



# 2018 Policy Manual

# Table of Contents

POLICY NUMBER	POLICY TITLE
<b>100's</b>	<b>Professional Policy</b>
101.00	Official Professional Name
102.00	PA Role Definition
103.00	Code of Ethics
104.00	Non-discrimination
105.00	Harassment Policy
<b>200's</b>	<b>Operational Policy</b>
201.00	Mission Statement
202.00	Organizational Structure
203.00	Relationship to AAPA
203.01	House of Delegates
204.00	Dues, Contributions and Donations; Deductibility
205.00	Leader Communications
206.00	Contracts
207.00	CAPA Humanitarian Endowment
208.00	Policy-Making
209.00	CAPA Logo
209.02	New Business, Late Action Items
209.03	Format for Proposed Actions
209.04	Minutes Policy
210.00	Reimbursement
211.00	Consultant/Contractor/Staff Communication Procedures
212.00	Communications within BOD and Committee Chairs
213.00	Joint Venture Policy
214.00	Whistleblower Policy
215.00	Compensation Committee and Policy on the Process for Determining Compensation
216.00	Document Retention and Destruction Policy
217.00	Conflict of Interest Policy
218.00	Insurance Guidelines
219.00	Reserve Policy and Guidelines
219.01	Annual Report and Statement
220.00	Antitrust Policy and Compliance Guidelines
221.00	Awards Policy
222.00	Preceptor Policy
<b>300's</b>	<b>Membership Policy</b>
300.00	Membership
301.00	Special Membership Designations
301.01	Membership Dues
302.00	Hardship; Waiver of Dues

# Table of Contents

POLICY NUMBER	POLICY TITLE
304.00	Code of Professional Conduct
<b>400's</b>	<b>Board of Directors Policy</b>
401.00	<b>Member, CAPA Leaders, Professional Decorum</b>
401.01	Member, Board of Directors Position Description
401.02	Meeting Attendance and Confidentiality Policy
402.00	Presidential Reimbursement
403.00	Spokesperson
404.00	Lines of Authority
406.00	Executive Committee
407.00	Leader Reimbursement for the CAPA Summer Conference
<b>500's</b>	<b>Committee Policy</b>
501.00	Committee Service
502.00	<i>Ex Officio</i> Members of CAPA Committees
503.00	Committee Rules
503.01	Continuing Medical Education Committee Job Description
503.01.00	Summer Conference Fees
503.02	Nominating Committee Job Description
503.03.00	Legislative Action
503.03.01	CAPA Legislative Position Recommendations
503.04	Committee on Diversity Job Description
503.05	Magazine
503.06	Professional Practice Committee Job Description
503.07	Public Education Committee Job Description
503.08	PA Education Committee Job Description
503.09	Investment Committee Policy
503.11	Budget Committee
503.12	Audit Committee

## **Policy 101.00; Official Professional Name**

**Draft Adopted:** May 14, 1994

**Date Finalized:** September 25, 1994

**Dates Revised:** June 27, 2008 - added Spanish translation  
June 28, 2014 - Settings for use of "PA" as abbreviation for Name of Profession  
July 1, 2015 - Adopt "PA" as term for profession and update what the association will be known as and remove Spanish translation  
June 12, 2016 - Add recommended address for PA to align with AAPA

**Proponent:** Board of Directors

**Purpose:** To Adopt Official Policy on the Profession's Name

**Reference:** None

**Policy:** The CAPA Board of Directors hereby formally affirms the name "PA" as the appropriate name. There is no translation.

The association will be known as "California Academy of PAs." The term "*Physician Assistant*" will be abbreviated "PA" as much as reasonably possible in all materials, including, but not limited to the website, *CAPA magazine*, press releases, position statements and others. If PA must be spelled out to aid in external audience awareness, "physician assistant" will be used once in parentheses after the first PA reference (i.e., PA (physician assistant)); for all subsequent references, the title PA will be used.

CAPA encourages that "PA Surname" be established as the recommended address for PAs, unless a more suitable formal address is appropriate, such as military rank or academic role.

## **Policy 102.00; PA Role Definition**

**Draft Adopted:** October 14, 1995

**Date Finalized:** January 7, 1996

**Dates Revised:** June 27, 2008 - Updated to match AAPA Policy change  
June 28, 2014 - Updated to reflect changes made to AAPA Policy HP-3100.3.1 at the 2014 AAPA HOD per resolution 2014-B-02  
June 24, 2017 - Updated policy to allow for any qualifying body.

**Proponent:** Board of Directors

**Purpose:** To establish the formal role definition of the PA profession.

**Reference:** AAPA Policy HP-3100.3.1

PAs are health professionals licensed or, in the case of those employed by the federal government, credentialed to practice medicine in collaboration with physicians. PAs are qualified by graduation from an accredited PA educational program and/or certification by a qualifying body.

Within the physician-PA relationship, PAs provide patient-centered medical care services as a member of a healthcare team. PAs practice with defined levels of autonomy and exercise independent medical decision making within their scope of practice.

## **Policy 103.00; Code of Ethics**

**Draft Adopted:** November 19, 1994

**Date Finalized:** January 6, 1995

**Dates Revised:** November 19, 2000 - Adopted AAPA *Guidelines for Ethical Conduct for the PA Profession*

January 28, 2006 - Updated Policy 2004 Amendment

June 27, 2008 - Updated to reflect 2007 AAPA Amendment

June 23, 2009 - Updated to reflect 2008 AAPA Amendment

June 28, 2014 - Moved Process from Bylaws to Policy

**Proponent:** Board of Directors

**Purpose:** To establish the code of ethical standards for members of CAPA and PAs in California.

**Reference:** CAPA Bylaws Article XII

The Procedure Manual on Professional Review Activities of the AAPA  
CAPA Policy 104.00

