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**CONSTITUTION OF THE
TEXAS PODIATRIC MEDICAL ASSOCIATION**

ARTICLE I NAME AND CHARTER

Section 1. The name and title of this Association shall be the Texas Podiatric Medical Association, hereinafter referred to as the Association or the TPMA.

Section 2. Charter No. 60734 granted to the Association by the State of Texas as a nonprofit bearing social organization shall be on file in the State Office of the Association.

ARTICLE II OBJECT AND PURPOSE OF THE ASSOCIATION To promote the art and science of podiatric medicine and the betterment of the public health and to carry out the purposes of the Association as described in the Bylaws.

ARTICLE III MEMBERSHIP The membership of this Association shall consist of eligible podiatric physicians licensed to practice in the State of Texas whose qualifications and classifications shall be established in these Bylaws.

ARTICLE IV OFFICERS AND COMMITTEES

Section 1. The elective officers of this Association shall be a President, President Elect, First Vice President, Second Vice President and four (4) Directors at Large to be elected as provided for in these Bylaws.

Section 2. Standing Committees shall be as defined in these Bylaws.

ARTICLE V BOARD OF DIRECTORS The Board of Directors shall consist of the President, President-Elect, First Vice-President, Second Vice-President, the immediate Past President, and such other members as provided for in these Bylaws.

ARTICLE VI FINANCES Funds for meeting the expenses of the Association shall be raised by annual dues, special assessments, and voluntary contributions. Funds may be appropriated by vote of the Association or as may be provided for otherwise in these Bylaws.

ARTICLE VII MEETINGS Meetings shall be held as provided for in these Bylaws.

ARTICLE VIII ELECTIONS The officers and directors of this Association shall be elected by the membership as provided in these Bylaws.

ARTICLE IX AMENDMENTS Any proposal to amend this Constitution shall be submitted to the Board of Directors and to the membership at least thirty (30) days prior to the annual meeting. If, upon receiving the vote of two-thirds (2/3) of the voting members present and entitled to vote at the annual meeting, it shall become a part of this Constitution.

ARTICLE X REFERENDUM Any question not in conflict with the Constitution and Bylaws may be submitted to a general referendum as provided for in the Bylaws.

ARTICLE XI COMPONENT COUNTY PODIATRY SOCIETIES County Podiatric Medical Societies within the State of Texas may be organized as provided for in these Bylaws.

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ARTICLE XII CODE OF ETHICS A code of ethics is established as described in the Bylaws to aid podiatric physicians in maintaining a high level of ethical conduct.

ARTICLE XIII GRIEVANCE AND DISCIPLINE Members of the Association shall adhere strictly to the Constitution and Bylaws. All members have the right of due process as provided for in these Bylaws.

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**BYLAWS
Of The
TEXAS PODIATRIC MEDICAL ASSOCIATION**

ARTICLE I NAME AND CHARTER

Section 1. The name of this Association shall be the Texas Podiatric Medical Association, hereinafter referred to as the Association or the TPMA.

Section 2. Charter No. 60734, granted to the Texas Podiatric Medical Association April 12, 1972, by the State of Texas as a nonprofit bearing social organization, is on file in the State Office of the Texas Podiatric Medical Association.

ARTICLE II OBJECT AND PURPOSE OF THE ASSOCIATION

The objective of this Association shall be to advance the profession of podiatric medicine; to elevate the standard of education; to promote honorable and friendly relations among podiatric physicians; to secure the enactment and enforcement of just laws bearing upon the profession of podiatric medicine, to protect its members and the public from imposters; to guard and foster the material interest of the members; to make effective scientific and social meetings, with an interchange of views such as to secure intelligent unity and harmony in every phase of its labors, as well as to command respect and support within its own ranks and from all branches of medicine; to enlighten and direct public opinion concerning all matters pertaining to the profession of podiatric medicine and podiatric physicians.

ARTICLE III MEMBERSHIP

Section 1. Eligibility.

Membership in this Association shall be dependent upon membership in the American Podiatric Medical Association (APMA). Membership shall be open to any podiatric physician licensed to practice in the state of Texas; who is of good moral character and professional standing; who supports and conducts his/her practice in such a manner as to comply with the standards of Ethics provided in the Bylaws; who conducts his/her practice in such a manner as to comply with the legal requirements governing the practice of podiatric medicine. Any member of this association whose state and national dues and special purpose assessments for the current fiscal year are not past due shall be considered a member in good standing. Good standing is a financial term that only refers to a member's dues payment status.

Section 2. Application.

Applicants for membership shall submit application through the American Podiatric Medical Association (APMA). APMA will determine the membership classification and the dues in accordance with APMA Bylaws and forward to the APMA Membership Committee for decision regarding acceptance of the individual for membership. TPMA will review and approve to complete the membership process within 60 days. Membership shall be confirmed by the vote and approval of two-thirds (2/3) of the voting members voting at an annual meeting. All membership status changes are temporarily approved by the membership committee chair until the next board meeting where it is approved by the board of directors.

Section 3. Classifications.

The members of this association shall be classified as:

- Provisional Member
- Active Member
- Honorary Member

- 1 Permanently Disabled Member
- 2 Senior Member
- 3 Life Member
- 4 Faculty Member
- 5 Postgraduate Member
- 6 Non-Practicing Member
- 7 Student Member

8
9 Active, Permanently Disabled, Senior, Life and Faculty Members shall be eligible to vote in deliberations of this
10 Association.

11
12 **A. Provisional Members.** All applicants for membership shall be placed in a provisional membership
13 classification following approval of the Board of Directors until approved via 2/3 vote of the eligible voting
14 members at a regular business meeting. During this period, they shall be granted the privilege of attending
15 scientific sessions and such other services as are provided by the Association. They shall be ineligible to
16 hold elective or appointive office.

17
18 **B. Active Members.** Active membership in this Association shall be attained by those having fulfilled the
19 requirements of eligibility, application and provisional membership and upon the vote and approval of two-
20 thirds (2/3) of the voting members voting at an annual meeting.

21
22 An Active member of the Association who is not under sentence of probation, suspension or expulsion, and
23 whose dues for the current fiscal year have been paid, shall be considered a member in good standing.

24
25 **C. Honorary Members.** Honorary membership in this Association is open to persons who have
26 unquestionably merited such consideration through distinctive service to the profession or who have made
27 outstanding contributions to the advancement of the profession. A petition stating the eligibility of the
28 person for whom honorary membership is sought shall be submitted.

29
30 **D. Permanent Disability Status.** Members in this category shall have the privilege of attending scientific
31 sessions and such other services as are provided by the Association.

32
33 A Podiatric Physician who is permanently disabled, who is a member in good standing, AND for whom the
34 payment of dues may constitute a hardship, may be classified as a permanently disabled member.
35 "Permanently disabled" shall mean total disability that continuously prevents the member from carrying out
36 substantial and material professional duties; such member must be under the regular care of another
37 physician and may not derive any income or profit from any activity as a podiatrist.

