

**NEW YORK STATE COUNCIL**

**EMERGENCY NURSES  
ASSOCIATION**

**PROCEDURES**

**Revised 2009 and signed off by Sue ChalupaBreese, President Nov 2009**

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## Section 1      Composition

The New York State Council is the state's organizational component of the National Emergency Nurses Association. The "State Level" refers to a category of membership while the "State Council" refers to the decision-making body operating at the state level. The state council is chartered by the National Association to implement its philosophy, objectives, and leadership at the state level. In addition, the state council assists in coordinating the professional activities of chapters functioning at the local level within the state. The state council shall act in accord with National Bylaws and Procedures.

The New York State Council will operate under a three-tier structure. This structuring mandates that three levels shall exist within the organization.

National  
State  
Local

The council may convert to a two-tier structure with a 2/3 vote of the members of the state council (following the amendment procedure delineated in state Bylaws). A published agenda listing this topic must be sent to all members of the state council prior to the meeting with sufficient time to respond.

If the decision is made to change the structure, the state council must forward a letter to the National Office requesting a change in structure along with a copy of the published agenda featuring this topic and the meeting minutes reflecting this decision to change the structure. All requests will become effective January 1st of the year immediately following the request.

If the state council changes to the two-tier structure, it must operate under that structure for a minimum period of two (2) years before requesting to change back to the three-tier structure. Again, any decision on structure change must be made with a 2/3 vote of the state council and the necessary paperwork must be filed with the National Office.

Upon joining the National Association an individual member will simultaneously obtain membership at the chapter level with representation at the state level.

The individual may select a chapter when joining or if no chapter is selected, one will be assigned a chapter based on geographical location and will be assigned the chapter closest to their mailing address.

The New York State council will be composed of representatives from each chapter within the state.

Two (2) members of each chapter shall serve as representatives on the state council.

A maximum of 4 Alternate representatives may also be listed from each chapter

Approved 4/25/2009

## **Section 2            Responsibilities of the Council**

The state council shall serve as a resource for emergency nursing within the state.

The state council has the responsibility to monitor and address professional issues related to emergency care on the state level.

The state council shall attempt to maintain a liaison with state professional organizations and agencies:

The state council shall monitor state legislative issues affecting emergency care and emergency nursing practice and maintain a state legislative network.

The state council has the responsibility to provide at least one (1) annual emergency nursing education program either sponsored solely by the state council or in conjunction with another organization or a local chapter.

The Council may also choose to coordinate an educational offering with the remaining council meetings

The state council shall assist in the coordination of professional activities of chapters existing at the local level within the state in accord with Bylaws and Procedures.

The state council has the responsibility to maintain a current state council Status Report Form with the National Office. The filing of the respective chapter Status Report Forms with the National Office shall be monitored by the state council.

The state council has the responsibility to maintain state council financial and professional records and to provide for a mechanism to transfer the records upon installation of new officers.

The state council has the responsibility to maintain contact with the assigned ENA Board Liaison.

The state council has the responsibility to maintain contact with National Office for administrative purposes and to keep records up to date, to share newsletter, meeting minutes, annual budget and financial reports with the BOD and national office

The states council has the responsibility to network regularly with other state councils.

Approved 4/25/2009

### **Section 3 New York States Council Charter**

The New York State Council is chartered by the National Emergency Nurses Association to function as the official organizational component in New York State in accord with Procedures. The charter is maintained through the submission of the Annual Report Form.

If the state council does not adhere to the National Bylaws and Procedures its charter may be suspended or revoked:

### **Suspension of Charter**

If the state council does not adhere to the National Bylaws and Procedures, the National Board of Directors will serve written notice regarding specific issues to state council officers to address within a thirty (30) day period. If these issues are not addressed, the state council charter will be suspended thirty (30) days after written notice to the state council officers.

### **Revocation of Charter**

The charter for the state council will be revoked, subsequent to:

An initial suspension of charter status for the same cause.

A hearing for the state council officers regarding same, before the National Executive Committee, within sixty (60) days of initial suspension.

If the issues are not resolved in favor of the National Bylaws and Procedures, the state council charter will be revoked and a formal letter regarding the same will be forwarded to all state council officers within ten (10) days of the hearing.

