

**BYLAWS of the NEW MEXICO CHAPTER,
AMERICAN PHYSICAL THERAPY ASSOCIATION, Inc.**

Adopted May 1990. REVISED: March 28, 2000; May 25, 2000; December 9, 2000; April 2001, November 2001; January 2003; August 2006; September 2007; and April 2011; August 23, 2014; September 17, 2016; September 29, 2018, September 18, 2020.

ARTICLE I. NAME AND RELATIONSHIP TO THE AMERICAN PHYSICAL THERAPY ASSOCIATION

Section 1: The New Mexico Chapter of the American Physical Therapy Association (also known as APTA New Mexico), hereinafter referred to as the Chapter, shall be a chapter of the American Physical Therapy Association, hereinafter referred to as the Association.

Section 2: The geographic jurisdiction of the Chapter shall coincide with the boundaries of the State of New Mexico.

ARTICLE II. OBJECT

The object of the Chapter shall be the object of the Association as stated in the Association bylaws.

ARTICLE III. FUNCTION

The functions of the Chapter shall be the same as the functions of the Association as stated in the Association bylaws.

ARTICLE IV. MEMBERSHIP

Section 1: Categories and Qualifications of Members

The Chapter membership categories and qualifications for Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Student Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, Life Physical Therapist Assistant, and Student Physical Therapist Assistant shall be the same as those of the Association.

In addition, the Chapter shall maintain a single Corresponding Member category and a single Corresponding Student Member category with rights and privileges as stated in the Association bylaws.

Section 2: Rights and Privileges of Members

The rights and privileges of Chapter members shall be identical to those established in the Association's bylaws, except that Physical Therapist Assistant, Retired Physical Therapist Assistant and Life Physical Therapist Assistant Members shall have one (1) vote at the Chapter level.

Section 3: Admission to Membership

Admission to Chapter membership is by assignment by the Association's Board of Directors.

Section 4: Good Standing

A member is in good standing within the meaning of these bylaws if the member is in good standing in the Association.

Section 5: Disciplinary Action

- A. Any member of the Chapter who is suspended by the Association shall have his or her membership privileges suspended in the Chapter. Any member who is expelled from membership in the Association shall be expelled from Chapter membership.
- B. Complaints to the effect that a member has violated the ethical principles or standards of the Association shall be processed in accordance with the Association's Procedural Document on Disciplinary Action

Section 6: Reinstatement

Individuals shall be reinstated to Chapter membership in accordance with the Association's Standing Rules. The Chapter may not charge a reinstatement fee.

ARTICLE V. DISTRICTS AND SPECIAL INTEREST GROUPS

Section 1: Districts

A. A District shall:

1. Operate under bylaws or rules of order that shall not be inconsistent with Chapter or Association bylaws and that shall be approved by the Chapter Board of Directors.
2. Not establish dues.
3. Not levy special assessments that carry punitive action or loss of good standing.

B. A District of the Chapter may be established and/or dissolved in accordance with the rules and conditions specified by the Chapter's bylaws.

Upon receipt of a petition to the Board of Directors signed by two (2) percent of voting members of the Chapter within the area of the proposed District, the Chapter Board of Directors shall vote on the petition at its next regularly scheduled meeting. A two-thirds vote of the Board is required for approval.

1. The Petition shall include:

- a. Compelling reason(s) for development of the District.
- b. Evidence of concurrence from existing districts having territorial jurisdiction over the proposed Districts.
- c. Proposed name of the District.
- d. Statement that the District is governed in all respects by Chapter and Association Bylaws.
- e. Territorial Jurisdiction:
 - Northern District: Counties - Bernalillo, Colfax, Guadalupe, Harding, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, Torrance, Union and Valencia.
 - Southeast District: Counties - Chavez, Curry, DeBaca, Eddy, Lea, Lincoln, and Roosevelt.
 - Southwest District: Counties - Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra, and Socorro.

2. A member will be assigned to a District in which he resides. Any member may petition the Board of Directors to request a change in District assignment.