**Policy:** CAPA will adopt the current version of the AAPA Code of Ethics

### Judicial Affairs Procedure:

To protect against misconduct by members of the Academy, any member or other interested party may, in good faith, prefer charges against a member who is believed to have violated the CAPA Code of Ethics, accepted principles of medical ethics or professional conduct or the rules and regulation of this Academy, or who is believed to be otherwise guilty of conduct justifying censure, suspension or expulsion from the Academy. Such charges shall be in writing and signed by the accuser or the accusers and state the acts or conduct complained of. Such charges must be filed with the secretary of the Academy who shall send a copy to the president and each member of the Board, and to the accused member. A date shall be set thereafter within a reasonable time for a meeting of the Board, or a committee appointed or designated by the Board, for purposes of considering such charges. The Board or committee shall determine whether the charges are frivolous or groundless, in which case no further action against the member is warranted. In the latter case, said meeting/hearing shall be held not later than ninety (90) days after the date such charges are filed with the secretary. At such hearing, the Board or committee shall give the accused the opportunity to present relevant evidence regarding the charge presented and may also designate an individual to present the charges. No technical rules of evidence shall apply, and all parties to the charges shall be given a full opportunity to present all relevant arguments both written and oral. The Board or committee may designate one of its members to serve as hearing officer, or may appoint an outside individual to serve as hearing officer. The hearing officer shall establish and enforce the procedures to be followed, including but limited to the order of presentation, and shall rule on the relevance of evidence presented. Except as otherwise provided by law, the ruling of the hearing officer shall be final. If a committee is utilized, it shall prepare a recommendation to the Board of Directors, which shall make the final decision, subject to Section 3 hereof. Notwithstanding anything herein to the contrary, except as provided in Section 4, the accused member shall not be entitled to representation by legal counsel in his or her hearing or appeal unless the Board of directors or the committee appointed by it permits the charges to be presented by an attorney. Within thirty (30) days following the conclusion of the hearing, or sixty (60) days if a committee has heard the matter, the Board of Directors shall render a decision. The Board shall exonerate, censure, suspend or expel the accused from the Academy or may order further hearing before a committee. The Board's decision shall be in writing and shall state its decision without statement or opinion about the case. The decision shall be signed by both the president and vice president.

**Appeal.** Any member censured, suspended or expelled by the Board of Directors may appeal such action within thirty (30) days after notice is provided in writing of the decision of the Board. Failure to submit an appeal to the Academy in writing within such time period shall be deemed a waiver of

the member's appeal right. The Board of Directors shall designate a time and place for considering of such appeal and shall give the appealing member and his/her representative reasonable opportunity to be heard, either in person or in writing or both, at the option of the Board. A majority vote of a quorum of the Board shall either sustain or reverse such censure, suspension or expulsion. Such decision of the Board shall be final.

Notwithstanding the above, the Board may, but shall not be required to, adopt such additional or alternative written procedures for carrying out the purposes of the Article as it may deem appropriate; provided, however, that such written procedures shall be consistent with applicable law and shall afford the affected member rights no less than those specified in Sections 1 through 3 above.

**Reapplication.** A member who has been expelled pursuant to this Article shall not be entitled to reapply for membership until the basis for the expulsion has been eliminated, as determined by the Board at its discretion.

## **Policy 104.00; Non-discrimination**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** January 28, 2006 - General cleanup

**Proponent:** Board of Directors

**Purpose:** To establish organizational policy regarding discrimination.

**Reference:** CAPA Bylaws Article V, §18  
State and federal law

**Policy:** CAPA is committed to providing a work and organizational environment free of unlawful discrimination. Organizational policy prohibits discrimination because of race, color, religious belief, sex, national origin, marital status, age (over 40), sexual orientation, physical or mental disability, medical condition (cured or rehabilitated), veteran's status, or any other basis protected by federal, state or local law, ordinance or regulation. All such discrimination is unlawful. CAPA's discrimination policy applies to all persons involved in the operation of CAPA and prohibits unlawful discrimination by any member of the Board of Directors or committees, by any employee, or by any person doing business with or for CAPA.



## **Policy 105.00; Harassment Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

CAPA strongly disapproves of any form of employment related harassment. Our organization maintains a policy of freedom from discrimination and bias. To guarantee that all personnel, whether an employee or volunteer, will cooperate in implementing that policy, the following specific elements of the policy should be noted:

1. All supervisors, employees, members and volunteer leaders will ensure and maintain a bias-free and non-discriminatory work environment; the use of verbally derogatory racial, ethnic and sexual epithet will not be tolerated;
2. All employees will be treated without regard to race, ancestry, color, gender, pregnancy, religion, national origin, age, medical condition or handicap (that does not render the person unable to carry out normal assigned duties), marital status or to any other condition which is protected by law in regard to but not limited to promotions, transfers, job rotation, training, work assignment, merit increases, overtime, employment tests, related employment decisions;
3. Racial, ethnic, or sexual harassment by any person in the employ of, or serving in any volunteer or leadership capacity within the organization shall not be tolerated. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
  - b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual,
  - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; and
  - d. An employee or volunteer who feels that this policy is being violated should report that belief to the CAPA Executive Director or President immediately either in writing or personally. The Executive Director or President shall investigate the allegation(s), or arrange for an independent third party to do so, and shall take corrective action as deemed appropriate

**Policy 201.00; Mission and Vision Statements**

**Draft Adopted:** January 8, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** January 27, 2001

July 1, 2013 - added Vision Statement to policy

July 1, 2015 - Update Mission Statement.

**Proponent:** Board of Directors

**Purpose:** To establish the formal mission of CAPA

**Reference:** None

**Mission Statement:**

*The mission of the California Academy of PAs is to represent and serve PAs statewide. As an advocate of its members for the provision of quality healthcare, in collaboration with all healthcare professionals, CAPA will enhance, educate and empower PAs for the ultimate benefit of their patients.*

**Vision Statement:**

*Fully integrate PAs into every aspect of California's healthcare.*

**Policy 202.00; Organizational Structure**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

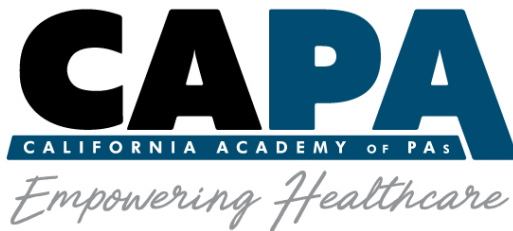
**Dates Revised:** November 19, 2000 - revised organizational chart  
 June 27, 2008 - changed to periodically review/update instead of annually  
 June 28, 2014 - Update Organizational chart  
 July 1, 2018 - Updated Organization chart