All financial management affairs will be transferred to the National Association.

Approved 4/25/2009

## **Section 4 New York State Council Officers/Board of Directors**

An officer of the NYSCENA will not hold chapter representative status. Once elected the officer becomes a representative of the NYSCENA. The BOD retains the rights of discussion on the floor and therefore does not require permission to speak. The BOD does not have a right to vote on motions before the floor or elections. In the event of a tie, the President will cast his/her ballot

### **Election of State Officers**

The council will hold elections on a yearly basis at a time that will allow transition time for new officers and attendance at the ENA State Leaders Meeting. Installation of the elected officers will take place at the last meeting of the fiscal year.

The President –Elect will be elected yearly for a one year term.

The Secretary and one Board Member at Large will be elected for a term beginning in even calendar year

The Treasurer and one Board member At Large will be elected for a term beginning in the odd year

### **Responsibilities of President**

- Serve as Chief Executive Officer of NYSCENA.
- Coordinate all NYSENA State Council administrative activities.
- Appoint and approve committee Chairpersons as needed.
- Exercise all responsibilities and privileges as an officer of the state council as specified in the New York State Bylaws and Procedures.
- Perform all duties of President as outlined by the state council.
- Liaison with assigned chapters.

### **Responsibilities of President Elect**

- Work with the President and to perform any duties assigned by the President for the state council.
- Succeed to the office of President at the expiration of the President's term. In the event the position of President becomes vacant, the President-Elect shall serve for the unexpired term and the term for which they were elected. In the event the President-Elect becomes the President, the position will be filled according to the state Bylaws.
- Exercise all responsibilities and privileges as an officer of the state council as specified in the state Bylaws and Procedures.
- Perform all duties of President-Elect as outlined by the state council.
- Select committee chair elects for chairs that will become vacant during their Presidential year.
- Liaison with assigned chapters.
- Serve as Chair of the Awards Committee

### **Responsibilities of Secretary**

- Maintain the membership and attendance rosters of the state council delegates, officers and committees.
- Produce state council business minutes, to all officers and chapter presidents 30 days after the quarterly meeting
- Maintain state council records and to provide for a mechanism to transfer records upon installation of the new state council Secretary.
- Perform duties as requested by the President.
- Maintain a copy of the state Bylaws and Procedures.
- Complete and send correspondence in a timely manner.
- Liaison with assigned chapters.
- Keep accurate record of chapter representative attendance at the New York State Council Meetings.

### **Responsibilities of Treasurer**

- Maintain state council financial records in accord with generally accepted accounting practices.
- Work with the President-Elect to present a state council budget proposal annually.
- Maintain State Council banking accounts, disbursement thereof, and any other entities under the auspices of the New York State Council.
- Complete and file the annual tax return with the Internal Revenue Service via a public accounting firm.
- Submit a state council annual Financial Report for council officers and members review, as well as Financial Reports for scheduled business meetings. The annual state council Financial Report is to be filed with the National Office on or before June 1<sup>st</sup> each year.
- Liaison with assigned chapters and collect reports of chapters in accordance with Finance Section of Procedures

### **Responsibilities of the Immediate Past President**

- Assist with management of the state council.
- Perform duties as requested by the President.
- Liaison with assigned chapters.
- Serve as chair of the nominating Committee
- Oversee the NYSCENA Website

### **Responsibilities of Board Members at Large**

- Assist with management of the state council.
- Perform duties as requested by the President.
- Liaison with assigned chapters

## **Transition**

To assure an orderly transfer of records and responsibilities, the incoming and outgoing officers may make arrangements for a separate one day meeting covered by a stipend as recommended by the treasurer and approved by the BOD.