C. Obligations

Each District shall:

1. Perform the duties and assume the responsibilities which these bylaws and the bylaws and policies of the Association place on the District.
2. Submit an annual report of its activities and such other reports as may be requested by the Board of Directors.
3. Conduct at least one (1) meeting per year, the dates to be determined by each District.

D. Finances

1. Each District shall submit an annual budget to the Chapter Finance Committee.
2. The allocation of Chapter funds to each District will be approved annually by the Chapter Board of Directors upon recommendation of the Finance Committee.

Section 2: Special Interest Groups

A. Purpose

Members of a Special Interest Group may meet, confer, and promote their interests.

B. Formation

1. A Special Interest Group may be formed on demonstration of interest with a statement of purpose and through written petition signed by at least two (2) percent of the Chapter membership, recommendation by the Chapter Board of Directors, and approval by a majority vote of the members present and voting at a regular Chapter

- meeting.
2. Each group shall operate under bylaws or rules of order that shall not be inconsistent with Chapter or Association bylaws and that shall be approved by the Chapter Board of Directors.
 3. These bylaws or rules shall be submitted to the Chapter Board of Directors for action and must be acted upon at the first Chapter Board of Directors meeting following receipt. If the Chapter Board of Directors does not approve such bylaws or rules, the affected group may appeal to the membership of the Chapter at the next meeting. The Chapter Board of Directors must act on the matter as instructed by the Chapter membership.
 4. A Special Interest Group of the Chapter may be established and/or dissolved in accordance with the rules and conditions specified by the Chapter's Board of Directors.
 5. A Special Interest Group shall not establish dues or levy special assessments that carry punitive action or loss of good standing.

Section 3: Limitations

Districts and Special Interest Groups are subject to the following limitations:

- A. Bylaws and policies of the Chapter and the Association.
- B. No District or Special Interest Group shall profess or imply that it speaks for or represents the Chapter or members other than those currently holding membership in the District or Special Interest Group unless authorized by the Chapter's Board of Directors.

Section 4: Dissolution

- A. A District or Special Interest Group which fails to comply with Chapter policy or these Bylaws may be abolished, provided it is given an opportunity to be heard in its own defense, following at least one (1) month notice, and at least two-thirds of the members of the Chapter Board of Directors concur.
- B. A District or Special Interest Group may be voluntarily dissolved by:
 1. A petition signed by a majority of its voting members and a two-thirds vote of those voting by mail ballot.
 2. Multiple copies of the petition may be used.
 3. All copies of the petition must be filed with the Chapter Board of Directors within six (6) months after the petition is first promulgated, which date shall be stated on each copy thereof.
 4. The Chapter Board of Directors shall examine the petition to determine if it has been signed by a majority of the voting members of the District.
 5. If the Chapter Board of Directors determines that a majority has signed the petition, it shall certify to the District or Special Interest Group that it is dissolved; otherwise, it shall certify to the District or Special Interest Group that the petition failed for lack of majority.
- C. All monies, properties, and official documents become the property of the Chapter on the date of dissolution.

ARTICLE VI. MEETINGS

Section 1: Chapter Meetings

A minimum of one (1) Chapter Business meeting shall be held in conjunction with the Fall Chapter Conference during the fiscal year.

Section 2: Special Meetings

The Board of Directors has the authority to call a special meeting, and must call one upon written/electronic petition of twenty-five (25) percent of the membership.

Section 3: Notice of Meeting Requirements

Notice of all Chapter meetings shall be sent to all members along with notice of the conference at least thirty (30) days prior to the date of the meeting. This notice may be made by mail or any telecommunications method including, but not limited to, e-mail transmissions which must ensure the timely receipt of the notice and may ensure verifiable receipt of the notice by the intended recipients.

Section 4: Quorum

A quorum is constituted by two (2) percent of voting members.

Section 5: Minutes

All meeting minutes shall be submitted to the Association within forty-five (45) days after the date of the meeting.

ARTICLE VII. OFFICERS, BOARD OF DIRECTORS AND EXECUTIVE COMMITTEE

Section 1: Officers

A. Composition

The Officers of the Chapter shall be the President, Vice President, Secretary, Treasurer, and Chief Delegate.