**Proponent:** Board of Directors

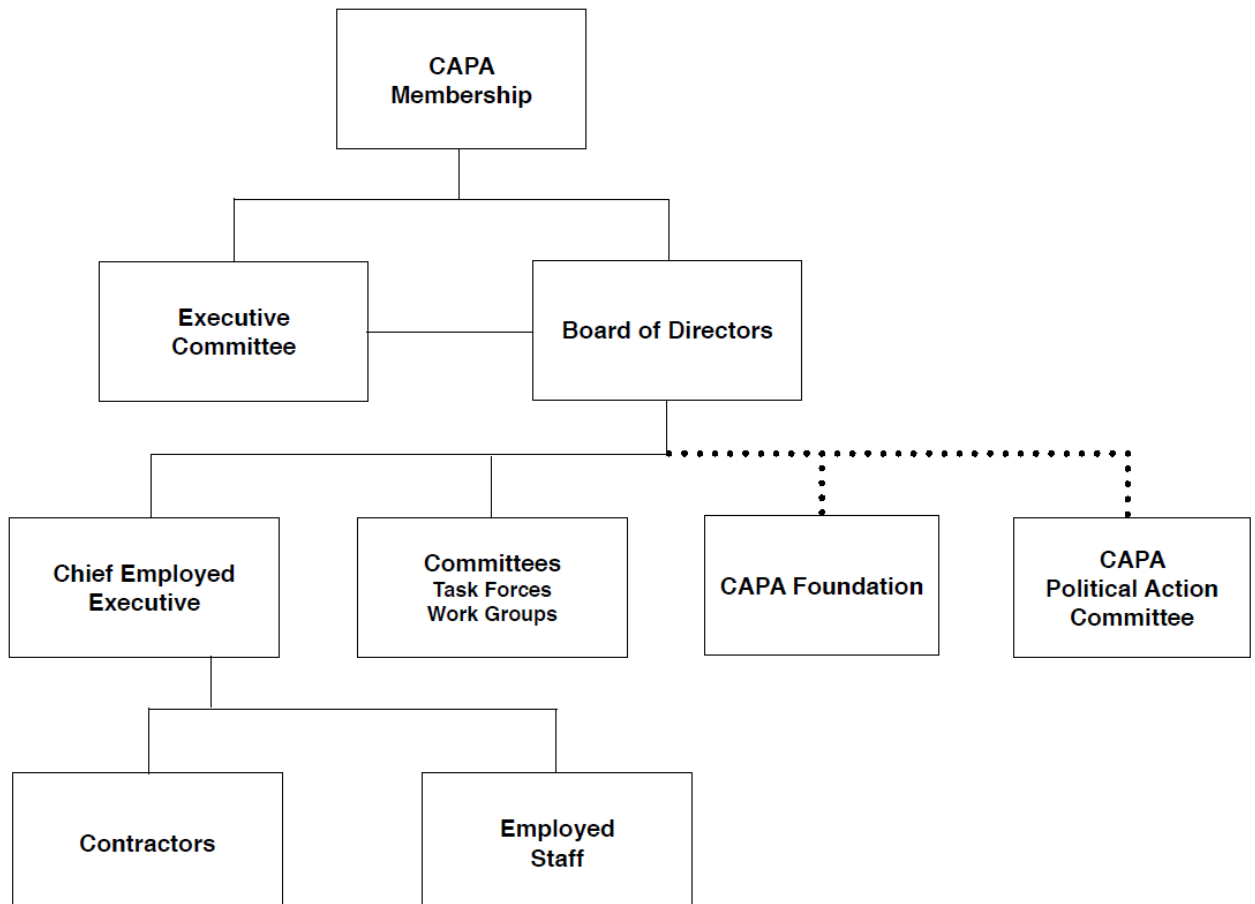
**Purpose:** To establish the organizational structure of CAPA.

**Reference:** CAPA Bylaws

**Policy:** CAPA will maintain and periodically update a chart which clearly delineates the organizational structure of the Academy including but not limited to all officers, directors, chief employed executive, standing committee chairs, and current *Ad Hoc* committee chairs.



**Organizational Chart**



# 203.00

## **Policy 203.00; Relationship to AAPA**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** June 27, 2008 - General cleanup  
June 28, 2014 - General cleanup

**Proponent:** Board of Directors

**Purpose:** To establish and affirm the formal relationship of CAPA to the AAPA

**Reference:** CAPA Bylaws Article IV  
AAPA Policy Section 602-00  
Sturgis Standard Code of Parliamentary Procedure

**Policy:** CAPA is a chartered constituent chapter of the AAPA pursuant to, and as defined in, Sturgis Standard Code of Parliamentary Procedure.

- I. CAPA, as a chartered constituent chapter, is formally a subdivision of the AAPA.
- II. As a regional organization of the AAPA, CAPA and its members are required to meet all provisions outlined in the AAPA's constitution, bylaws, and charter policy regarding chapter organization.
- III. CAPA and its members shall uphold the principles and purposes for which the AAPA was founded.
  - A. CAPA recognizes the AAPA's right to address and take the lead in setting national policy and addressing national concerns and issues.
  - B. CAPA reserves the right to address state and local concerns and issues without interference from the AAPA.
  - C. At any time that CAPA feels that the policies of the AAPA are not consistent with its own, it must exercise its responsibility to change those policies through the AAPA House of Delegates.

## **Policy 203.01; House of Delegates: California Delegation**

**Draft Adopted:** July 29, 1995

**Date Finalized:** October 14, 1995

**Dates Revised:** July 20, 1996 - Amended to change term dates  
June 22, 1997 - Amended with revision to Section I (Elections) adding paragraph D, revision to Section II (Reimbursement), paragraph D  
June 28, 1998 - Amended to include election date and ballot mailing  
March 9, 2003 - Changed the number of delegates  
November 6, 2005 - Changed funding guidelines  
June 27, 2008 - Deleted HOD registration fees as they no longer exist and updated IB.  
March 14, 2009 - Require CAPA Membership to run and to serve. Also set minimum attendance requirements at the AAPA HOD.  
July 1, 2010 - Updated Section I to reflect the time frame in which declarations are to be received.  
June 28, 2014 - Clarified HOD Delegate Election Process (including Alternates), Amended Reimbursement Policy, Added Notice of Funding and general cleanup  
July 1, 2018 - Revised section 1 to reflect current CAPA Bylaws

**Proponent:** Board of Directors and Chief Delegate

**Purpose:** To establish policies for the participation of the California Delegation in the AAPA House of Delegates.

**Reference:** CAPA Bylaws Article IV  
AAPA Policy §1500 et. Seq.  
AAPA Bylaws Articles XII, XIII, and XIV  
AAPA Policy 603-00-03

**Policy:** The California Academy of PAs supports involvement of its elected delegation to the AAPA House of Delegates.

- I. **Elections.** Candidates for the California Delegation to the AAPA House of Delegates must be Fellow members in good standing of the California Academy of PAs both before the election and during their term of office. Candidates must comply with all CAPA/AAPA election policies and requirements—both before the election and during their term of office—or the California Academy will not certify them. The election of the delegates of the HOD of AAPA will be held the first Thursday of each May. To appear on the ballot, declaration of candidacy must precede the appointed date of election by at least seventy five (75) days or sixty (60) days if the candidate is nominated or endorsed by the Nominating Committee. Write-in candidates are not permitted. Ballots will be distributed to eligible voters, based on their voting status, at least 14 days prior to the date of election.
  - A. The term of office of all delegates shall be one (1) year in accordance with the current AAPA policy.
  - B. The number of delegates funded to attend the AAPA House of Delegates is at the discretion of the CAPA Board and may or may not equal the number apportioned by the AAPA.
  - C. The Chief Delegate is appointed from among the regular delegates by the CAPA President each year. The Chief Delegate is responsible for:
    1. Supervising the California Delegation. This includes taking roll at each session of the HOD,
    2. Keeping the President and the Board of Directors apprised of policy considerations before the House of Delegates, and
    3. Carrying the resolutions of the California Academy of PAs.