38
39 He / she shall be eligible for admission to any educational session and such other services as are provided
40 by the Association and shall be eligible to vote. He or she shall be eligible for election or appointment to
41 any office, committee, council, board, or similar position in the Association as provided by the bylaws. This
42 membership category requires renewal at the beginning of each fiscal year.

43
44 The permanent disability status is approved by the Board of Directors.

45
46 **E. Senior Member.** The Board of Directors upon a petition stating the eligibility of the person for whom
47 such status is sought may confer Senior Membership in this Association. The criteria in meeting this status:

48
49 A member in good standing and has attained the age of 65 years; AND is not actively engaged in practice
50 for more than 20 hours per week; AND has been in good standing for 20 consecutive years or for an
51 aggregate of 25 years.

52
53 A member meeting these criteria shall be entitled to all of the privileges of an active member.

1
2 He/she shall be assessed one-half (1/2) of the annual TPMA dues of an active member. After verification
3 that a member qualifies for Senior Member, the APMA will be apprised.
4

5 **F. Life Members.** The Board of Directors upon petition stating the eligibility of the person for whom such
6 status is sought may confer life membership in this Association. The criteria for meeting this status:
7

8 A member in good standing and has completely retired and remains retired from the practice of podiatric
9 medicine, attained the age of 65 years, AND either been a member in good standing for 20 consecutive
10 years or for an aggregate of 30 years; OR A licensed DPM member who has been in good standing for a
11 minimum of 50 years (aggregate).
12

13 Life members shall not hold elective offices of this association.
14

15 **G. Faculty Membership.** This membership classification is available to full-time faculty members. The
16 membership steps for this category correspond to those of active members. If a faculty member returns to
17 private practice, he/she would be considered a full active member following payment of active member
18 dues. Dues for a faculty member will be one-half those of the comparable membership category.
19

20 **H. Post Graduate Membership.** This membership classification is available to podiatrists participating
21 in an accredited postdoctoral training program. The Board of Directors shall establish dues and
22 qualifications for residents, postgraduates or fellows members. The criteria for meeting this status:
23

24 A DPM who is serving as a resident, fellow, or full-time postgraduate student. A DPM who, during the first year
25 following graduation, has not entered into practice or been admitted to a residency program. A DPM who has
26 completed a residency, fellowship or postgraduate program, and who has not entered practice, may continue to
27 be classified as a Postgraduate Member for a maximum period of one year or until said member enters practice,
28 whichever is earlier.
29

30 **I. Non-Practicing.** This membership classification is available to a DPM who has not been engaged in practice
31 or in the dispensing of podiatric medical services for a minimum of one year and who is a member in good
32 standing of the available component in which the member resides. Persons who are not directly engaged in the
33 practice of podiatric medicine, but derive income due to their medical knowledge, education, or licensure and/or
34 are gainfully employed in a field associated with the dispensing of podiatric medical services, may not be
35 considered non-practicing for the purpose of this category. (This is not limited to, but includes practice
36 consultant, practice management, product consultation or sales, medical or insurance review services, lecturing,
37 or any employment which is determined as a result of podiatric medical education or licensure.) Although the
38 DPM is not required to maintain a license, to qualify for this category the DPM's license shall not have been
39 suspended or revoked.
40

41 **J. Student Member:** A student enrolled in a Texas CPME accredited college of podiatric medicine or a college
42 that has gained candidate status recognition from CPME and who is a member in good standing of the American
43 Podiatric Medical Students' Association (APMSA) shall be eligible for membership.
44

45 **Non-discrimination.** No person otherwise qualified for any classification of membership in this association
46 shall be denied such membership for reasons of age, gender identification, color, race, creed, national origin,
47 sexual orientation, political belief, or disability.
48

49 **Section 4. Resignation of Membership.** 50

51 If any member desires to resign his/her membership from the TPMA for any reason not associated with a
52 disciplinary action, his/her resignation shall be presented in writing to the Board of Directors for
53 information and approval. If said member wishes at a later date to be reinstated to the TPMA, he/she shall

1 be considered as a new member applying for membership and shall be subject to the same requirements as
2 all other new applicants, provided he/she was considered a member in good standing at the time of
3 resignation and dues were currently paid.
4

5 **Section 5. Reinstatement of Membership.**
6

7 Former TPMA members who qualify for and request reinstatement to the TPMA shall be considered for
8 reinstatement into the TPMA upon written request. Upon full reinstatement, the member will enter the
9 membership classification and dues category consistent with the total number of years served in TPMA.
10

11 **ARTICLE IV OFFICERS AND COMMITTEES**
12

13 **Section 1. Officers.**
14

15 A. The elective officers of this Association shall be a President, President Elect, First Vice President,
16 Second Vice President, and four (4) Directors at Large.
17

18 The elected officers shall constitute the Executive Committee.
19

20 These officers shall be elected at the annual meeting as prescribed in Article VIII, Elections. The term of
21 office shall begin at the conclusion of the Annual Meeting.
22

23 B. The Chief Medical Officer (CMO) is a physician leader that will oversee the association medical
24 leadership and legislative activities. The CMO will report to the Executive Director and the Board of
25 Directors.
26

27 C. The Executive Director shall function as the Chief Executive Officer of the Association, and the Board
28 of Directors appoints that person.
29

30 **Subsection 1. Duties of Officers.**
31

32 1. **President.** The President shall preside at all meetings, except the President may, if incapacitated or
33 unable to serve, call upon the President Elect to preside. The President shall appoint all committees except
34 the Nominating Committee and TPMA Delegation to the APMA House of Delegates. The President shall
35 serve as ex-officio member of all committees except the Nominating Committee. The President shall serve
36 as an alternate delegate on the TPMA Delegation to the APMA House of Delegates. The President shall
37 present at each annual meeting an annual address, giving a report of the activities of the Association during
38 the year. The President shall perform such other duties as may be imposed by the Association or as custom
39 and parliamentary procedure may require.
40

41 2. **President Elect.** This officer shall assist the President in the performance of his/her duties as provided in
42 these Bylaws. He/she shall be invested with full and equal authority of the President to perform the duties
43 or exercise the prerogatives of the office when he/she is presiding or at the call of the President. He/she
44 shall succeed to the office of President without other election at the next annual meeting of the general
45 membership following his/her election as President Elect. In the event of the death of the President, or
46 absence, resignation, removal, or incapacity to act, the President Elect shall act for or assume the office of
47 President. The President Elect shall serve as an alternate delegate to the TPMA Delegation to the APMA
48 House of Delegates.
49

50 3. **First Vice President.** This officer shall assist the President and President Elect in the performance of
51 their official duties. He/she shall be invested with full and equal authority to preside in the absence of the
52 President or the President Elect, or at the call of the presiding officer. In addition, he/she shall serve as
53 Secretary of the Association, with the following associated duties:

1
2 (a) He/she shall be Chairman of the Budget and Finance Committee and assist the Treasurer and
3 Executive Director in preparing a budget for the Association;
4