B. Terms

The Officers shall serve for two (2) year terms or until the election and succession to office of newly elected officers. The newly elected members of the Board of Directors will assume office at the following Board of Directors meeting. The Chief Delegate will assume office immediately upon their election.

C. Vacancies

If, before the expiration of the term for which he was elected, the President dies, resigns, is removed, or becomes disqualified, the Vice President shall succeed to the office vacated for the unexpired portion of the term. Vacancies by death, resignation, succession, removal or disqualification of other Officers or Board members shall be filled by appointment by the Board of Directors for the unexpired portion of the term.

Section 2: Duties of Officers

A. The President shall:

1. Serve as official spokesman for the Chapter.
2. Be responsible for the official correspondence of the Chapter including such matters as notifying members of meetings, officers of election, committees of their appointment, and sending all notices required by the Bylaws or requested by the Board of Directors.
3. Preside at all meetings of the Chapter, Board of Directors, and Executive Committee.
4. Act as a neutral member of the Board of Directors in voting matters and will exercise the right to vote only to resolve or create a tie vote or when the vote is a secret ballot.
5. Call Board, Executive Committee and other special meetings.
6. Assign members of the Board as liaisons to Committees and appoint Committee Chairs.
7. Shall serve as the Liaison to the Licensing Board or appoint a designee.
8. Shall serve as the Liaison to Accredited PT/PTA Programs in New Mexico or appoint a designee.
9. Serve as ex-officio member of all Committees except the Nominating Committee.

B. The Vice President shall:

1. Assume the duties of the President in their absence and may have other responsibilities as designated by the President. In the event of a vacancy in the office of the President, the Vice President shall succeed to the Presidency for the unexpired portion of the term.
2. Serve as Chapter Parliamentarian, if one is not appointed, without loss of membership rights.

C. The Secretary shall:

1. Record the minutes of Chapter Business Meetings, Board Meetings and Executive Committee Meetings.
2. Responsible for all records belonging to the Chapter.
3. Present a report, in writing, at each Business Meeting summarizing the proceedings of the Board of Directors.

D. The Treasurer shall:

1. Serve as Chair of the Finance Committee.
2. Be responsible for the receipt, disbursement and accurate recording of all Chapter funds according to the budget and following the policies adopted by the Board of Directors.
3. Responsible for complete and accurate financial records.
4. Submit a financial report at all Board of Directors and Business Meetings and to the Board of Directors upon request.
5. Submit a budget to the Board of Directors for approval annually.
6. Submit all necessary forms to State and National Governmental Agencies.

E. The Chief Delegate shall:

1. Perform the duties as outlined in Article IX, Section 3.
2. Serve as Chairperson of the Chapter Delegation during the year and at meetings of the House of Delegates consistent with Chapter policy.
3. Present to the House of Delegates such matters as instructed by the Chapter membership or the Board of Directors.
4. Report on the proceedings of the House of Delegates for dissemination of information and appropriate action.

Section 3: Board of Directors

A. Composition

The Board of Directors shall be composed of nine (9) members and shall include the President, Vice President, Secretary, Treasurer, Chief Delegate, PTA Caucus Representative and three (3) Directors. The Immediate Past President shall serve as an ex-officio member of the Board for the year immediately following their presidency.

B. Qualifications

1. Only such members of the Chapter as are provided for in the Association bylaws, Article IV, Section 3, Sub-paragraph B. (3). B, who have been members in good standing for a period of at least one (1) year immediately preceding their election, and who have consented to serve, shall be eligible for election to office.
2. Physical Therapist Assistants, Life Physical Therapist Assistants, and Retired Physical Therapist Assistants may hold office subject to the limitations specified in the Association bylaws, Article V. Section 5, Sub-paragraph C.
3. No member shall serve more than three (3) complete consecutive terms on the Board of Directors or more than two (2) complete consecutive terms in the same office.
4. Qualifications for the office of President include currently serving on the Chapter Board of Directors or have previously served two (2) of the last five (5) years.
5. The Chief Delegate shall have served as a Delegate previously.
6. Directors will serve a two (2) year term.