4. Summarize the action of the House of Delegates to the Board of Directors and members of CAPA.

D. **Alternates:** All elected officers and directors who are Fellow members of CAPA are automatically eligible to serve as a pool of alternate delegates to the House of Delegates of the AAPA. In the event of vacancies for Delegates to the AAPA House of Delegates, the CAPA Board, by majority vote, may approve Fellow members from the CAPA Board of Directors to fill the vacancies in accordance with Article VII, Section 3 of the CAPA Bylaws.

II. **Reimbursement.** CAPA may provide funds toward travel expenses—as outlined below and contained in the CAPA Reimbursement Policy—for selected members of the California House Delegation who attend each and every session of the House of Delegates. Those delegates who are absent (without prior approval from the Chief Delegate), in so doing will waive any and all reimbursement by CAPA for travel to or attendance at the AAPA HOD. CAPA staff are authorized to review all travel arrangements and alert the President and the Chief Delegate when appropriate.

A. **Budget.** The Budget Committee, in preparing the draft CAPA budget each year, will take into account the costs associated with the California Delegation's participation in the House based on the location of the AAPA National Conference, among other factors.

B. **Travel Stipend.** CAPA, at its discretion may provide funds toward round-trip travel expenses to the AAPA National Conference for designated members of the California House delegation attending each and every session of the AAPA HOD in accordance with the CAPA Reimbursement Policy. The amount of the travel stipend will be determined by the Budget Committee and approved by the Board of Directors at the beginning of the fiscal year as part of the CAPA Annual Budget.

C. **Hotel.** For designated and eligible Delegates, CAPA may provide funds toward lodging equal to the number of days that the AAPA House of Delegates is in session, plus one night. Reimbursement for expenses related to hotel costs shall be in accordance with the CAPA Reimbursement Policy.

D. **Meals.** For designated and eligible Delegates, CAPA may provide funds toward expenses related to meals in accordance with the CAPA Reimbursement Policy.

E. **Notice.** California Delegates will be notified of their individual stipends, if any, as soon as reasonably possible, but no later than 90 days prior to the start of AAPA HOD session.

III. The CAPA office will distribute copies of this policy to each member of the California House Delegation no later than July 31 of each year.

IV. The California House Delegation will have at least one telephone conference call prior to the House convening.

## **Policy 204.00; Dues, Contributions and Donations; Deductibility**

**Draft Adopted:** July 16, 1994

**Date Finalized:** September 25, 1994

**Dates Revised:** June 27, 2008 - Shortened the statement to reflect what is actually necessary on the forms.

July 1, 2012 - Changed disclaimer to match what is on receipts and statements

June 28, 2014 - General cleanup

July 1, 2018 - Revised policy to reflect a broader terminology.

**Proponent:** chief employed executive

**Purpose:** To comply with IRS policy and Regulations

**Reference:** The Federal Law

**Policy:** A disclaimer must appear on all dues renewals/invoices. When appropriate, it must also be clearly stated that donations and contributions to the California Academy of PAs are not deductible as charitable contribution for Income Tax Purposes.

- I. Below is an example of verbiage that may be used. The chief employed executive will ensure that a version of this information that fulfills the requirements of law will be included where appropriate and where required by law.  
We estimate that only [*enter current percent*] % of the dues on this statement are deductible as ordinary and necessary business expenses. A portion of your dues may be used for lobbying. This reflects our estimate of the percentage of your payment that will be used for lobbying [*enter current percent*] % on subjects of interest to you and other members.
- II. All requests for donations and contributions will include the following disclaimer:  
Contributions are not deductible as charitable contributions for Federal Income Tax purposes.

## Policy 205.00; Leader Communications

**Draft Adopted:** January 9, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** June 27, 2008 - Changed policy to deal with all communications, not just those on letterhead.

July 1, 2012 - Added clarifying statement to policy description re: use of CAPA logo/leader title

June 28, 2014 - Clarified external communication policy

**Proponent:** Board of Directors

**Purpose:** To establish policy and guidelines for the use of official CAPA letterhead.

**Reference:** CAPA Bylaws

AAPA Policy 100-00-04

**Policy:** All external communication and/or articles/opinion pieces written for publication should reflect the cohesive and current policy of the Academy; therefore CAPA letterhead both printed and electronic (including emails with CAPA logo or CAPA leader title) should be used only in an *official* capacity on behalf of the Academy.

- I. General Information and external communication by the Board of Directors, committee chairs, or committee members, is assumed to be the official communication of CAPA. For this reason alone leaders are expected to use good judgment in all communications. Having a consistent message from CAPA is critical to the success of CAPA's Mission and Vision. It is expected that all external communication regarding CAPA, be submitted to the President and the chief employed executive for review and approval. This includes drafts of emails, letters and other correspondence. Approved emails may be sent by the author and a copy provided to CAPA. Written mail correspondence which appears on CAPA letterhead will be prepared and sent from the CAPA office.
- II. Communication Which Does Not Require Prior Review and Approval:
  - A. Letters of thanks and acknowledgment.
  - B. Internal memoranda.
  - C. Requests for routine information.
- III. Communication shall require prior review and approval if it materially addresses the following subject matter:
  - A. Definition or expression of an Academy policy.
  - B. Definition or expression of an Academy procedure.
  - C. Expression of an Academy position.
  - D. Expression of what you feel is a personal opinion as it will be construed to be the position or opinion of the Academy because of your leadership position in CAPA.
  - E. Commitment of Academy resources except when prior authorization has already been formally granted by the Board of Directors.
  - F. Requests directed to other organizations to commit their resources except when prior authorization has already been formally granted by the Board of Directors.
- IV. Mechanism for Review and Approval:
  - A. It is the intent of this policy and procedure that rapid and timely correspondence not be hindered by an unruly review and approval process.
  - B. Drafts of communication requiring review as defined above are to be Faxed/E-mailed to the President and chief employed executive (and appropriate Committee Chair when applicable). The President or chief employed executive will consult with legal counsel or other necessary advisor, at his or her discretion.
  - C. The President and chief employed executive have the full authority to edit a draft at his or her discretion, and deny permission for any purpose that he or she determines is not in the best interest of the Academy.



D. Approval or denial for the communication can either be verbal or written at his or her discretion, and is subject to review and ratification by the Executive Committee if requested.

V. Distribution:

A. In the absence of a conflict of interest, the leader shall copy the chief employed executive on internal communication to provide coordinated communication between leaders and staff.

## **Policy 206.00; Contracts**

**Draft Adopted:** July 16, 1994

**Date Finalized:** September 25, 1994

**Dates Revised:** January 28, 2006 - General cleanup

June 27, 2008 - General cleanup

July 1, 2012 - General Cleanup

June 28, 2014 - Linked to Executive Committee Policy 406.00

July 1, 2018 - Changed CAPA to Legal in section I and general clean up

**Proponent:** Board of Directors

**Purpose:** To establish organizational policy regarding contracts and agreements.

**Reference:** CAPA Bylaws Article VII, §4, b.

**Policy:** The CAPA Board of Directors reserves unto itself the right to approve, change and terminate contracts, agreements and memorandums of understanding (MOU) with all those wishing to provide goods and services to CAPA.