5 (b) He/she shall serve as custodian of all monies of the Association to hold, invest or disburse, subject
6 to the direction of the Board of Directors or as authorized in the annual budget;
7

8 (c) He/she shall make regular reports to the Board of Directors and give an annual report to the
9 membership at the annual meetings, which shall include the latest available financial statement.
10

11 4. **Second Vice President.** This officer shall assist the President, President Elect, and the First Vice
12 President in the performance of their official duties. He/she shall be invested with full and equal authority
13 to preside in the absence of any of the above-mentioned officers or at the call of the presiding officer.
14

15 5. **Executive Director.** This office is responsible to the Board of Directors for the conduct of the business
16 affairs of the Association. The duties and responsibilities of the Executive Director shall be established by
17 the Board of Directors (Policy Manual).
18

19 **Section 2. Committees**

20
21 A. Committees shall be Standing and Special. The President shall appoint all committees, with the
22 exception of the Nominating Committee and TPMA Delegation to the APMA House of Delegates unless
23 otherwise specified in these Bylaws.
24

25 B. The President shall appoint Special committees as the need arises. A special committee shall be
26 dissolved as soon as its functions have been completed.
27

28 C. All committees shall submit a written report to regular meetings of the Board of Directors, or as directed
29 by the Board.
30

31 D. Standing committees shall be:
32

- 33 1. Constitution and Bylaws Committee
- 34 2. Budget and Finance Committee
- 35 3. Young Physicians Committee
- 36 4. Awards Committee
- 37 5. Nominating Committee
- 38 6. Continuing Medical Education Committee
- 39 7. Peer Review/Quality Assurance Committee
- 40 8. Membership Committee
- 41 9. Governmental and Professional Relations Committee
42

43 **Subsection 1. Constitution and Bylaws Committee.**

44
45 The Constitution and Bylaws Committee shall consist of a chairman, the Parliamentarian and additional
46 member(s). They shall be appointed by the President. Duties of the Constitution and Bylaws Committee
47 shall be:
48

49 1. To serve in an advisory capacity on the interpretation of the Association's Constitution and Bylaws.
50

51 2. To present to the Board any recommendations for change, whatever the source, to the Constitution and
52 Bylaws, and to provide to the Board an objective opinion regarding the validity of such recommendations,
53 with due consideration of the opinion of the Board and past experience.

1
2 3. To present such changes or additions to the Constitution and Bylaws as may be acceptable to the Board
3 in such a form that they may be presented to the Association membership for action.
4

5 4. To keep the Constitution and Bylaws under continuous review and to prepare amendments to the
6 Association's basic documents so that they will reflect the status of the Association and its organizational
7 needs.
8

9 5. Additionally, it shall be the chairman's responsibility to read all resolutions presented at the Annual
10 Meeting. However, in the absence of the chairman, the President or his or her designee may read
11 resolutions.
12

13 6. Additionally, it shall be the responsibility of the Constitution and Bylaws Committee to maintain and
14 update the "TPMA Policy Manual."
15

16 **Subsection 2. Budget and Finance Committee.**
17

18 The Budget and Finance Committee shall consist of a chairman (First Vice President), Treasurer, the
19 Executive Director and at least one additional member(s). The President shall appoint members of the
20 Committee yearly.
21

22 The Chairman shall serve as Secretary of the Association, with the following associated duties:
23

24 The Chairman shall assist the Executive Director in preparing a budget for the Association;
25

26 The Chairman shall be responsible for regular reports to the Board of Directors and give an annual report to
27 the membership at the annual meetings, which shall include the latest available financial statement.
28

29 Duties of the Committee shall be:
30

- 31 1. To review the proposed budget for the fiscal year.
- 32 2. To make a financial report to the Board of Directors at each meeting of the Board.
- 33 3. To report annually to the Association membership concerning financial transactions during the year.
- 34 4. To propose dues structure each year.
- 35 5. To assist in preparing budgets for speakers at seminars held under the auspices of the TPMA.
- 36 6. To review with the Board of Directors delinquent dues payments by members of the Association in the
37 specified dues paying period.
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44 **Subsection 3. Young Physicians Committee**
45

46 The Young Member's Committee shall consist of:

- 47 A chair;
- 48 A Board of Directors Representative;
- 49 A Resident member;
- 50 Chair of Membership Committee (as liaison);
- 51 Other members appointed by the president.
52

53 Duties of the Young Physicians Committee include:

- 1 1. To acquaint the young physician (first 10 years out of podiatry school) of the Association with the
- 2 organization and activities of their state and national professional organizations.
- 3 2. To discuss the scope of practice authorized under the Texas statutes.
- 4 3. To explain insurance relations and hospital affiliations.
- 5 4. To provide new young physician members in the Association with current information as to the
- 6 Association's policies with special emphasis placed on the adherence of the general requirements and
- 7 standards set out in the code of ethics.
- 8 5. Support young podiatric physicians by providing educational and professional resources.
- 9 6. Engage, provide awareness, and encourage involvement of young podiatric physicians.

10 **Subsection 4. Awards Committee.**

11
12
13 The Awards Committee shall consist of a chairman, who is appointed yearly by the President, who shall
14 work with the Regional Directors in evaluating the members practicing within their respective regions who
15 have been nominated to receive awards. The President at his or her discretion may appoint other committee
16 members. As the TPMA has numerous members who give of their time and effort to strengthen and
17 preserve the Association, the following awards are established to recognize these members based on their
18 contributions and services rendered:

- 19 Merit Award - active member of the TPMA for at least five years
- 20 Distinguished Service Award - active member of the TPMA for at least five years
- 21 Young Practitioner of the Year - active member of the TPMA for less than ten years
- 22 Special Appreciation Award - active member of the TPMA for at least five years
- 23 Advocate of the Year Award - active member of the TPMA

24
25 To qualify for any of the above-mentioned awards, the individual must be an active member of the TPMA
26 and shall be evaluated according to the following point system:

- 27
- 28 1. Exemplary contributions to TPMA - 30 points
- 29
- 30 2. Exemplary contributions to affiliate, local, state, regional, and/or national associations - 30 points
- 31
- 32 3. Educational qualifications, continuing education and vocational activities - 20 points
- 33
- 34 4. Community, civic, religious and service organization activities - 10 points
- 35

36 Other appropriate factors may also be considered in evaluating practitioners for awards.

37
38 Nominations for awards shall be received in the State Office at least six weeks prior to the Annual Meeting
39 in order to allow time to evaluate nominations and select members to be presented with awards. Award
40 presentations shall be made at the Annual Meeting.