## **Reimbursement**

Each member of the BOD will receive a stipend for each state meeting attended. The amount of the stipend will be determined based on the recommendation of the treasurer and included in the budget at the beginning of the year

## **Attendance**

Members of the NYSCENA Board of Directors may not miss more than one council meeting /fiscal year. Arrangements for participation via conference call can be made for extenuating circumstances

Approved 4/29/2009

## **Section 5                      Document Archiving**

The council has the responsibility to maintain NYSCENA financial and professional records and files, as well as provide a mechanism to transfer same upon installation of new officers. The previous year's records, as well as a written version of the states by-laws and procedures, will be transferred to the incoming president at the end of the year. A copy of the most recent state By-laws and Procedures will also be maintained with the secretary and in the archives

It shall be stated in the minutes of the first meeting of each year the location of the historical files and a provision for claiming them as necessary. The name of the State Historian will be listed in a Directory. Access to any records by individuals other than that of the NYSCENA will be authorized by the BOD. The records of the organization from 1970 though 1995 are stored on CD with a backup on micro tape. Those paper records have been destroyed with the exception of the initial papers documenting the inception of the organization. These electronic records are also housed with the historian Future documents will be converted to a paperless system at the recommendation of the Historian and paper records will be destroyed as authorized by the BOD

Documents required to be available to the public as a tax exempt organization will be available on the web site. Included will be the most recent version of the State By-Laws and Procedures, including the information on Articles of Incorporation and conflict of interest.

Approved 4/25/2009

## Section 6 Chapters

### Activation and Deactivation

An active chapter is one, which meets criteria set forth in National Association Procedures.

#### Guidelines for Chapter Formation

- The petitioner must draft a letter outlining the proposed chapter with at least 10 active members
- Schedule an organizational meeting, with sufficient advance notice.
- Write to the director/manager of the emergency department in each of the hospitals in your proposed area announcing the meeting. Also, enclose a notice which can be posted on the emergency department bulletin board.
- Notify the State Council president of the date of the meeting.
- Enlist the aid of other members or appoint a program chairperson to help plan and organize the meeting. .
- Consider the following items for the agenda:

Call to order

Around-the-room introductions

Description of the plan for chapter formation

Select a chapter name

Elect or ask for volunteers to be chapter officers for duration of the calendar year (President, President-Elect, and Secretary/Treasurer)

Appoint committee chairs (if applicable at this time)

Plan for next meeting and develop goals

Information on ENA membership benefits

Clinical or administrative presentation

Adjourn

- Keep a sign-in sheet with the name, address, telephone number, membership status (member or non-member) and ENA ID# of each person present. Have a supply of membership applications and brochures available. These items can be obtained from the ENA National Office at no charge.
- Submit the completed Chapter Petition Form to the State Council president, for review and signature. Once approved, it should be forwarded to the National Office for final approval.

The State Council will determine the appropriateness of the request based upon need, and the potential for chapter growth.

Upon Board (NYSCENA) approval of the activation/reactivation request:

A Board liaison will be appointed to assist with chapter organization with all required paperwork and be available for any questions or concerns regarding the chapter.

- Elect chapter officers
- Complete documentation as required by the National Association. Chapters in NYS will follow the NYSCENA By- Laws, but may develop their own Procedures
- Submit completed documentation to the State Council for final Chapter approval. The chapter will function as provisionary for one year

At the conclusion of one year, the chapter will be evaluated by the State Council for continued interest, activity, financial solvency, and member satisfaction.

If the chapter demonstrates consistent performance in all areas, chapter status will be presented to the State Council for final approval. The State President signs the chapter petition and returns the petition to national office and the status of a chapter will be conferred

If the confirmation of chapter status is unsuccessful, all financial assets and a copy of all documents will be returned to the State Council. Interested parties may reapply after a one year waiting period.

## Procedure: Deactivation

Deactivation will be considered at any time that the local chapter does not consistently meet their requirements.

### Requirement Criteria:

- Election of officers annually.
- Return all required paperwork to national office and/or the state council by the set deadlines.
- Hold formal meetings at least four times a year and keep records of those meetings in the form of agendas and minutes.
- Attend at least two state council meetings within a twelve month period.
- Create and disseminate a newsletter to membership at least four times a year via print or electronic format. Information included in the NYSENA Newsletter will be considered as meeting these criteria.

The State Council President will notify each member of the chapter in writing, via postal letter or email, in addition to a certified letter being sent to the leading officer of record of the intent to deactivate the chapter unless a response is received from an officer or member of the chapter within 30 days of notification. Information will be given on the requirements that the chapter has to meet to avoid deactivation.

