

**Constitution and Bylaws**  
**of the**  
**South Carolina District Branch**  
**of the**  
**American Psychiatric Association**

As Amended:

20 March 1992

15 February 1997

3 June 1999

14 April 1999

2.2, 1.8.4, 1.9.1, 1.9.2, 1.10.1

8 February 2003

23 April 2007

May 2008

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1.2 (b); 2.3 (a), (f), (g), (h), (i), (j), (k), (l); 2.4; 2.8; 3.1; 4.6; 4.7; 4.8; 4.9; Chapter 5; Chapter 6;  
Chapter 9; 8.2 (a)

**BYLAWS  
OF THE  
SOUTH CAROLINA PSYCHIATRIC ASSOCIATION  
OF THE  
AMERICAN PSYCHIATRIC ASSOCIATION**

**CHAPTER ONE: NAME; PURPOSES; LEGAL IDENTITY**

Section 1.1 Name. The name of this organization shall be the South Carolina Psychiatric Association (herein after referred to as the “District Branch”) of the American Psychiatric Association (herein after referred to as the “Association”).

Section 1.2 Purposes and Objectives. The purposes for which the District Branch is organized are (a) to promote the common professional interests of its members; (b) to improve treatment, rehabilitation, and care of persons with mental disorders (including ~~mental retardation~~ intellectual disabilityies and substance-related disorders) (c) to advance the standards of all psychiatric services and facilities; (d) to promote research, professional education in psychiatry and allied fields, and the prevention of psychiatric disabilities; (e) to foster the cooperation of all who are concerned with the medical, psychological, social, and legal aspects of mental health and illness; (f) to make psychiatric knowledge available to practitioners of medicine, to scientists, and to the public; (g) promote the best interests of patients and those actually or potentially making use of mental health services; and (h) to advocate for its members.

Section 1.3 Legal Identity. The District Branch is organized exclusively as a professional organization not organized for profit, within the meaning of Section 501(c)(6) of the Internal Revenue Code of 1986, as amended. No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, its members, trustees, officers or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein.

Section 1.4 Dissolution. In the event of dissolution, all assets of this District Branch shall be forthwith distributed to the APA solely for scientific and educational purposes.

Section 1.5 Territorial Jurisdiction. For the objectives stated above, the territorial jurisdiction of the District Branch shall be delimited by the boundaries of the state of South Carolina.

**CHAPTER TWO: MEMBERS**

Section 2.1 Requirements for membership in the South Carolina Psychiatric Association District Branch shall be the same as those for the Association at the time of the application.

Section 2.2 Qualifications. Any physician who is eligible for the categories of membership below shall be eligible for membership.

Section 2.3 Categories of District Branch membership. There shall be the following categories of members who are to qualify according to the standards and procedures of the Association as set forth in Chapter 2.1 of the APA Bylaws. They are (a) Resident-Fellow Members; (b) Associate Members; (c)

General Members; (d) Fellows; (e) Distinguished Fellows; (f) Honorary Fellows; (g) Life Members; (h) Life Fellows; (i) Life Associate Members; (j) Distinguished Life Fellows; (k) Inactive Members or (l) Inactive Fellows.

Section 2.4 Voting. The right to vote shall be the same as in the APA Bylaws with voting rights are Resident-Fellow Members, General Members, Fellows, Distinguished Fellows, Life Members, Life Fellows, and Distinguished Life Fellows. All other categories of membership are non-voting. Each voting member shall have one vote.

Section 2.5 Election to Membership. Election to membership in the District Branch shall be as follows.

(a) Applications for membership in the District Branch shall be made in accordance with procedures established from time to time by the Council.

(b) Applications for membership in the District Branch shall be made in accordance with procedures established from time to time by the APA Board of Trustees through its Membership Committee.

(c) Membership actions will become effective after initial approval by the APA and with input from the District Branch if provided within the specified time period.

(d) Categories of membership and qualifications thereof in the District Branch shall be consistent with those of the Association.

Section 2.6 Transfer and Advancement. Procedures for transfer of membership between District Branches and for advancement of membership shall be established by the Association. In the event of such a transfer of advancement being denied, an appeal shall be conducted in accordance with procedures to be established from time to time by the Association.

Section 2.7 Application of Fellows and Nomination of Distinguished Fellows. Application of General Members for fellowship status is primarily the responsibility of the APA. Nomination of General Members or Fellows for Distinguished Fellowship status is primarily the responsibility of the District Branch. Election of Fellows and Distinguished Fellows is by the Board of Trustees of the Association upon recommendation of the Association's Membership Committee.