### **Procedure:**

- I. The President and/or the chief employed executive, in consultation with CAPA legal counsel if indicated, have the authority of the Board of Directors to formally execute contracts, agreements and Letters of Agreement/Understanding (LOA/LOU) on behalf of CAPA when acting on the formal authority of the Board of Directors or Executive Committee per Policy 406.00, including when entry into the contract has been implicitly approved as part of the annual budget or an action item.
- II. The President, at his or her discretion, may temporarily designate other members of the Board of Directors with the same limited authority (pursuant to Section I above) as the President and the chief employed executive to execute contracts on behalf of CAPA. This designation must be in writing, and disclosed to the Board.
- III. The chief employed executive is responsible for monitoring contract compliance and/or contractor performance. The chief employed executive shall report the status of all current CAPA contracts to the full Board of Directors at the first meeting of the Board in the calendar year.
- IV. Nothing in this policy and procedure shall be construed as relieving the Board of Directors of its primary responsibility and authority in the creation and execution of contracts, agreements and LOA/LOUs.

## **Policy 207.00; CAPA Humanitarian Endowment**

**Draft Adopted:** May 14, 1994

**Date Finalized:** January 28, 1995

**Dates Revised:** June 27, 2008 - General cleanup and changed amounts of disbursement from fund of \$25 to \$100 on any one occasion and \$75 to \$125 for flowers/plaques. Also changed disbursement amount to trust funds for PAs who have died violently in the line of duty from \$200 to \$500 and \$100 to \$150 for all other disbursements. July 1, 2012 -Changed amounts of disbursement from fund without immediate approval from the BOD of \$100 to \$250 on any one occasion and from \$125 to \$250 for flowers or plaques. Also changed disbursements to trust funds from \$125 to \$250. July 1, 2018 - Revised item II of the Procedure. CAPA no longer promotes contributions to this fund.

**Proponent:** Board of Directors and Professional Practice Committee

**Purpose:** To establish a voluntary endowment for the purpose of financing recognitions of individual PAs and others in times of significant joys and travails.

**Reference:** Minutes of the CAPA BOD during 1993-94.

**Policy:** The CAPA Board of Directors herewith establishes the **CAPA Humanitarian Endowment**, to be financed by voluntary contributions from members of CAPA and from other PAs and interested parties—either in California or from other geographic entities—for the purpose of recognizing in various manners the significant trials, both positive and negative, of PAs and others in California primarily, but also, when appropriate, in other geographic locales.

### **Procedure:**

- I. The name of this fund will be the **CAPA Humanitarian Endowment**.
- II. Contributions to this endowment will derive solely from *voluntary* donations which may be received throughout the fiscal year.
- III. Contributions to this endowment will be accepted from any source so long as there are no unreasonable conditions attached to the donation.
- IV. Disbursements from this endowment may be made for the purpose of recognizing any PA in California primarily, but also, when appropriate, in other geographic locales, regardless of membership status in CAPA.
- V. Disbursements from this endowment may not be made directly in the form of a monetary gift to any living individual, but shall be limited to the following expressions: trust fund contributions in lieu of flowers from the organization, sympathy or congratulatory cards, postage, flowers, plaques, and similar forms of recognition.
- VI. On the action of a simple majority of the CAPA Board of Directors, disbursements may be approved for the recognition of non-PAs such as meritorious supervising physicians and others who have made a significant contribution to the PA profession primarily, though not exclusively, in California.
- VII. No contributions from this fund shall be made to political action committees of any type for any purpose whatsoever.
- VIII. The chief employed executive of CAPA may authorize disbursements from this endowment without immediate approval from the Board of Directors for amounts up to \$250 on any one occasion, except that s/he may authorize disbursements for flowers or plaques up to \$250.00 on any one occasion. Authorizations for amounts any greater than these shall

require a simple majority approval of the Board of Directors in any meeting allowed in Article VI of the Bylaws.

- IX. The chief employed executive will inform the Board of Directors of each of his/her authorizations for disbursements at its next regularly-convened meeting; formal approval from the Board of Directors will not be required.
- X. Priority for disbursements from this endowment shall be placed on contributions to trust funds established in the names of California PAs who have died, especially in the case of violent deaths in the line of duty.
- XI. Disbursements to trust funds of PAs who have died violently in the line of duty shall be limited to \$500.00; all other disbursements to trust funds shall be limited to \$250.00. Contributions such as these shall require a simple majority approval of the Board of Directors in any meeting allowed in Article VI of the Bylaws.
- XII. Other instances where disbursement from this fund might be appropriate may include the following: births or deaths of immediate family members of PAs, as well as severe injuries or major material losses; tragedies in the lives of PAs such as damages incurred from earthquakes or floods; unusual honors granted to PAs; and meritorious service of individual PAs, supervising physicians, or others.

## **Policy 208.00; Policy-Making**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** January 28, 2006 - General cleanup  
June 27, 2008 - General cleanup  
June 28, 2014 - General Cleanup

**Proponent:** Board of Directors

**Purpose:** To establish policy-setting authority of CAPA.

**Reference:** CAPA Bylaws Article VII, §4  
AAPA Bylaws

**Policy:** The authority to set formal policy on issues relevant to the operation of the Academy rests wholly with the Board of Directors pursuant to the Bylaws.

- I. Policies can only be set by a majority vote of Board of Directors in any meeting allowed in Article VII of the Bylaws.
- II. It is the responsibility of the chief employed executive to reduce the Board of Director's policy decisions and statements to writing for presentation and ratification at the next regularly scheduled meeting of the Board of Directors.
- III. When deemed necessary CAPA policies are to be formally reviewed by appropriate CAPA legal counsel.

**209.00**

**Policy 209.00; CAPA Logo**

**Draft Adopted:** July 1, 2012

**Date Finalized:** July 1, 2012

**Proponent:** Board of Directors

**Purpose:** To establish a formal CAPA logo policy

**Reference:** None

The CAPA logo cannot be altered or changed without prior approval from the Board of Directors.

## **Policy 209.02; New Business, Late Action Items**

**Draft Adopted:** November 8, 1997

**Date Finalized:** June 27, 1999

**Dates Revised:** June 28, 2014 - Defined Board of Directors to determine Late Action Items and removed section IV, V, and VI.

**Proponent:** Board of Directors

**Reference:** CAPA Bylaws

**Purpose:** To provide Board of Directors policy and procedure for handling new business and late action items.

### **Policy:**

All decisions made regarding the business, policy, or philosophy of the California Academy of PAs shall be supported by thorough background information and justification received by the Board of Directors in a timely manner.

