ANA House of Delegates regarding professional issues and/or organizational concerns.
- c. promote the implementation of ANA policies and positions by CMAs and the IMD.

#### **Section 4. Voting**

Each CMA and the IMD shall be allowed one vote to be cast by its president or the president's designee.

#### **Section 5. Meetings**

Meetings of the Constituent Assembly shall be held at least annually. Special meetings may be called by the Constituent Assembly Executive Committee and shall be called upon the written request of at least twenty of the combined CMAs and the IMD.

### **ARTICLE IX ANA News Periodical**

*The American Nurse* shall be the official news periodical of this association unless replaced by another and shall be provided to each individual member of CMAs and the IMD.

### **ARTICLE X American Academy of Nursing**

The American Academy of Nursing is an independently organized body composed of individual members of CMAs who have made significant contributions to the advancement of the profession of nursing.

### **ARTICLE XI Amendments**

#### **Section 1. Amendments with Notice**

- a. These bylaws may be amended with prior notice at a biennial meeting of the ANA House of Delegates by a two-thirds vote of the credentialed delegates present and voting.
- b. These bylaws may be amended with prior notice at a special meeting of the ANA House of Delegates in

- accord with Article IV, Section 8d by a two-thirds vote of the credentialed delegates present and voting.
- c. The Committee on Bylaws shall receive proposed amendments at least 180 days prior to a biennial meeting of the ANA House of Delegates.
  - d. Amendments proposed by the Committee on Bylaws for action by the ANA House of Delegates shall be submitted to the ANA secretary and shall be appended to the official notification of the meeting of the ANA House of Delegates.

## **Section 2. Amendments Without Notice**

These bylaws may be amended without prior notice at any biennial or special meeting of the ANA House of Delegates in accord with Article IV, Section 8d by a 99 percent vote of the credentialed delegates present and voting.

## **ARTICLE XII Parliamentary Authority**

*Robert's Rules of Order Newly Revised* governs this association in all parliamentary situations that are not provided for in the law or in the charter, bylaws, or adopted rules of ANA.

## **PROVISOS TO THE ANA BYLAWS**

### **AS ADOPTED BY THE 1989 HOUSE OF DELEGATES**

#### *ARTICLE II, Membership, Section 2, Qualifications*

This proviso is intended to provide for the evolving membership of the constituent members with regard to the second level practitioner of the future.

At such time as a state has enacted legislation or regulation for a future differentiated professional/ associate nurse licensing system, and prior to implementation, and the constituent member chooses to include in its membership an individual who would be granted a license to practice as a second level practitioner, the ANA House of Delegates must determine membership rights, responsibilities, and privileges of the second level practitioner at its earliest scheduled meeting, regardless of the bylaws cycle.

### **AS ADOPTED BY THE 2003 HOUSE OF DELEGATES**

#### *ARTICLE II, Membership and Affiliations, Section 1, Constituent Member Associations*

Membership in the UAN by CMAs engaged in collective bargaining is required for the period during which the United American Nurses is an associate organizational member (AOM) of the ANA. CMAs or their collective bargaining programs have until July 1, 2005 to join the UAN.

#### *ARTICLE II, Membership and Affiliations, Section 4, Individual Members*

The ANA-state individual membership project

contracts shall include provisions for evaluation including, but not limited to the following core evaluation criteria:

1. effect on ANA membership and finances;
2. effect on CMA membership and finances.
3. effect on ANA delegate apportionment.

Additionally, an annual update on the individual membership projects will be provided to the Constituent Assembly with a report to the House of Delegates on the core evaluation criteria after three years.

*ARTICLE II, Membership and Affiliations,  
Section 4, Individual Members*

The individual members who are UAN members shall retain member status for the period during which the United American Nurses is ANA's associate organizational member (AOM) for collective bargaining.

*ARTICLE IV, House of Delegates, Section 8,  
Meetings*

The biennial meetings shall commence with the close of the 2006 House of Delegates. Thereafter, the HOD will be held in even-numbered years.

**AS ADOPTED BY THE 2005  
HOUSE OF DELEGATES**

*ARTICLE IV, House of Delegates, Section 2,  
Composition.*

For the 2006 House of Delegates, the Board of Directors shall establish a policy to base the Individual Member Division seats from the 60 seats designated for representatives of the Individual Member Division, Association Organizational Members and Organizational Affiliates.

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