C. Duties and Responsibilities

1. The Board of Directors shall:
 - a. Carry out the mandates and policies of the Chapter as determined by the membership.
 - b. Assure that the Chapter assumes the obligations and limitations set forth in Article V. in the Association Bylaws. The Board has full power and complete authority to perform all acts and transact all business for and on behalf of the Chapter between meetings of the Chapter membership.
 - c. Create and appoint special and standing committees and task forces and direct the activities of all committees as necessary to fulfill the functions of the Chapter.
 - d. Maintain liaison with the Association and inform all Chapter members of matters pertaining to the welfare of the organization.
 - e. Keep records and files of business transacted for the Chapter and shall make a report of each annual or special meeting.
 - f. Carry out, between meetings of the general Chapter membership, business of the Chapter and determine policy not in conflict with these Bylaws and policies determined by the voting body of the Chapter.
 - g. Approve the annual budget and all expenditures outside of the approved budget.

- h. Be permitted to conduct meetings of the Board of Directors using telecommunications or other communication technology.
- i. Serve as liaison to the committee assigned.

D. Conduct of Business

1. The Board of Directors shall meet at least two (2) times annually and jointly with incoming Board Members following the election. Meetings may occur face to face or electronically.
2. The President may call a special Board of Directors meeting and must call a meeting on request of twenty-five (25) of the Board.
3. Notice of all meetings shall be given to members of the Board of Directors no later than three (3) days before the date of the meeting. Appropriate notice for regular meetings shall be thirty (30) days prior to the date of the meeting.
4. The Board of Directors shall have a quorum consisting of at least five (5) Board members.
5. Each member of the Board of Directors shall each have one (1) vote. The Immediate Past President shall have a voice, but no vote. Board of Directors and Special meetings may be held via electronic means to facilitate the work of the Chapter.

E. Resignation, Termination, and Absences

Resignation from the Board of Directors must be in writing and received by the Secretary. A Board Member shall be terminated due to excess absences (more than two (2) unexcused absences from Board meetings in a year). The President may decide to excuse absences. A Board Member may be removed for failure to perform duties by a three-fourths vote of the remaining Board Members.

Section 4: Executive Committee

A. Composition

The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer and Chief Delegate.

B. Duties and Responsibilities

Exercise the power of the Board of Directors between its meetings. Three (3) Executive Committee Members shall constitute a quorum.

C. Meetings

1. The President may call a meeting of the Executive Committee, separate from Board of Directors meetings. This can be in person, by teleconference, or via electronic communication.
2. A quorum shall be at least three (3) Executive Committee members.

Article VIII. COMMITTEES

Section 1: Finance Committee

The Finance Committee shall:

- A. Consist of at least three (3) members, one (1) of whom shall be the Treasurer, who shall serve as Chair.
- B. Advise the Board of Directors on matters pertaining to the Chapter's financial needs, growth, scholarships and stability based on periodic review of income and expenditure investments.
- C. Perform an annual audit.
- D. Each member, other than the Treasurer, shall serve a term of two (2) years.
- E. At least one (1) member shall be appointed annually.

Section 2: Nominating Committee

The Nominating Committee shall:

- A. Consist of three (3) eligible members elected by the Chapter membership. One (1) member shall be elected annually

and shall serve a term of three (3) years The senior member shall serve as Chairperson. No member shall be elected to successive terms.

- B. Any vacancies shall be filled by the Board of Directors, until the next regular election at which time the vacant position shall be filled for the remainder of the term.
- C. Submit Chapter recommendations for candidates for Association offices, task forces, and committees.
- D. Prepare a slate of at least two (2) candidates, if possible, for each position from those consenting to serve. The slate shall be published electronically and distributed to members at least thirty (30) days prior to the election.
- E. Foster activities that maintain and promote a pool of nominees.

Section 3: Standing and Special Committees

Such other committees, standing or special, may be formed by the President, with the approval of the Board of Directors as the Board of Directors deems necessary to establish in order to carry on the work of the Chapter.