### **Definitions:**

**Action Items:** Those agenda items that represent decisions regarding the business, policy or philosophy of the California Academy of PAs.

**New Business:** Action items that have not been previously considered at a meeting of the Board of Directors.

**Late Action Items:** Action items that miss the deadline for inclusion into the Board of Directors meeting board packet.

### **Procedure:**

- I. New action items and supporting documentation must be received by the CAPA office no later than fifteen (15) working days prior to a scheduled meeting of the Board of Directors to be placed on the agenda and considered.
- II. Items not submitted on time may not be considered for action during the Board meeting unless this rule is waived by majority vote of the Board.
- III. Late action items denied for consideration will be eligible for future Board meetings per Procedure I above.

# 209.03

## **Policy 209.03; Format for Proposed Actions**

**Draft Adopted:** January 3, 1998

**Date Finalized:** June 27, 1999

**Dates Revised:** June 28, 2014 - Update Action Submission Format

**Proponent:** Board of Directors

**Purpose:** To ensure that all proposed actions are presented in a uniform manner, to facilitate that the BOD has a clear understanding of the proposed action, its content, purpose, justification, and financial impact.

**Reference:** CAPA Policy 209.03

**Policy:** To establish the format for submitting proposed actions

Title:

Sponsor:

Background and Discussion:

Fiscal Impact:

Cost: (Indicate any costs incurred by the action)

Benefit (Indicate any financial benefit the action may provide CAPA)

Staff and Space Impact: (to be completed by staff)

The following resolution is moved:

RESOLVED THAT...

**Vote:**

Yea's:

No's:

Abstentions:



## **Policy 209.04; Minutes Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:** July 1, 2018 – Removed sections 4 and 5

**Proponent:** Board of Directors

**Purpose:** To establish clear policy for posting of board meeting minutes

**Reference:** CAPA Bylaws

### **Policy:**

1. Official minutes will be kept for meetings of the Board of Directors under the supervision of the Secretary.
2. General Guidelines for CAPA minutes include:
  - Minutes must indicate the place, date and time of the meeting. Include the statement that notice of the meeting was given to those entitled to receive notice or that notice was waived. The name of those attending and those absent will be listed and it should be noted that any required quorum was present.
  - Minutes will include a statement indicating that the minutes of the previous meeting were distributed and approved either as written or as changed. Clearly note all changes to the minutes of the previous meeting.
  - Minutes will be prepared by following a standard format; numbered sections and paragraphs coinciding with those of the meeting agenda.
  - Minutes are to be written as a record of the actions considered and accomplished at a meeting, not as recitation of each statement made by those attending nor a reflection of the variety of views expressed.
  - In preparing minutes, describe each motion or report made at the meeting, and name the person making it. Note the action taken by the board in response to each item. The number of votes cast for or against an action should also be reflected in the minutes. The various views expressed regarding each action, but not necessarily reflected in the final action, should not be recited in the minutes, unless a member of the board asks that a particular point be noted.
  - Actions of individuals or entities that were made on behalf of all those attending the meeting and that were made since the last meeting—such as actions of an executive committee made while the board of directors was out of session—should be ratified at the meeting and the ratification reflected in the minutes.
  - Whenever appropriate, minutes should include defensive statements about procedures used by the association to ensure legal compliance.
  - If questions as to the propriety of an association matter are raised at a meeting, the minutes need to reflect the question, state that the matter was submitted for review by legal counsel, give opinion and recommendations of counsel, and indicate that the advice was followed.
3. Confidential minutes shall be kept per Policy 401.02.

## Policy 210.00; Reimbursement

**Draft Adopted:** July 29, 1995

**Date Finalized:** October 14, 1995

**Dates Revised:** January 3, 1998 - Added VI.G.7 to Reimbursement Procedures.

March 14, 1998 - Removed all Board of Directors members and Committee chairs from AOL/ISP reimbursement

March 14, 1998 - Revised reimbursement request submittal dates (VI.c.)

June 28, 1998 - Added Student Representative to Section II.E., Telephone Reimbursement

June 8, 1999 - Changed Policy title from Travel Reimbursement to Reimbursement (edited all applicable locations below)

June 28, 2003 - Deleted requirement to share a room

November 6, 2005 - Changed reimbursement guidelines and rate of mileage reimbursement from \$.25/mile to \$.40/mile.

June 27, 2008 - General cleanup; changed rate of mileage reimbursement from \$.40 per mile to the current Federal standard mileage rate; changed meals *per diem* rate from \$30 to \$50; deleted telephone reimbursement; and updated reimbursement form.

July 3, 2009 - Added Rental Car as a method of travel and guidelines to follow when renting a car and lowered mileage rate to \$0.43 per mile.

July 1, 2012 - General cleanup; changed rate of mileage reimbursement from \$0.43 to \$0.55 per mile. Also added statements clarifying documents to accompany reimbursement.

July 1, 2013 - Changed section II F to allow flexibility with Chairs attending board meetings.

June 28, 2014 - Multiple updates and aligned mileage with IRS

July 1, 2018 - Revised procedure VI, section A.

**Proponent:** Board of Directors

**Purpose:** To establish Policy for Reimbursing CAPA *business expenses*.

**Reference:** None.

**Policy:** Reimbursement for the Board of Directors, Committee Members, and others as may be specified by the CAPA BOD, while engaged in business necessary for the operation of the California Academy of PAs.

- I. **Business Travel On Behalf of CAPA.** Travel must be budgeted and approved prior to the expenditure of funds when conducting the official business of CAPA. In *all* other cases, travel must have the prior approval of the President and chief employed executive.
  - A. **Air Travel.** Airfare is authorized for travel to and from the meeting site when it is the most reasonable mode of transportation.
    1. Early reservations are encouraged so that the best rate can be obtained. When feasible, travel must be booked at least 30 days prior to travel to ensure the best possible fare.
    2. When submitting for reimbursement, please submit a receipt for the ticket along with a CAPA Reimbursement Form to the CAPA office.
    3. You will be reimbursed only for the most economical class of travel available (i.e., "first class" not allowed). Reimbursement may include up to one checked piece of luggage and inflight wireless internet if available.