Section 2.8 Dues. Every (Life Member, Life Fellow, Life Associate, Distinguished Life Fellow) Fellow, Distinguished Fellow, General Member, Associate Member, and Resident-Fellow shall pay both dues and assessments as determined by the District Branch.

Section 2.9 Inactive Status and Dues Waiver. Members of any category may be placed in inactive status by the Board of the Association and excused from paying dues in both the Association and the District Branch. Inactive members shall not receive credit toward the number of years of active membership required for Life status for those years of inactive status. Active members may be granted waiver of dues by the Board of the Association for sufficient reason, and such members shall receive credit toward the number of years of active membership required for Life status for those years the members are in the dues waiver status.

Section 2.10 Dismissals and Resignations.

(a) Any dues-paying member of the Association and /or District Branch who fails to pay all dues and assessments may forfeit his or her membership.

(b) Any member found by the Council, after due hearing to which he or she has been invited, to be unsuitable for continued membership for adequate reason, shall be notified in writing of the proposed action of dismissal. After thirty days notice, the member may be dismissed by the affirmative closed ballot vote of three-fourths of the voting members present at a closed meeting, a quorum being present. A member dismissed from the Branch may appeal to the Association as described in its *Operations Manual*.

**CHAPTER THREE: COUNCIL**

Section 3.1 Number. The members of the Council shall consist of a President, a President-Elect, a Vice President, and a Secretary/Treasurer. These officers, the immediate Past President, and the Representative or Representatives to the Assembly of the American Psychiatric Association shall constitute the Council. In addition, Chapter Presidents (or their designates) shall also become members of the Council.

Section 3.2 Nomination Procedures. Only voting members shall be eligible for nomination and election to office. All officers shall be elected in the following manner:

(a) A Nominations and Elections Committee composed of three (3) members, one of whom is the Immediate Past President who serves as Chair, shall may be appointed by the Council and announced to the District Branch. This Committee will present its recommendations to the District Branch at the annual meeting.

(b) Any voting member ~~may~~, on his or her own initiative, may make a nomination for any office by a letter which reaches the President Nominating Committee Chair in time for him or her to present it to the District Branch at the next meeting. Nominations for more than one office may be made by such letter, if it is endorsed by a number of voting members equal to the number of nominations made.

(c) At the annual meeting, the President Nominating Committee Chair will accept further nominations, if any, from the members present at this meeting. If there is no contest for any office after nominations are received at the annual meeting ~~the President~~ the Nominating Committee Chair may call for an immediate vote of the membership and unanimous election of the proposed slate may be effected. If there is a contest for one or more office, the Secretary will send a mail ballot thereafter to all voting members, the ballot containing all nominations.

(d) Election will be affected in the following manner: all ballots received by the Nominations and Elections Committee by the specified date will be tabulated, and an announcement made in the next newsletter of the District Branch. The candidate for each office receiving the greatest number of votes shall be declared elected.

Section 3.3 Quorum; Action. A majority of the voting members of the Council shall constitute a quorum of the Council. 10% of active members of the District Branch shall constitute a quorum of the

District Branch. Unless otherwise provided in these bylaws, the act of a majority of voting members present at any meeting at which there is a quorum shall be the act of the Council.

Section 3.4 Meetings. Meetings of the Council/District Branch shall be held quarterly/yearly unless otherwise determined by the Council. The annual business meeting shall be held in the Winter/Spring of each year. Special meetings may be called by the President or upon petition signed by 20 members of the District Branch. Members shall be notified of meetings by the Secretary not less than one week before the meeting. The procedure of the District Branch shall be governed by The Standard Code of Parliamentary Procedure by Alice Sturgis.

Section 3.5 Telephone Meetings; Action Without Meeting. Members of the Executive Council may participate in a meeting of such committee by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and such participation shall constitute presence in person at such meeting. Any action required or permitted to be taken at any meeting of the Executive Council may be taken without a meeting if all members of the Executive Council consent thereto in writing and the writing or writings are filed with the minutes of proceedings of the Executive Council.

#### CHAPTER FOUR: OFFICERS

Section 4.1 Officers Designated. The officers of the District Branch shall include a President, a President-Elect, a Vice President, a Secretary/Treasurer and such other officers and assistant officers as the Council may from time to time determine. No two offices may be held by the same person, except for the assembly representative.

Section 4.2 President. The President shall be the chief executive officer of the District Branch. The President shall preside at all meetings of the membership and of the Council and shall otherwise perform such duties as are customary for presiding officers.