The Board will assign a liaison to assist with reorganization of the chapter to enable them to meet their requirements

In the event that the chapter fails to meet their requirements following reorganization strategies, the State Council will initiate chapter deactivation proceedings.

Deactivation proceedings will include Board determined redistribution of

Remaining chapter funds will be distributed to chapter(s) receiving membership, based on the percentage of members to each chapter or to the State Council or a combination of both based upon need.

Council President reports the deactivation to National ENA

## **Reports**

Chapters are responsible for filing reports of chapter activities and all financial reports necessary to maintain the activities of the State Council. The Treasurer will monitor compliance during the year

## **Financial Obligations to State**

The State Council Treasurer will contact each Chapter Treasurer at the beginning of the year and as needed. The State treasurer will have access to all chapter accounts and coordinate the location (i.e. specific banking entity) where those accounts will be held. It is the responsibility of the Chapter Treasurer to maintain financial records in accordance with generally accepted accounting procedures. Any problems identified will be resolved to the mutual satisfaction of the State Council Treasurer and Chapter Treasurer. Unresolved problems will be brought to the attention of the State Council Board of Directors.

All Chapters are required to prepare and file an annual reconciled REVENUE AND EXPENSE REPORT with the Treasurer of the State Council. The fiscal year runs from the 1st of January to the 31st of December. This REPORT must be submitted by the 15<sup>th</sup> of February the following year. If submitted by mail, the REPORT must be postmarked on or before February 15.

The Treasurer will send a deadline notice to any chapter who has not sent in a report by January 31<sup>st</sup>.

Chapters who have not submitted Revenue and Expense Reports by February 15<sup>th</sup> will receive immediate notification to all chapter officers via phone and e-mail. A registered letter will also be sent to the President. The chapter will have 10 days to submit the required paperwork from the date of first notification. If the appropriate paperwork is not received, the state will begin the deactivation process according to By-Laws and Procedures.

The State Council Treasurer is responsible to file all required tax forms with the Internal Revenue Service (IRS) by the legal deadlines. The tax forms are based on the REVENUE AND EXPENSE REPORT submitted by each Chapter. Any penalties assessed by the IRS and/or the Franchise Tax Board to the State Council will, in turn, be assessed to the Chapter(s)

that did not submit their Revenue and Expense report by the 15<sup>th</sup> of February.

**Approved November 14, 2009**

## **Section 7 Committees**

The chairman for each committee will be appointed by the president-elect for the upcoming year at the last meeting of the fiscal year. The exception to this will be the conference chair who will be appointed at the annual conference for the next year.

Committee chairs should have been active in NYSCENA for at least one year.

Goals for the committee will be reviewed and revised and a budget submitted for approval at the first meeting of the year. Minutes will be submitted to the secretary at the end of each meeting.

### **Ad Hoc Committees**

Ad Hoc committees may be appointed by the President at any time to carry on activities or business of the council

**Approved November 14, 2009**

## **Standing Committees**

### **Professional Issues and Practice**

#### Responsibilities

- Monitor issues related to emergency care and nursing practice and present these issues to the council for appropriate action
- Monitor states legislative issues affecting emergency care and emergency practice
- Maintain a network and liaison with the Appropriate ENA Committee
- Organize a legislative brunch biannually
- Promote and develop nursing research activities

Approved November 14, 2009

## **Professional Development and Education**

### Responsibilities

- Coordinate ENPC, TNCC, CATN, CEN programs and activities within the state
- Develop and present quarterly continuing education offerings.
- Develop one conference yearly open to all emergency nurses

Approved November 14, 2009

## **Conference**

See Appendix Conference Coordinators Handbook

## **Injury Prevention**

### Responsibilities

- Monitor Injury Prevention Programs in the states and coordinate the presentation of new programs in conjunction with ENA

## EMS

- Monitor issues related to pre hospital care and present any issues to the council for action
- Maintain a liaison to the NYSEMS council

Approved November 14, 2009

## Membership

### Responsibilities

- Recruit and retain ENA members by monitoring activities and needs across the state
- Complete chapter assignments for unassigned members on a monthly basis
- Provide membership information to the membership about NYSCENA

The state council shall make an effort to conduct or participate in an annual membership drive each year in conjunction with the national level and/or the local level