41 **Subsection 5. Nominating Committee.**

42
43
44 The Nominating Committee shall be composed of one member from each Region elected in caucus at the
45 annual meeting. Alternate committee members will also be elected from each Region; however, the
46 alternate committee member shall not attend the Nominating Committee meeting unless the duly appointed
47 member is unable to attend. Members and alternates must have a minimum of 5 years membership with the
48 TPMA before being allowed to serve on the Nominating Committee. Members and Alternates to the
49 Nominating Committee may not currently hold, or be candidates for elected positions (Officers, Delegates,
50 and Alternates) which will be under consideration at the upcoming TPMA annual meeting. Members of the
51 Nominating Committee cannot run for election as provided for in these By-Laws or by written notification
52 from the nominee or a surrogate. The immediate Past President shall serve as Chairman of the committee.
53 Members of the Nominating Committee shall not succeed themselves.

1
2 The Nominating Committee shall meet annually to recommend a slate of candidates – one candidate for
3 each position - for elective office at the Annual meeting.
4

5 The Nominating Committee shall also present names to be considered for delegates and alternates to the
6 American Podiatric Medical Association House of Delegates.
7

8 Any nominee for delegate or alternate to the American Podiatric Medical Association House of Delegates
9 must have been a member of the TPMA for at least five years.
10

11 **Subsection 6. Continuing Medical Education Committee.**

12
13 The Continuing Medical Education Committee shall consist of a chairman or co-chairmen and committee
14 members. The President shall appoint each to serve until their successor is appointed.
15

16 The Continuing Medical Education Committee shall be responsible for planning, organizing, and presenting
17 education programs to the membership, and for continually assessing the educational needs of the
18 Association. The Continuing Medical Education Committee shall also be responsible for determining if a
19 meeting or lecture meets the necessary criteria for validation as a TPMA approved program.
20

21 **Subsection 7. Peer Review/Quality Assurance Committee.**

22
23 The Peer Review/Quality Assurance Committee shall consist of a chairman and 3 committee members who shall
24 be appointed by the President and confirmed by the Executive Committee. The Chairman, nor any members of
25 the committee may practice in the same Region of the State. Members shall be appointed for one year terms and
26 may succeed themselves. However, they may not serve for more than two consecutive terms. Duties of the Peer
27 Review committee shall be:
28

- 29 1. To act upon written request from Association members or intermediaries, in matters relating to
30 professional services rendered by such members.
31
- 32 2. To provide a fair review process, and to ensure the rights of all parties are protected in all matters
33 appropriately referred to it, including the right of appeal in the event of an adverse recommendation.
34
- 35 3. To render non-binding recommendations in all matters appropriately referred to it, with the intent that the
36 involved parties will utilize its recommendation to resolve the matter in question.
37
- 38 4. To maintain confidentiality of all matters it considers.
39
- 40 5. To refer cases it deems appropriate to the proper committee of the Association or other outside agency.
41
- 42 6. To maintain a written record of all cases reviewed.
43

44 **Subsection 8. Membership Committee**

45 Membership Committee shall consist of:

- 46 a) A chair;
- 47 b) A Board of Directors Representative;
- 48 c) Other member(s) appointed by the president.
49

50 Terms of membership shall be annual. Duties of the committee include:

- 51 1. Report membership statistics at annual meeting
- 52 2. Review and advance membership benefits.
- 53 3. Continuously monitor and advance membership.

1 4. Provide membership with the most current healthcare information
2

3 **Subsection 9. Governmental and Professional Relations Committee**

4 Governmental and Professional Relations Committee shall consist of:

- 5 a) A chair;
 - 6 b) A Board of Directors Representative;
 - 7 c) Other member(s) appointed by the president.
- 8

9 **Section 3. Representatives**

10 **Subsection 1. TPMA Delegation to APMA House of Delegates**

11 The TPMA Delegation to APMA House of Delegates shall be comprised of those members elected or
12 appointed to this post pursuant to Article VIII, Section 3 or Section 4 of these By-Laws. The chairman
13 (Chief Delegate) of this committee shall be that delegate who has the longest consecutive tenure as a
14 delegate. A member may not serve more than fifteen (15) consecutive years as a delegate or alternate.
15

16
17 The committee shall meet at the annual House of Delegates of the American Podiatric Medical Association
18 or on special call by the Chairman or President of this Association. Delegates and Alternates are expected
19 to assist the American Podiatric Medical Association Political Action Committee members in their efforts
20 during and after the annual meeting of the APMA House of Delegates to lobby members of the Texas
21 Congressional Delegation.
22

23 Voting by members of this committee at the APMA House of Delegates for APMA Bylaws changes,
24 Resolutions, and election of APMA officers shall be based on the Delegate and Alternates own conscience.
25 The committee members shall, by a vote of its own members (Delegates and Alternates) or by a vote of the
26 TPMA Board of Directors or TPMA Membership, vote in a “block” as directed by the committee, TPMA
27 Board or TPMA Membership on that item or issue.
28

29 The number of Delegates to the APMA House of Delegates is set by rule of the American Podiatric Medical
30 Association. If there is an instance when the TPMA shall be informed that there will be a reduction in the
31 overall number of Delegates as determined by the APMA, then that Delegate(s) who has/have the shortest
32 tenure as a Delegate shall automatically become an Alternate without further election or vote of the TPMA
33 membership if that Delegate(s) has time remaining as a member of the committee. If there is an instance
34 when the TPMA is informed that there will be an increase in the overall number of Delegates as determined
35 by the APMA, then that Alternate who had previously served as a Delegate will automatically be reinstated
36 as a Delegate or if there is no one who fits that category, the Alternate who has the longest tenure of service
37 as an Alternate will automatically be elevated to serve as a Delegate until the next regular election of
38 Delegates takes place.
39

40 Any nominee for Delegate and Alternate must have been a member of the TPMA for at least five years.
41 The President and President Elect of the Association shall automatically serve as Alternate Delegates to the
42 APMA House of Delegates. The TPMA Board of Directors shall determine yearly the number of additional
43 Alternate Delegates.
44

45 The Board of Directors may recommend to the membership that a member of the Association be honored
46 by being named as an “Honorary Delegate” or “Delegate Emeritus.” Past Presidents of the American
47 Podiatric Medical Association who are members of the TPMA shall automatically be named as “Delegate
48 Emeritus.” These honorary positions do not carry any financial reimbursement for expenses in attending
49 the APMA House of Delegates. The “Honorary Delegate” or “Delegate Emeritus” does not have voting
50 privileges in either the committee or in the APMA House of Delegates, but shall serve as an advisor and
51 consultant to the Delegation.
52
53

1 **Subsection 2. Parliamentarian**

2 The Parliamentarian shall be appointed by the president. The Parliamentarian shall attend the annual
3 meeting of the Association as a voting member and may attend board meetings and other functions ex-
4 officio without voting privileges. The Parliamentarian will also assist the Association in the drafting and
5 interpretation of bylaws, the rules of order, and planning and conducting of meetings.

6
7 The role of the parliamentarian shall also be to advise the President, other officers, committees, and
8 Association members on matters of parliamentary procedure, and additionally, to give advice to the
9 President, when requested, in order to help ensure that all meetings are governed by parliamentary
10 procedure as outlined in the current edition of “Robert’s Rules of Order.” The parliamentarian shall possess
11 a copy of and be familiar with “Robert’s Rules of Order” and the Constitution and Bylaws of the TPMA. It
12 is the parliamentarian’s duty to assure compliance with the Constitution and Bylaws of the TPMA at all
13 meetings.