Section 4.3 President-Elect. The President-Elect, in the absence of the President, shall perform the duties of President. The President-Elect shall assume the office of President as of the last day of the Association annual meeting on or about two years following his/her election as Vice President. The President-Elect shall assist the President by acting as overall coordinator of all committee functions.

Section 4.4 Vice President. The Vice President, in the absence of the President-Elect, shall perform the duties of the President-Elect. The Vice President shall assume the office of President-Elect as of the last day of the Association annual meeting on or about one year following his/her election as Vice President. The Vice President shall assist the President by acting as overall coordinator of all membership concerns.

Section 4.5 Secretary/Treasurer. The Secretary/Treasurer ~~shall~~ will ensure the following are done: ~~keep~~ a record of the proceedings of all meetings of the District Branch and of the Council are kept; ~~keep a accurate~~ list of all members are maintained; ~~issue~~ notices of all meetings are issued; ~~notify~~ officers and members of committees are notified of their election or appointment; and ~~certify~~ all official records are certified. In addition the Secretary/Treasurer or agents authorized by the Council to act for the Secretary/Treasurer shall have charge of all funds and ~~collect~~ all dues are collected; pay all expenses of the District Branch by and with the consent and approval of the membership; make an annual report to the District Branch on the official transactions of income and expenditures of the District Branch at the annual meeting; and sign all checks of the District Branch.

Section 4.6 Representative to Assembly. The Representative or Representatives to the Assembly of the American Psychiatric Association shall represent the District Branch in the Assembly and/or its subgroups, at all official meetings of the Association, and report to the District Branch.

Section 4.7 Assumption of Office. All officers shall assume their respective offices at the close of business on the last day of the Annual Meeting of the Association, and with the exception of the Secretary/Treasurer and the Representative to the Assembly, shall continue in office for one year, or until their successors are duly elected and assume office. The Secretary/Treasurer shall continue in office for two years, or until his/her successor is duly elected and assumes office. The Representative or Representatives to the Assembly shall serve four-year terms.

Section 4.8 Recall. An action for recall of an officer or any member of the Council of the District Branch may be initiated by a petition signed by 20 voting members of the District Branch or by a majority of the voting members of the Council. The petitioners shall set forth the reasons for initiating the petition and this shall be forwarded to the Secretary/Treasurer with a copy to the officer in question. A mail or email ballot shall then be sent to the general voting membership of the District Branch to be returned no later than 20 days upon its issuance. Recall shall be effected if two-thirds of the voting membership so indicates.

Section 4.9 Vacancies. Vacancies among the officers shall be filled as follows:

(a) President. If the office of President becomes vacant, the President-Elect will become Acting President for the remainder of the year and then will begin his/her term as President.

(b) President-Elect. If the position of President-Elect becomes vacant, the Vice President will become Acting President-Elect for the remainder of the year and then will begin his/her term as President-Elect.

(c) Vice President. If the position of Vice President becomes vacant, the President will request the Nominations and Election Committee to meet at an early date for the purpose of selecting one or more candidates for Vice President. As soon as practical, at a regular or special meeting, a new Vice President will be chosen. The person so chosen will serve as Vice President until the end of the year, when he/she will become President-Elect.

(d) Representative to the Assembly. If the position of the Representative to the Assembly becomes vacant, the Council shall elect a member to serve the remainder of the term.

(e) Other Vacancies. In the event any other office becomes vacant before expiration of a term, the Council shall elect a member to serve for the remainder of the term.

## **CHAPTER FIVE: REPRESENTATIVES**

The District Branch shall be represented at the meetings of the Assembly of District Branches of the American Psychiatric Association and the Area Council by a Representative or Representatives. Such Representatives shall be elected as other officers of the District Branch by mail or email. District Branch Representatives shall be elected for four-year terms and each shall be eligible for reelection to one additional four-year term. The terms of the District Branch Representatives shall be staggered. An

elected Representative, following two, four-year terms, may not immediately succeed himself in the same office. When appropriate, such Representatives shall be instructed by the Council and/or District Branch as to its wishes on various matters. Representatives shall submit reports to the District Branch on the activities of the Assembly and the Area Council.

## **CHAPTER SIX: COMMITTEES AND OTHER ORGANIZATIONAL ENTITIES**

There shall be the following standing committees: ~~Ethics~~, Membership, Nominating and Elections, Bylaws, ~~and Fellowship, Academics and Private Practice~~. The functions and procedures of such standing committees shall be established from time to time by the Council and published in the *Operations Manual*. The Council, upon recommendation of the President, shall establish or eliminate such other committees and organizational entities as may be necessary to implement the objectives of the District Branch. The Council, upon recommendation of the President, shall designate the chairperson and members of each standing committee and each other committee or organizational entity from among the voting members.