- II. **Parking and transportation.** Submit receipts for parking at the airport and cab, bus or shuttle service to and from the airport along with your CAPA Reimbursement Form. Valet and/or short term parking will be reimbursed only in extraordinary circumstances.
- A. **Rental Car.** A rental car is authorized for travel as necessary and when appropriate.
1. Early reservations are encouraged so that the best rate can be obtained. When feasible, the rental car must be booked at least 30 days prior to travel to ensure the best possible rate.
  2. When submitting for reimbursement, please submit a receipt for the car rental along with a CAPA Reimbursement Form to the CAPA office.
  3. You will be reimbursed only for the most economical car available unless you are sharing with another CAPA leader(s) or approved person traveling on behalf of CAPA and a larger car is necessary.
  4. To ensure that you are fully covered while driving a rental car, it is CAPA's policy that supplemental liability insurance be purchased through the rental car company. CAPA will reimburse you the cost of the supplemental liability insurance.
  5. Fuel used in the rental car will be reimbursed based on receipts. It is encouraged that off-site gas stations are used to return rental cars topped off.
- B. **Mileage.** Travel to and from the meeting site or to and from the airport will be reimbursed at the Standard Mileage Rates calculated by the Internal Revenue Service for business miles. The expense of mileage should not exceed the cost of reasonable airfare for the same trip. A case by case exception can be evaluated by the President and the chief employed executive.
- C. **Lodging.** Prior approval of lodging expense associated with meetings must be obtained from the President and chief employed executive. Necessary lodging will be reimbursed at actual expenses up to the negotiated meeting rates being offered CAPA when applicable.
- D. **Travel Per Diem.** Incidental travel expenses and meals shall be reimbursed by a per diem in the amount of \$25 per half day (\$50 per day) unless meals are otherwise provided, in which case there shall be no per diem.
- E. **Committee Chairs.** Committee Chairs may be expected to attend meetings of the Board as directed by the President. The cost of attending the meeting will be reimbursed as above, and the expenses will be taken out of the Committee Chair's annual budget.
- III. **Postage**
- A. Submit receipts for postage along with the CAPA Reimbursement Form to the CAPA office.
- IV. **Entertainment** shall be reimbursed for California Academy leaders within the following guidelines after being approved by the CAPA President and chief employed executive:
- A. They must advance CAPA's purposes and objectives.
  - B. They must be reasonable and related to CAPA activities and programs.
  - C. Expenditures must not be lavish or extravagant.

- D. The following information must be reported in the CAPA Reimbursement Form.
1. The name(s) of the individual(s) entertained.
  2. The character of or reason for the expenditure.
  3. The detailed receipt from the restaurant/venue (with items ordered and the cost of each) must be included for reimbursement to be made.

V. **Reimbursement for Non-Budget Items**

- A. Any Board Member or Committee Chair must submit in writing a request for expenditure for any non-budget activity, project or item category for approval ***prior to fund expenditure.***
- B. The request for non-budget expenditure must be submitted to the President, Treasurer and/or the chief employed executive with supporting justification and documentation.
- C. Any payment of a claim will not establish a precedent for payment of similar or identical claims in the future.
- D. Pre-approval from the President, Treasurer and/or chief employed executive is required before incurring ***any*** costs for non-budget items or ***any*** costs which are not specifically spelled out in the reimbursement policy above.
- E. Failure to get prior approval may result in the request for non-budget reimbursement being denied.

VI. **Reimbursement Procedures**

- A. A signed CAPA Reimbursement Form **must** be used on all claims.
- B. The supporting documentation and/or justification must be submitted with each claim (receipts are required).
- C. Reimbursement forms should be submitted to the CAPA office within thirty (30) days after approved expenses are incurred. Submissions later than thirty days require approval on a case-by-case basis by the chief employed executive. **No claim will be honored after six (6) months from the date an expense was incurred.**
- D. Supporting documentation and reimbursement form will be kept on file at the CAPA office.
- E. Reimbursement forms and accompanying documentation must be mailed, e-mailed or faxed to the CAPA office.
- F. Any questionable claims will be handled by the chief employed executive utilizing the following procedure.
1. Handling of questionable claims will be based on the reimbursement policies of CAPA.
  2. CAPA retains the right to withhold reimbursement on any questionable claim at the discretion of the chief employed executive.

3. The chief employed executive will notify claimant submitting a questionable claim for reimbursement immediately in writing that their claim is being reviewed.
4. Reimbursement on any questionable claim will be withheld until a decision is made by the chief employed executive to either approve or disapprove the claim.
5. Action shall be taken on such questionable claims no later than 30 days from the date of submission.
6. A decision of the chief employed executive to withhold reimbursement may be appealed by the claimant to the full Executive Committee.
7. Members of the CAPA BOD and committee chairs will seek and obtain prior approval for any expenditure greater than \$500.00 from the chief employed executive unless such proposed expenses fall within an appropriate line item's budgeted limits. These requests shall immediately be submitted for approval to the Executive Committee per CAPA Policy 406.00.

## **Policy 211.00; Consultant/Contractor/Staff Communication Procedures**

**Draft Adopted:** March 25, 2012

**Date Finalized:** March 25, 2012

**Dates Revised:** June 28, 2014 - General cleanup  
July 1, 2018 - Clarified Policy.

**Proponent:** Board of Directors

**Purpose:** To establish clear-cut lines of authority and responsibility within the organizational structures of CAPA.

**Reference:** CAPA Bylaws Article VII & Article VIII

**Policy:** It is the policy of CAPA to establish a clear-cut chain of command within all command and control mechanisms of the Academy. This policy should in no way impede any member of the board in exercising his/her duty of care if he/she witnesses any consultant, leader or staff member interacting inappropriately, being disrespectful, stating inaccurate information or behaving in a way that is not within CAPA's culture of professionalism and goodwill. Leaders should use their best judgement in the moment and then immediately follow the appropriate chain of command. The CAPA Board sets the tone with expectations for staff and consultants.

- I. The President is the chief elected officer of the Academy and shall have direct access to (but not supervision of) all staff, consultants and contractors. Unless the communication is of a highly sensitive nature, the President will copy the chief employed executive on all emails/communications.
- II. The chief employed executive is the chief staff and administrative officer in charge of the Academy's operations. The chief employed executive hires, terminates, and supervises all employees, consultants and contractors. Some consultants will also have their work coordinated by a Committee Chair and/or member of the board as directed/assigned by the Board of Directors or the Executive Committee per CAPA Policy 406.00. The purpose for this additional coordination is to offer support and expertise for a particular committee or project. Once a consultant/contractor has been hired, all leaders will be notified of the chain of command.
- III. All employees, consultants and contractors are directed to copy the chief employed executive on all emails they generate when doing CAPA business. Staff/consultants/contractors may be reprimanded for not following this directive on ALL CAPA emails.
- IV. Staff and consultants time is valuable and their work must be managed in order to maximize efficiency, avoid over-burdening them and to stay within budget. If a CAPA leader is not directly assigned to help coordinate tasks for a staff person/consultant/contractor, they will request time/resources by contacting the chief employed executive and/or the President. The chief employed executive and/or President will respond in a timely fashion. In no event will a CAPA leader attempt to supervise a staff member, or countermand directions given to a staff member by the chief employed executive.
- V. If interactions with staff/consultants/contractors occur via email, all emails to/from staff/contractor/consultant will be copied to the chief employed executive. If a CAPA leader has been assigned to help coordinate that particular person, he/she will also be copied.