14
15 **Subsection 3. Treasurer**

16 The Treasurer for the Association shall be appointed annually by the President and approved by the
17 Executive Committee.

18
19 The Treasurer shall have check “signing” authority and will have ‘view only’ access to TPMA bank and
20 investment accounts;

21
22 The Treasurer shall assist the Chairman of the Budget and Finance Committee and Executive Director in
23 preparing a budget for the Association;

24
25 The Treasurer shall serve as custodian of all monies of the Association to hold, invest or disburse, subject to the
26 direction of the Board of Directors or as authorized in the annual budget;

27
28 The Treasurer shall be responsible for disbursement of funds drawn on accounts of the Association along with
29 the Executive Director or the President;

30
31 The Treasurer shall make regular reports to the Board of Directors and give and assist the Chairman of the
32 Budget and Finance Committee in preparing the annual report to the membership at the annual meetings, which
33 shall include the latest available financial statement.

34
35 **ARTICLE V. BOARD OF DIRECTORS**

36
37 The Board of Directors, hereinafter referred to as the Board, shall consist of the elective officers, the immediate
38 Past President, the Directors from each of the Regions of the Association, one young physician member (first 10
39 years out of podiatry school, appointed by the President), one resident member (appointed by the president) and
40 one student member (appointed by the President).

41
42 **Section 1. Board of Directors:** The Board shall have the power to act for, and have general charge of the
43 affairs, policies, budget and finances of the Association in the intervals between the annual meetings of the
44 Association. However, the action of the Board shall not contravene the instructions of the Association, and
45 the Association may at any time overrule its actions.

46
47 The Board shall organize by the adoption of such rules and with such officers and committees, as it may
48 deem desirable or necessary. A quorum of the Board shall be the number of members present at any given
49 meeting when the President calls that meeting to order. “Proper” or “due” notice of all Board meetings,
50 whether regular or special, is required. “Proper” or “due” notice shall be defined as being at least two
51 weeks prior to the regular or special Board Meeting, and shall include the date, time, and place of the
52 meeting, and in the case of special meetings, the topic of the special meeting. In the event of an emergency
53 meeting, “due” notice is not required. No member of the Board may vote by proxy.

1
2 The Board shall be empowered to define the Regions within the State, determining the number of Regions,
3 and shall determine the number of Directors to be elected from each Region using the ratio guide of one (1)
4 Director for each sixty (60), or fraction thereof, members within the Region. In addition, one Alternate
5 Regional Director is to be elected from each Region; however, the Alternate Regional Director shall not
6 attend the TPMA Board meeting unless the duly elected Regional Director is unable to attend.
7

8 **Section 2. Immediate Past President:** The immediate Past President shall automatically serve on the
9 Board of Directors and assume office at the conclusion of the annual meeting. The term of office is one
10 year. A person serving in the office of immediate Past-President may not succeed himself/herself unless
11 his/her immediate successor as President dies, or resigns from the Association. The immediate Past-
12 President serves as Chairman of the Nominating Committee.
13

14 **Section 3. Executive Committee:** The President, President Elect, First Vice President, Second Vice
15 President, the Immediate Past President, and four (4) Directors at Large shall constitute the Executive
16 Committee of the Board of Directors. They shall be empowered to act for the Board between meetings of
17 the Board in all matters except those pertaining to making new policy or changing current policy. The
18 Executive Committee shall meet as the President deems necessary.
19

20 **ARTICLE VI FINANCES**
21

22 The fiscal year of this Association shall be from June 1 through May 31 of the following year.
23

24 **Section 1.** Annual dues, recommended by the Board, shall be determined by a majority vote of the voting
25 members present and voting at the annual meeting, and will be included in the billing for the next fiscal
26 year. Special consideration for annual dues on a graduated or reduced basis may be given to members in
27 the first, second and third years of practice, to Senior Members, and those in Special Categories.
28

29 **Section 2.** Annual dues for the Association shall be paid in full prior to June 1 for the current fiscal year.
30 Payment is recorded on the date payment is received (not check date). Members whose dues are not paid in full
31 after 90 days will be dropped from the rolls. Members, themselves, shall be responsible for payment on a timely
32 basis. Perspective members shall submit the first dues payment when making application for membership.
33

34 Additionally, a penalty of not less than \$25.00 shall be assessed on ALL returned checks for dues payments.
35

36 Any member who fails to submit dues and special purpose assessments in accordance with prescribed
37 payment schedules shall be subject to suspension from membership which shall continue until the individual
38 fulfills all payment obligations or is reinstated as part of a designated dues forgiveness/reduction campaign.
39

40 **Section 3.** Assessments may be levied on each member when voted at a regular or special meeting of the
41 Association. The membership shall be advised at least thirty (30) days prior to any regular or special
42 meeting at which an assessment is considered. Assessments may be applied only to such purposes in the
43 official conduct of the affairs of the Association for which the call is made. When a call is oversubscribed,
44 the members subscribing shall be reimbursed by the Association on a pro-rata basis, and non-payment of an
45 assessment shall be treated in the same manner and with the same penalty as non-payment of dues.
46

47 **ARTICLE VII MEETINGS**
48

49 **Section 1. Regular Meetings.**
50

51 A. Meetings of the Association shall be held at such time and place as may be determined by the Board of
52 Directors.
53

1 The meeting held during the last quarter of the fiscal year shall be known as the Annual Meeting and shall
2 be for the election of officers, receiving reports, and for any other business that may arise.

3
4 B. The order of business at meetings shall be at the discretion of the President and shall include but not be
5 limited to the following items:

- 6
- 7 Call to order
- 8 Invocation and necrology
- 9 Roll call of members
- 10 President’s Annual Address
- 11 Committee annual reports
- 12 Presentation of awards
- 13 Minutes and financial report
- 14 Election of new members
- 15 Nominating Committee report
- 16 Election of officers
- 17 Election of APMA delegates
- 18 Response of new officers
- 19 Reading of resolutions
- 20 Unfinished business
- 21 New business

22
23 C. At any regularly called meeting, all agenda items submitted under new business must be submitted in
24 writing to the state office at least 24 hours prior to the meeting.

25
26 **Section 2. Special Meetings**

27
28 A. Special called meetings of the Association may be called by the President on the written request of one-
29 third (1/3) of the voting members or upon a two-thirds (2/3) vote of the Board of Directors.

30
31 B. The membership shall be informed in advance of a special called meeting in ample time to permit
32 attendance.

33
34 C. Special called meetings shall be confined to the purpose for which the call is made, and the order of
35 business shall be at the discretion of the President.

36
37 **Section 3. Deliberations**

38
39 The deliberations of this Association at annual, special, or any other meetings shall be governed by
40 parliamentary procedure outlined in the current edition of “Robert’s Rules of Order.”