## **CHAPTER SEVEN: ETHICS COMPLAINTS AND DISCIPLINARY PROCEDURES**

Section 7.1 Code of Ethics. All members of the District Branch shall be bound by the ethical code of the medical profession, specifically defined in the *Principles of Medical Ethics* of the American Medical Association and in the Association's *Principles of Medical Ethics With Annotations Especially Applicable to Psychiatry*.

Section 7.2 Ethics Complaints. Complaints charging members of the District Branch with unethical behavior or practices shall be referred to the South Carolina Board of Medical Examiners. The name of a member who resigns during an ethics investigation will be reported to the membership.

## **CHAPTER EIGHT: CHAPTERS**

Section 8.1 When a group of not less than ten members residing in a contiguous geographical locality with the State of South Carolina desire to create a Chapter of the South Carolina Psychiatric Association District Branch, they will proceed in the following manner:

- (a) They will submit to the Secretary/Treasurer of the South Carolina Psychiatric Association District Branch a petition personally approved by signed statement of the proposed Charter Members signifying their intention to conduct their chapter organization and business in accordance with the Bylaws of the South Carolina Psychiatric Association District Branch and proposing the designation by which it would be known and requesting specific geographic jurisdiction.
- (b) The Council will consider the application and make a report and recommendation to the membership of the District Branch at a regular or special meeting.
- (c) If approved by a majority of the members present and voting, the Chapter will be created, subject to provisions of Section 2 of this Article.

At the time when Chapters are first formed, a smaller group may petition for Chapter status and be approved by the Council on grounds of distance from the center of other Chapter groups.

Section 8.2. Following the approval of the first Chapter, the rest of the state may thereafter be organized into one or more Chapters in accordance with the procedure above.

(a) The District Branch currently recognizes three constituent chapters, defined by the following South Carolina Congressional Districts:

1. Coastal – First, Sixth, and Seventh Districts
2. Midlands – Second, Fifth, and the Third below Abbeville County
3. Upstate – Fourth and Upper Third Districts

Section 8.3. Classification of membership and qualification for membership shall be the same as for the District Branch and the APA. Application for membership in the District Branch from within the territorial jurisdiction of a Chapter shall be made in accordance with procedures established from time to time by the APA Board of Trustees through its Membership Committee. Members of Chapters and members of District Branches must be members of the Association.

Members in the South Carolina Psychiatric Association District Branch residing or practicing within the political boundaries of the State of South Carolina, but outside the territorial jurisdiction of any approved District Branch Chapter, may choose the Chapter to which they wish to belong until such time as a new Chapter may be formed to include their place of residence or practice.

Section 8.4. The Officers of the Chapter will consist of a President, President-Elect, Secretary-Treasurer, and the immediate Past-President. The President of the Chapter, or his or her designate, shall be a member of the Council of the South Carolina Psychiatric Association District Branch. Chapter Officers shall be elected at an annual meeting to take place prior to the Annual Meeting of the American Psychiatric Association, and will assume their new responsibilities each year at the close of business of that Annual Meeting in the same manner as the officers of the District Branch.

Section 8.5. Chapters may form such committees as desired by the officers and the members. Chapters shall have equal representation on all District Branch committees insofar as possible, the members of which shall be chosen by the District Branch President or Council from nominees including those submitted by the Chapter President.

Section 8.6. All meetings of each chapter shall be open to attendance by any member of the District Branch. Each Chapter shall have sufficient meetings to conduct necessary business and to further the goals of the Chapter and District Branch.

## **CHAPTER NINE: AMENDMENTS OF THE BYLAWS**

Amendments to the Bylaws may be initiated by a majority vote of members present at a business meeting of the District Branch, a quorum being present. The Council will, at its next regular meeting, make a recommendation about the proposed amendment. Council may also originate amendments by

three-fourths vote of its members. The Secretary will then send a mail or email ballot to all members, including the full text of the proposed amendment, the recommendation about it made by the Council, and stating the date on which the mail or email ballots are to be counted. The amendment will become effective, if approved by a majority of the mail or email ballots returned by the specified tabulation date. An amendment may be alternatively approved by a two-thirds vote of the members of a regular meeting.

**CERTIFICATE**

I, \_\_\_\_\_, Secretary of the South Carolina Psychiatric Association of the American Psychiatric Association, certify that the foregoing is a true copy of the current bylaws of the Association as amended on \_\_\_\_\_.