ARTICLE IX. DELEGATES TO THE ASSOCIATION'S HOUSE OF DELEGATES

Section 1: Qualifications

- A. The qualifications of Delegates shall be as stated in the Association's bylaws.
- B. Only Physical Therapist members who have been Association members in good standing for two (2) years immediately preceding the House of Delegates may serve as Chapter Delegates.
- C. A Chapter Delegate may not, in the same year, serve as Section Delegate.
- D. The Chapter shall notify Association headquarters of the names of Chapter Delegates, as required by the Association and the Standing Rules of the House of Delegates.
- E. The Chapter must be represented in the House of Delegates at least every third year.

Section 2: Term

- A. Each Delegate shall serve a two (2) year term and shall serve no more than two (2) complete consecutive terms.
- B. The President shall automatically serve as an Alternate Delegate.

Section 3: Duties of Delegates

- A. To participate in the Association's year-round governance activities in preparation for the House of Delegates.
- B. To attend and vote at the annual and special meetings of the House of Delegates.
- C. To present to the House of Delegates such matters as are approved by the Board of Directors and/or membership.

ARTICLE X. PTA CAUCUS REPRESENTATIVE

Section 1: Qualifications

- A. The qualifications of the PTA Caucus Representative shall be as stated in the APTA Board policies and procedures.
- B. The Chapter shall notify Association headquarters of the name of the Representative, as required by the Association.
- C. Only Physical Therapist Assistant members who have been members in good standing for no fewer than two (2) years immediately preceding the annual session of the PTA Caucus may serve as PTA Caucus Representative.

Section 2: Election and Term

- A. Prior to the next annual session of the PTA Caucus, Members of the Chapter shall elect one (1) Physical Therapist Assistant member to serve as PTA Caucus Representative who is a member of the Chapter Board of Directors. An Alternate Representative may also be elected.
- B. The PTA Caucus Representative shall serve a term of two (2) years, or until a successor is elected.

Section 3: Duties of Representative

- A. To attend and vote at the annual and special meetings of the PTA Caucus.
- B. To present to the PTA Caucus such matters as approved by the Board of Directors and/or Chapter membership.
- C. To be an active participant of the New Mexico Delegation. Report on the proceedings of the PTA Caucus for dissemination of information and appropriate action.

ARTICLE XI. ELECTIONS

Section 1: Election Timing

- A. The election shall be held electronically and/or by mail following the annual Business Meeting of the Chapter Members who do not have access to electronic voting may request a mail ballot. Requests must be made no later than two (2) weeks prior to the close of voting.
- B. The Call for Nominations shall be sent electronically to members at least sixty (60) days prior to the Annual Business Meeting.
- C. The Slate of Candidates shall be published electronically at least thirty (30) days prior to the Annual Business Meeting.
- D. The President, Secretary, Chief Delegate, PTA Caucus Representative and one (1) Director shall be elected in odd numbered years. The Vice President, Treasurer, Delegate (plus additional Delegates to which the Chapter is entitled), and two (2) Directors shall be elected in even numbered years. A Nominating Committee member shall be elected each year.
- E. On petition of ten (10) eligible voting members, a qualified, consenting member shall be placed on the slate of candidates. Such a petition must be filed with the Nominating Committee no later than fifteen (15) days after the slate of candidates has been published. A candidate nominated by petition shall be afforded similar opportunities for publication of candidacy to the membership as those afforded a candidate nominated by the Nominating Committee, except that this individual shall be identified as nominated by petition.

Section 2: Type of Vote Required

The election shall be determined by a plurality of the votes cast. If the vote fails to determine the election, re-balloting shall be conducted within forty-five (45) days.

Section 3: Election Results

- A. In order for an election to be valid, a minimum of five (5) percent of eligible ballots must be received.
- B. A plurality of the votes cast is necessary for election for Officers and members of the Nominating Committee.
- C. In the case of a tie, a run-off election shall be held between only those candidates who were tied for the open seat. Nominations are not reopened.