41
42 **Section 4. Attendance**

43
44 Attendance at business meetings of the TPMA is limited to TPMA members only unless the President
45 and/or Board of Directors have extended invitations to guests.

46
47 **Section 5. Quorum**

48
49 A quorum for ALL meetings, regular or special, shall be defined as the number of members present at the
50 time said meeting is called to order.

51
52 **ARTICLE VIII ELECTIONS**

1
2 **Section 1. Nominations**
3

4 The Nominating Committee shall meet in-person or via conference call and present to the membership no
5 later than thirty (30) days prior to the annual meeting a slate of nominees for the office of President Elect,
6 First Vice President, Second Vice President, four Directors at Large, and Delegates and Alternate(s) to the
7 APMA House of Delegates.
8

9 Running for any elective office precludes participation on the Nominating Committee.
10

11 Any member in good standing who meets the criteria for an elected position except those currently serving
12 of the Nominating Committee may run for election provided written notification from the nominee
13 (addressed to the nominating committee chairman) is received in the state office (sent via verifiable
14 communication) at least 21 days prior to the Annual Meeting. The TPMA office will notify membership of
15 additional nominees at least 10 days prior to the Annual Meeting via email.
16

17 The President, President Elect, First Vice President and Second Vice President are elected for a term of one
18 year. Persons holding the office of First Vice President and Second Vice President may not serve more than
19 two consecutive terms in the same office. The procedure for filling a vacancy is described in Section 4 of
20 this article.
21

22 The Directors at Large shall be elected for a term of one (1) year. The procedure for filling a vacancy is
23 described in Section 4 of this article.
24

25 **Section 2. Method of Election**
26

27 A. Election shall be by ballot. In the event there is but one nominee for an office, election may be by voice
28 vote. A majority of the members present and voting shall elect the officers. The President shall appoint a
29 judge and two tellers to supervise the election and shall exercise care to account accurately and fairly for
30 each ballot cast.
31

32 B. Candidates for office must be active members in good standing. Non-voting Honorary Members may
33 not hold elective office in the Association.
34

35 **Section 3. Election of Officers, Regional Directors and Delegates.**
36

37 The President shall be elected for a single term of one year. The President may not succeed himself/herself.
38

39 The Vice-Presidents are elected for a term of one year. The procedure for filling a vacancy is described in
40 Section 4 of this Article.
41

42 The Directors at Large shall be elected for a term of one (1) year. Directors at Large may succeed
43 themselves for no more than four (4) consecutive terms. Directors at Large may serve concurrently as
44 Regional Directors. The term of office of Directors at Large commences at the conclusion of the Annual
45 Meeting. The procedure for filling a vacancy is described in Section 4 of this Article.
46

47 At each annual meeting of the Association, the members from each Region whose Regional Director or
48 Directors' term expires that year shall caucus separately for the purpose of electing the Regional Director or
49 Directors. Each caucus shall elect a Chairman to preside over the election, and the caucus shall proceed to
50 elect its Director(s). The election in each caucus shall be conducted in a manner consistent with the
51 procedure provided for elections under Section 2 of this Article.
52

1 The term of office for a Regional Director is two (2) years. The term of office of a Regional Director from
2 odd-numbered Regions shall expire in odd numbered years, and the term of office of a Regional Director
3 from even-numbered Regions shall expire in even-numbered years, except that in any Region having more
4 than one Regional Director, the Board of Directors may provide for staggered terms of the Regional
5 Directors from that Region. The term of office of Regional Directors commences at the conclusion of the
6 Annual Meeting.

7
8 The number of Delegates-to the APMA House of Delegates elected will be in a manner consistent with the
9 APMA Constitution and Bylaws. Delegates will be elected for a two-year term. Alternate Delegates will
10 be elected to a one-year term. The President and President Elect of the Association will automatically serve
11 as Alternate Delegates during his/her term of office of the Association.

12
13 **Section 4. Vacancy.** Any vacancy or vacancies of an Officer, Director at Large, Delegate or Alternate
14 whether by death, resignation or other reasons may be filled by the President subsequent to the occurrence
15 of such vacancy. A person filling a vacancy serves until the expiration of the term of the person he/she
16 succeeds.

17
18 **ARTICLE IX AMENDMENTS**

19
20 Any proposal to amend these Bylaws shall be submitted to the Board of Directors and to the membership at
21 least thirty (30) days prior to the annual meeting. If upon receiving the vote of two-thirds (2/3) of the
22 voting members present and entitled to vote at the annual meeting, it shall become a part of these Bylaws.

23
24 **ARTICLE X REFERENDUM**

25
26 Upon written request signed by at least thirty (30) percent of the eligible voting members of the
27 Association, a referendum ballot on any question not in conflict with the Bylaws shall be directed to the
28 membership within thirty (30) days after filing the request. The Board of Directors may submit any
29 question not in conflict with the Bylaws to a general referendum. Referendum ballots supplied by the
30 Association shall state the question referred, and the members shall signify their approval or disapproval of
31 the question and submit their ballots to the Executive Director. The poll on the question shall be closed
32 fourteen (14) days from the date the ballots are distributed. If the voting comprises a majority of the
33 members of the Association, a majority of such votes shall determine the question. A committee of three
34 (3) tellers appointed by the President shall make the tabulation of the vote.

35
36 **ARTICLE XI COMPONENT COUNTY PODIATRIC MEDICAL SOCIETIES**

37
38 **Section 1.** A County Podiatric Medical Society may be organized in any county or counties in the State of
39 Texas where three (3) or more podiatrists who are active members of the Texas Podiatric Medical
40 Association reside. Any component society so organized shall bear the name of the county or counties or
41 geographical area in which it functions followed by the name, "Podiatric Medical Society".

42
43 **Section 2.** To qualify as a component county Podiatric Medical Society, said county Podiatric Medical
44 Society shall apply officially to the Texas Podiatric Medical Association for such designation. If the Board
45 of Directors of the TPMA approves such designation, it shall grant authorization for organizing the
46 component County Society.

47
48 **Section 3.** Component County Podiatric Medical Societies shall at all times be governed by and must
49 comply with the Constitution, Bylaws and Code of Ethics of the Texas Podiatric Medical Association and
50 the American Podiatric Medical Association. Societies not so complying shall be subject to revocation of
51 their official authorization and designation from the Board of Directors.