Approved November 14, 2009

## **Nominating Committee**

A Nominating Committee, appointed by the President, shall be formed and charged with identifying and qualifying candidates for office. Any self-nominated candidate would have to meet the same criteria as those candidates solicited to run. The Nominating Committee would also be responsible for providing guidelines for those who aspire to office. The President will not serve on the Nominating Committee. The Immediate Past President shall serve as Chairperson of the Nominating Committee and oversee the election process

Approved November 14, 2009

## **Awards**

Each year the NYSCENA will recognize individuals and ENA members at the annual conference

- Anita Dorr Award

- Education award

- Special Recognition Award

- EMS award

- Other Awards as determined by the BOD

NYSCENA will also nominate individuals for National ENA awards according to ENA procedures.

The chair of this committee will be the President –Elect

Approved November 14, 2009

## **Communications**

### **Publications**

The council will distribute a news letter at least quarterly to all members of New York States ENA, hospitals and affiliated professional organizations. A copy will be maintained for records, and one will be forwarded to appropriate ENA leadership. The title of the Newsletter is "Setting the Pace" Paid advertisements will be accepted in accordance with tax exempt status for products or services that relate to emergency nursing. Content of the newsletter is at the discretion of the Editor. Print services required will be determined by a bid process biannually.

### **Web Site**

NYSENA will maintain a web site to meet the needs of its members and future members for timely information. The web master will be determined biannually through a bid process and will report to the BOD on a quarterly basis or as requested. The President shall determine who will be allowed to transfer materials to the Web master and who may access the web site.

## **Section 8 NYSENA Delegates to National**

The council has the responsibility to appoint and organize a State delegation to the Associations National Meeting according to National ENA Procedures. The delegates will represent membership of the state and any member may apply.

### **Funding**

Delegates will be funded in a tier system recognizing officers, states delegates and leaders, and chapter leaders, based on recommendation of the treasurer and approval of the BOD

### **Selections Process**

The delegates will be selected by a point system. (See Forms)

### **Past National Presidents**

The past Presidents of ENA will vote as their own group and as members of the state they represent. NYSCENA will provide a stipend to past National presidents providing the member has remained active on the local/state/national level.

Approved 4/25/2009

## **Section 9 Financial Management and IRS**

## **Responsibilities**

The state council has the responsibility to prepare and file an annual financial report with the National Office, to maintain financial records in accord with generally accepted accounting procedures and follow all Internal Revenue Service regulations

In general all funds held by this organization will be managed with prudence, care, and strict adherence to the laws of NY State. At no time will funds be used for speculation or private gain.

General funds will be used for general operations of the council. The primary investment of these funds is for maximum safety and liquidity. A portion of these funds can be invested for long term gain and to maintain an operating safety net for the organization of 8 months operating expenses.

Specific Purpose Funds will be restricted depending on the use and any designated time restriction. These funds can be invested if the need exceeds 8 months and the funds will be available at the designated time

## **Donations and Fund Raising**

The NYS Council may accept any donation allowed by law for a not for profit in NYS that is consistent with its responsibilities and mission and does not result in a conflict of interest.

The profits received from the fund raiser at the NYSCENA conference will be donated to the ENA foundation 9/11 scholarship fund. The amount will be finalized by the BOD annually

## **Endorsement Policies**

It is the policy of the NYSCENA and any representative of the council when acting as a member of the council, not to endorse any candidate for public office in any manner (verbal or in writing)

The council also does not endorse any specific products, business or individuals representing a product or business.

## **Review of 990's by BOD**

The BOD will review yearly the 990's filed in its behalf

### **Lobbying**

The NYSCENA as a 501(c) (3) is restricted from conducting any political activity. It may attempt to influence legislation through communication with a legislative body or government official. The amount spent on these activities should follow federal guidelines and not exceed maximum defined expenditures.

### **BOD Insurance/Indemnity**

As a state chartered by ENA, the NYSCENA is eligible and covered by the BOD indemnity insurance provided by the National Organization

### **Board Stipends**

See Officers of the council

The States President and President –Elect will be reimbursed for travel and room costs to the annual state leaders meeting. In the event either party requires a private room, the costs will be divided equally between the two parties.