Section 4: Report of Elections

- A. The Election Results will be made available to membership electronically within seven (7) days of when the election results are finalized.
- B. Official report of results will be sent to the Association within thirty (30) days of the finalization of the results.

ARTICLE XII. FINANCES

Section 1: Fiscal Year

The fiscal year of the Chapter shall be from January 1 through December 31.

Section 2: Limitation on Expenditures

No officer, employee or committee shall expend any money not provided in the budget as adopted, or spend any money in excess of the budget allotment, except by order of the Chapter Board of Directors. The Board of Directors shall not commit the Chapter to any financial obligation in excess of its current financial resources.

Section 3: Dues

- A. Chapter dues shall be as follows:
 - 1. Physical Therapist: \$100
 - 2. Physical Therapist – Post Professional Student: \$100
 - 3. Life Physical Therapist: \$15
 - 4. Life Physical Therapist Assistant: \$10
 - 5. Physical Therapist Assistant: \$50

6. Student Physical Therapist and Student Physical Therapist Assistant: \$10
 7. Retired Physical Therapist: \$20
 8. Retired Physical Therapist Assistant: \$10
 9. Corresponding: \$30
 10. Corresponding Student: \$0
- B. Student Physical Therapist and Student Physical Therapist Assistant member dues are for twelve (12) months from the time of renewal or join date. As of the last day of the graduation month, the Student Physical Therapist or Student Physical Therapist Assistant member automatically converts to the Physical Therapist or Physical Therapist Assistant member category for the remainder of the twelve (12) months of membership. Once the membership remainder expires, these new Physical Therapist and Physical Therapist Assistant members are eligible for one (1) year of membership at fifty (50) percent of the Association and Chapter dues rate for a Physical Therapist or Physical Therapist Assistant member.
- C. All dues shall be for the period specified in the Association's bylaws and shall be payable following the Association's schedule.
- D. All dues changes approved by the Chapter membership and approved by the Association's Board of Directors before the Association's deadline will become effective on the first of the Association's next fiscal year.
- E. The Board of Directors may offer reduced rates for Chapter dues as an incentive to promote membership.

Section 4: Financial Reports

The Chapter shall submit its annual financial statements, tax returns, and audit report to the Association when and as directed by the Association.

ARTICLE XIII. DISSOLUTION

The Chapter may dissolve subject to a recommendation to dissolve supported by no less than two-thirds of the members of the Chapter's Board of Directors and adopted by two-thirds of the Chapter's members.

ARTICLE XIV. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order adopted by the Chapter.

ARTICLE XV. AMENDMENTS

- A. These bylaws may be amended, in whole or in part, by two-thirds of the votes being cast in person, electronically or by mail. The Chapter Board of Directors will determine how the votes will be cast. Each ballot shall be accompanied by a copy of the proposed changes and supporting statements. Discussion on the proposed amendments will be had at the Chapter Business Meeting and the vote will occur either in person at that meeting or after, electronically or by mail. If there are amendments passed to the proposed amendments, the newly proposed amendments shall be distributed to all voting members thirty (30) days prior to the vote. At least five (5) percent of the ballots of eligible members must be returned to validate the vote.
- B. Any member or group of members may propose an amendment to these bylaws. Such proposed amendments shall be submitted to the Board of Directors for distribution to the members. The proposed amendments shall be distributed to all voting members of the Chapter thirty (30) days prior to the vote or meeting at which the proposed amendments will be considered.
- C. If the intent of an amendment is editorial or to bring the Chapter's Bylaws into agreement with those of the Association, the amendment shall be made as required by the Secretary of the Chapter and approved by the Board of Directors. The Secretary shall notify the Chapter's membership of such amendment.
- D. Amendments to the Chapter's Bylaws become effective upon approval in writing by the Association's Board of Directors. Exception: Changes in Chapter dues which become effective on the first of the Association's fiscal year following approval.

ARTICLE XVI. ASSOCIATION AS HIGHER AUTHORITY

In addition to these Chapter bylaws, the Chapter is governed by the Association's bylaws and Standing Rules, and by the Association's House of Delegates and Board of Director's policies.