1 **Section 4.** Membership in a component County Podiatric Medical Society is contingent upon membership
2 in TPMA.
3

4 **Section 5.** Meetings of component County Podiatric Medical Societies may be held at any time and place
5 determined by the membership. Combined meetings, on a Regional or area basis, of component County
6 Podiatric Medical Societies may also be held, provided such meetings are officially designated and termed
7 as joint meetings.
8

9 **ARTICLE XII CODE OF ETHICS**

10 These principles are to aid podiatric physicians in maintaining a high level of ethical conduct. They are
11 standards by which a podiatric physician may determine the propriety of his/her conduct and his/her
12 relationship with patients, colleagues, members of allied health professions, and the public. A podiatric
13 physician who violates any provisions of this Code of Ethics is guilty of unethical conduct. It is unethical
14 for a practitioner who is aware of improper, unethical, corrupt, or dishonest practices by another practitioner
15 not to report said practices to the appropriate committee.
16
17

18 **Section 1. General Requirements and Standards.**

- 19
20 A. The health and safety of his/her patients shall be the first consideration of the podiatric physician.
21
22 B. The principal objective of podiatric medicine is to render service to humanity.
23
24 C. A podiatric physician should strive continually to improve his/her medical knowledge and skills and
25 make them available to his/her patients and colleagues.
26
27 D. He/she should administer to his/her patients to the best of his/her ability in a professional manner and
28 seek consultation upon request in difficult cases or whenever the quality of podiatric care would be
29 enhanced.
30
31 E. Secrets and personal information entrusted to him/her shall be held inviolate unless disclosure is
32 necessary to protect the welfare of the individual or the community.
33
34 F. A podiatric physician should be temperate in all things in recognition that his/her knowledge and
35 techniques are essential to public health and welfare and even to human life.
36
37 G. He/she should neither tender nor receive a commission for referral of patients or engage in fee splitting.
38
39 H. He/she has the obligation of prescribing and supervising the work of all auxiliary personnel in the
40 interest of rendering the best service to the patient.
41

42 **Section 2. Identification.**

43
44 A podiatric physician shall observe the requirements specified in this section in identifying himself/herself
45 professionally. The identification of a podiatric physician must comply with the Healing Arts Identification
46 Act and rules of the Texas Department of Licensing and Regulation.
47

48 **Section 3. Methods of Identification.**

- 49
50 A. General. The purpose of any form of advertising is to inform the public of the availability of competent
51 foot care. The decision by a podiatric physician to employ means of advertising the availability of his or
52 her services is a business decision to be made solely by the individual podiatric physician or podiatry group.

1 No podiatric physician or podiatry group should, however, employ means of advertising that are false or
2 tends to mislead the public. An advertisement is false or misleading, and an ethical violation, if it:
3

- 4 1. Contains a material misrepresentation of fact or omits a fact necessary to make the statement, considered
5 as a whole, not materially misleading;
- 6
- 7 2. Contains a statement of opinion as to the quality of podiatric services;
- 8
- 9 3. Contains a representation or implication regarding the quality of podiatric services which is not
10 susceptible to reasonable verification by the public;
- 11
- 12 4. Contains predictions of future satisfaction or success of any podiatric service;
- 13
- 14 5. Contains statistical data which is not susceptible to reasonable verification by the public;
- 15
- 16 6. Contains other information based on past performance which is not susceptible to reasonable verification
17 by the public;
- 18
- 19 7. Contains a testimonial about or endorsement of a podiatric physician;
- 20
- 21 8. Is intended or is likely to create an unjustified expectation about results the podiatric physician can
22 achieve;
- 23
- 24 9. Fails to make a truthful disclosure of the source of authorship of the communication.
- 25

26 **Section 4. Relationship with Other Practitioners.**

27 **A. Referrals.**

28 A podiatric physician may contact other practitioners and notify them of the opening of an office and
29 may solicit their cooperation in referring patients to him/her. He/she may also send written expressions
30 of gratitude to persons referring patient to him/her, but he/she should not tender or receive a
31 commission for referral of patients.
32

33 **B. Fee Splitting.**

34 A podiatric physician shall not engage in fee splitting. However, a podiatric physician may pay an
35 assistant's fee according to the established percentage or rate prevailing in the community.
36

37 **C. Acquiring Another's Practice.**

38 If a podiatric physician acquires the practice of another practitioner, he/she may refer to the name of
39 the other practitioner in identifying himself/herself and his/her acquired practice, but only for a period
40 not to exceed one year from the date he/she acquired the practice. The acquiring podiatric physician
41 shall also use his/her own name in identifying the practice acquired. The other provisions of Section 2
42 and 3 of this Code apply also to the use of the other practitioner's name in identifying the practice
43 acquired.
44

45 **D. Inducement.**

46 A podiatric physician should not induce another colleague's patients. It is unethical for any podiatric
47 physician who is knowingly seeing a patient for a second surgical opinion to manipulate or coerce that
48 patient into allowing him/her to perform surgery. Furthermore, all reasonable efforts should be made to
49 return the patient to the first practitioner for performance of the surgery if the second practitioner feels
50
51
52
53

1 the surgery is warranted. In the event the patient is adamant about having the second opinion podiatric
2 physician perform the surgery, then the second opinion podiatric physician should recommend that a
3 third opinion be sought prior to accepting the case. It would be prudent and courteous then for the
4 second opinion podiatric physician to notify the primary podiatric physician (following HIPPA
5 guidelines) of the patient's wishes and subsequent actions.
6

7 **E. Criticism.**

8
9 A podiatric physician should not criticize or belittle his/her fellow practitioners.
10

11 **F. Support of Code and Law.**

12
13 A podiatric physician shall not aid an unethical practitioner or engage in any subterfuge with any
14 person, business, or organization. He/she shall expose any illegal, unethical or dishonest conduct of
15 other practitioners, and cooperate with those invested with the responsibility of enforcement of the law
16 and this Code of Ethics.
17

18 **Section 5. Informing Patients of Fees.**

19
20 A podiatric physician or a member of his/her staff shall inform his/her patients as to the fee to be charged
21 for services before the services are performed, regardless of whether the fees are charged on a cash basis, on
22 the basis of a separate charge for each service, or a combination of these two methods, or on some other
23 basis. If an exact fee for a particular service, as in extended care cases, cannot be cited to a patient, a fair
24 and reasonable estimate of the basis on which it will be determined shall be given the patient.
25

26 **Section 6. Identity of the Surgeon.**

27
28 A person under a podiatric physician's care or treatment on whom podiatric surgery is to be performed in
29 connection with such care or treatment shall be informed by the podiatric physician of the identity of the
30 surgeon before the surgery is performed.
31

32 **Section 7. Commercial and Business Connections.**

33
34 **A. Fitting and Prescribing Shoes.**

35
36 A podiatric physician may prescribe shoes to his/her patients in conjunction with a comprehensive podiatric
37 medical treatment plan.
38

39 **B. Office Locations.** A podiatric physician shall not have his/her office in or connected with any business,
40 activity or location that brings discredit to the profession.
41

42 **Section 8. Unlawful and Immoral Acts.**

43
44 Any podiatric physician who commits a crime of the grade of felony or involving moral turpitude, including
45 any grade of theft or related offense, or criminal fraud or misrepresentation, or who commits any violation
46 of the law pertaining to narcotics and dangerous drugs, is guilty of violating this Code of Ethics.
47

48 **Section 9. Organizational Activities.**

49
50 **A. Clubs and Organizations.** Podiatric physicians are encouraged to join and actively participate in
51 professional, religious, and service organizations and social clubs.
52