### **Delegate Stipends**

See delegates to national

### **State Council Meetings**

The NYSCENA will bear the meeting room charges for the quarterly meetings.

## **Meals**

The State will pay for all lunches and breaks for the NYSCENA members at the meetings when the president has been notified 48 hrs in advance of the meeting. If notification has not occurred the participants are responsible for their own meals. Guests are responsible for their own meals unless invited specific to NYSCENA business. If the council is charged for missed meals when a member fails to attend or cancel, that member may be held responsible for the meal.

## **Lodging**

In order to facilitate meetings and assure continued participation of chapter representatives, a subsidy for overnight room costs exceeding \$120/night will be paid by the council for one room. Council members must submit a request for the additional funds to the treasurer.

## **Property**

The treasure will maintain a list of all property and equipment including serial numbers and warrant information. If equipment is used other than for council meetings a written request must be submitted and broken or lost equipment will be the responsibility of the user

## **Section 10 Revisions to Procedures**

**By-Laws are reviewed at least every 2 years (odd years) by the BOD.**

**The Procedures will be reviewed every 2 years (even years) by the BOD. Revisions will be made as needed and presented to the NYSCENA for approval. The reviews will be dated and signed on to an attachment of the original document. Any revisions must pass with a majority vote of the NYSCENA representatives. The Secretary will maintain the most up to date procedures and Bylaws in both hard copy and electronic. The most current By-Laws and Procedures will also be placed on the Web site.**

**Approved 4/25/2009**

## **Section 11 Meetings**

### **Board**

The BOD will meet whenever necessary via conference call and quarterly in conjunction with the full council meetings

### **Council**

The state council has the responsibility to conduct four (4) formal state council business meetings annually, in accord with the current edition of *Robert's Rules of Order*. Two meetings will be held upstate and two downstate. For the purposes of these procedures, downstate will be Poughkeepsie and areas south. The President elect will determine the dates of the four meetings at the last meeting of the fiscal year. If the Legislative Action Day and the Conference are both held upstate, the president elect has the choice to select a meeting site in his/her chapter that would supersede the rule of two meetings upstate/downstate.

The meetings will be established to provide for adequate time for all committees to meet on site before the beginning of the meeting

The agenda for the meetings will be

- Call to Order
- Recognition of Members Present
- Additions to the Agenda
- Approval of Previous Meeting minutes
- Reports from the Board of Directors
- Committee Reports
- Old Business
- New Business

## **Special Meetings**

Special meetings of the full council will be called by the BOD. If possible the special meetings will be held as a conference call arranged by the President. Notice will be made on the Web site to the general membership a minimum of 3 days in advance.

Approved August 15, 2009

## **Section 12 Public Information**

Those items required by law to be made public as a not for profit organization in New York State will be posted on the state council's web site.

*A copy of the latest annual report may be obtained, upon written request, from the New York State Attorney General's Charities Bureau, Attn: FOIL Officer, 120 Broadway, New York, New York 10271.*

Approved August 15, 2009

## **Section 13      Strategic Planning**

**The BOD will evaluate the need for strategic planning at any time based on activities occurring in New York State and within the national association. It is recommended that a major evaluation of activities and a strategic plan for NYSCENA should occur a minimum of every 5 years**

Approved 4/25/2009

## **Section 14 Bereavement Policy**

In the unfortunate event of the death of a NYSCENA member or their immediate family, knowledgeable members of the Council will notify the BOD as soon as possible. The BOD will notify others as appropriate including ENA. The Board can authorize the treasurer to make a (\$50) donation the Emergency Nurses Association Foundation or other charity of choice in memory of the deceased.

Approved 4/25/2009

## **Section 15 Conflict of Interest**

Any officer, director at large or member of a committee with governing board delegated powers who has a direct or indirect financial interest that might financially benefit the individual, must disclose that conflict of interest and all material facts to the NYSCENA BOD. The BOD will evaluate the information presented and determine if a conflict of interest exists

All officers and members of the Board of Directors and Committee chairs will sign a conflict of interest disclosure at the beginning of each calendar year. The ENA Conflict of interest disclosure form will be used.

Approved August 15, 2009