1 **B. Public Service Programs.** Podiatric physicians may participate in public service programs for foot
2 health education.
3

4 **ARTICLE XIII GRIEVANCE AND DISCIPLINE**

5

6 **Section 1. Compliance with Rules Required.** A member of this Association shall adhere strictly to the
7 Constitution and Bylaws of the Association, including specifically the Code of Ethics (Article XII of this
8 Bylaws), and the legal requirements governing the practice of podiatric medicine. Any member against
9 whom charges are filed with the Association for a violation of this Section has the right of hearing as
10 provided in this Article.
11

12 **Section 2. Violation of the Law.** If a member is charged with a violation of any State or Federal law or
13 regulation governing the practice of podiatric medicine, the Board of Directors shall refer the information to
14 the proper governmental authorities. However, this does not in any way limit or restrict the taking of any
15 action authorized under the Constitution and Bylaws of this Association for the violation of the Constitution
16 or Bylaws.
17

18 **Section 3. Association Action on Violation of Constitution or Bylaws.**

19

20 **A. Filing Complaints.**

21 Anyone desiring to file a complaint with the Association against a member of the Association for a
22 violation of the Constitution or Bylaws of the Association shall submit the particulars of the complaint
23 in writing to the Regional Director for the Region where the complaint originated and to the Peer
24 Review Committee Chairman, with a copy to the Executive Director of the Association.
25

26 **B. Investigation and Hearing.**

27 The Peer Review Committee Chairman shall assign the complaint for investigation and resolution either
28 to a member of the Peer Review Committee or the full Peer Review Committee, depending on the
29 nature of the complaint. When an investigation is initiated, the person or body conducting the
30 investigation shall promptly notify the accused member of the nature of the charges and of his/her rights
31 under these Bylaws. If the accused member so requests, he/she is entitled to a hearing on the charges
32 before the person or body conducting the investigation. He/she is entitled to be represented by counsel
33 of his/her choice throughout the period of the proceedings under this Article. After an investigation is
34 completed, the person or body conducting the investigation may do any one of the following: May take
35 no further action if the matter has been satisfactorily resolved; may censure or reprimand the member;
36 or may forward the matter to the Board of Directors for further consideration and action. In any event,
37 the person or body conducting the investigation shall report its findings, actions, and recommendation
38 in writing to the accused member and to the Board of Directors. The accused member may appeal to
39 the Board of Directors from the findings, actions or recommendations of the person or body conducting
40 the investigation.
41

42 **C. Action by the Board.**

43 If the person or body conducting the investigation recommends further consideration and actions be
44 taken by the Board of Directors, or if the accused member appeals to the Board, the Board shall proceed
45 to act on the matter as hereafter provided. If he/she so requests, the accused member shall be given the
46 option to present argument on the findings, actions and recommendations being considered by the
47 Board, before the Board acts. The Board shall give any other interested person the opportunity to
48 appear before the Board and be heard with the accused member. The Board shall set the time and place
49 for the arguments and may place reasonable restrictions on the duration and scope of the arguments. If
50 the Board of Directors, after having complied with the foregoing procedures as applicable, finds that all
51 or part of the charges have been sustained, it has the authority to take one or more of the following
52 actions with respect to the accused member:
53

- 1 1. Censure or reprimand him/her;
- 2 2. Place him/her on probation for a period of up to one year;
- 3 3. Suspend him/her from the Association for a time specified by the Board; or
- 4 4. Recommend to the membership that he/she be expelled.

5
6 The action of suspending or recommending the expulsion of the member may be taken only if approved by
7 a vote of at least two-thirds of the Board of Directors. Any other action authorized may be taken if
8 approved by a vote of at least a majority of the Board of Directors.
9

10 **D. Membership Action.**

11
12 **1. Appeals to Membership.** Any member against whom disciplinary action is taken or affirmed by the
13 Board of Directors as authorized in this Article may appeal the action to the membership at the first regular
14 annual meeting of the membership immediately following the action of the Board and not thereafter. If a
15 member so appeals, the Board of Directors shall present their findings and the action taken to the
16 membership at the annual meeting. The member, and any other interested person, shall be given the
17 opportunity to appear and be heard by the membership.
18

19 **2. Recommendation of Expulsion.** If the Board of Directors recommends the expulsion of a member, the
20 Board shall present its findings and recommendations to the membership before action by the membership
21 is taken, even though the member has not appealed the Board's action. The accused member and any other
22 interested person shall be given the opportunity to appear and be heard.
23

24 **3. Votes by Membership.** The membership at the regular annual meeting shall vote on whether or not to
25 sustain the action taken by the Board of Directors against any accused member whose case is presented to
26 the membership in the manner provided in this Subsection D. If the vote is on any action of the Board of
27 Directors other than a recommendation of expulsion, the decision shall be based on a majority vote of those
28 present and voting. If the vote is on whether to expel a member on the basis of a recommendation to that
29 effect from the Board of Directors, expulsion may be assessed only upon approval of at least two-thirds of
30 the members present and voting. If the membership does not approve the disciplinary action taken by the
31 Board of Directors and does not approve the expulsion of a member when recommended by the Board of
32 Directors, the membership may approve, upon a vote of a majority of those present and voting, any other
33 punishment authorized to be assessed by the Board of Directors under paragraphs numbered (1), (2), and (3)
34 in Subsection C of this section.
35

36 **E. Reinstatement.**

37
38 **1. Suspension.** Any member suspended from membership may, upon request to the Board of Directors, be
39 reinstated after the expiration of the suspension period or after one year following the date on which the
40 Board of Directors acts to suspend him/her, whichever first occurs. The actions to reinstate a member must
41 be approved by a vote of at least two-thirds of the members of the Board of Directors.
42

43 **2. Expulsion.** Any member expelled from the Association may apply for membership after the expiration
44 of two years from the date of his expulsion on the same terms and in like manner as an applicant for
45 provisional membership, except that his/her application must be approved by a vote of at least two-thirds of
46 the members of the Board of Directors before he/she may become a provisional member.
47

48 **F. Disqualification of Membership in Proceedings.** Any member charged with a violation of the
49 Constitution or Bylaws of this Association shall not participate in any of the deliberations or votes of the
50 Board or the membership on his/her case. However, he/she shall have all the other rights of an accused
51 member provided for in these Bylaws.
52

1 **Section 4. Additional Penalties.** In addition to any other penalties specified in these Bylaws, any member
2 who is expelled from the Association or who is under probation or suspension may not represent the Texas
3 Podiatric Medical Association or affiliated organizations in any capacity or in any hospital, clinics, nursing
4 homes, or similar establishments, or hold office of any nature, or have a telephone listing stating
5 membership in the Texas Podiatric Medical Association or affiliated organizations. Any grade of theft or
6 related offense, or criminal fraud or misrepresentation, or who commits any violation of the law pertaining
7 to narcotics and dangerous drugs, is guilty of violating this Code of Ethics.