## **Policy 212.00; Communications within BOD and Committee Chairs**

**Draft Adopted:** June 27, 1999

**Date Finalized:** March 11, 2000

**Dates Revised:** June 27, 2008 - added #5

June 28, 2014 - added Section 6 and general cleanup

**Proponent:** Board of Directors

**Purpose:** The purposes of these guidelines are twofold: one is to prevent sometimes controversial or strategic group discussions from becoming public and the second is to establish procedure respectful of an individual's expectation of confidentiality.

**Reference:** None

**Policy:** The following policy serves as "guidelines" because rigid policy may be unnecessarily limiting in some situations. It is beyond the scope of this policy to cover all potential circumstances that may arise in such a broad topic of personal and group correspondence. These guidelines should be discussed with all incoming Board Directors and Committee Chairs.

1. Communication is defined as discussion and/or correspondence, including e-mail and telephone calls that occurs within and between parties in this designated group for the purpose of conducting CAPA business.
2. Personal discussion, one-to-one e-mail, or other correspondence between group members that is of a potentially sensitive or controversial nature should not be forwarded to anyone else without the consent of the original sender. The use of "blind copying" should be employed only when absolutely necessary.
3. The "group" under purview in this policy shall consist of Board of Directors members, Committee Chairs and the chief employed executive. Members of the group should be confident in the understanding that correspondence sent within this group may be privileged and/or confidential and may not be shared. The BOD or its officers may agree to add names to the group for a specific purpose and/or time period.
4. In order to protect the confidentiality of sometimes-sensitive topics, e-mail, telephone, or letter correspondence sent to the above "group" must not be forwarded to parties outside of the group without the prior consent of those involved in the communication.
5. The expectation among leaders is that the content of their emails will remain solely with the person/people to which the email was sent. Be particularly careful and check carefully to ensure that the original email does not appear below when replying to an email and adding a new person.
6. Purposeful disregard for this policy and willfully sharing privileged/confidential information may amount to a breach of fiduciary responsibility and may result in disciplinary action per CAPA bylaws.

## **Policy 213.00; Joint Venture Policy**

**Draft Adopted:** June 27, 2009

**Date Finalized:** July 3, 2009

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Policy:** This Joint Venture Policy of the California Academy of PAs requires that the Organization evaluate its participation in joint venture arrangements under Federal tax law and take steps to safeguard the Organization's exempt status with respect to such arrangements. It applies to any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity as further defined in this policy.

1. **Joint ventures or similar arrangements with taxable entities.** For purposes of this policy, a joint venture or similar arrangement (or a "venture or arrangement") means any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity without regard to: (a) whether the Organization controls the venture or arrangement; (b) the legal structure of the venture or arrangement; or (c) whether the venture or arrangement is taxed as a partnership or as an association or corporation for federal income tax purposes. A venture or arrangement is disregarded if it meets both of the following conditions:

(i) 95% or more of the venture's or arrangement's income for its tax year ending within the Organization's tax year is excluded from unrelated business income taxation [including but not limited to: (a) dividends, interest, and annuities; (b) royalties; (c) rent from real property and incidental related personal property except to the extent of debt-financing; and (d) gains or losses from the sale of property]; and

(ii) the primary purpose of the Organization's contribution to, or investment or participation in, the venture or arrangement is the production of income or appreciation of property.

2. **Safeguards to ensure exempt status protection.** The Organization will: (a) negotiate in its transactions and arrangements with other members of the venture or arrangement such terms and safeguards adequate to ensure that the Organization's exempt status is protected; and (b) take steps to safeguard the Organization's exempt status with respect to the venture or arrangement. Some examples of safeguards include:

(i) control over the venture or arrangement sufficient to ensure that it furthers the exempt purpose of the organization;

(ii) requirements that the venture or arrangement gives priority to exempt purposes over maximizing profits for the other participants;

(iii) that the venture or arrangement not engage in activities that would jeopardize the Organization's exemption; and

(iv) that all contracts entered into with the organization be on terms that are arm's length or more favorable to the Organization.



## **Policy 214.00; Whistleblower Policy**

**Draft Adopted:** June 27, 2009

**Date Finalized:** July 3, 2009

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Policy:** This Whistleblower Policy of the California Academy of PAs: (1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the Organization; (2) specifies that the Organization will protect the person from retaliation; and (3) identifies where such information can be reported.

1. **Encouragement of reporting.** The Organization encourages complaints, reports or inquiries about illegal practices or serious violations of the Organization's policies, including illegal or improper conduct by the Organization itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the Organization has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the Organization's human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

2. **Protection from retaliation.** The Organization prohibits retaliation by or on behalf of the Organization against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Organization reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

3. **Where to report.** Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the Organization's chief employed executive or President of the Board of Directors; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to the Vice President. The Organization will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that the Organization may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

## Policy 215.00; Compensation Committee and Policy on the Process for Determining Compensation

**Draft Adopted:** June 27, 2009

**Date Finalized:** July 3, 2009

**Dates Revised:** June 28, 2014

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Policy:** This Policy on the Process for Determining Compensation of the California Academy of PAs applies to the compensation of the following persons employed by the Organization:

- The Organization's **chief employed executive**<sup>1</sup>
- Other **Officers**<sup>2</sup> or **Key Employees**<sup>3</sup> of the Organization.

The process includes all of these elements: (1) review and approval by the Compensation Committee (President, President Elect, Immediate Past President and Treasurer) of the Organization (in the event of two consecutive two year presidents (creating vacancies in the position of President-Elect and Immediate Past-President, the Vice President will join the Compensation Committee ensuring the committee has at least 3 individuals); (2) use of data as to comparable compensation; and (3) contemporaneous documentation and recordkeeping.

1. **Review and approval.** The compensation of the person is reviewed and approved by the Compensation Committee of the Organization annually, provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval.
2. **Use of data as to comparable compensation.** The compensation of the person is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations.
3. **Holiday Bonus.** Each year funds may be budgeted for the chief employed executive as a holiday bonus. As the proposed budget is being prepared, staff will remind the Budget Committee of a suggested 2% holiday bonus budget for the chief employed executive. The actual amount provided to the chief employed executive in December will be based on the chief employed executive's performance, whether a holiday bonus is warranted and the financial health of the Academy in that 2<sup>nd</sup> quarter of the fiscal year. This will be determined by the Compensation Committee and reported to the Board for ratification prior to payment. Distribution of a holiday bonus will occur on or before December 20.
4. **Performance bonus:** The Board may at any time approve a performance bonus for extraordinary performance.
5. **Contemporaneous documentation and recordkeeping.** There is contemporaneous documentation and recordkeeping with respect to the deliberations and decisions regarding the compensation arrangement. Minutes will include copies of the data used to compare compensation for similarly qualified persons in comparable positions and will be distributed to the Compensation Committee and CAPA's CPA.

<sup>1</sup> **Chief employed executive** – The CEO (i.e., Chief Executive Officer), executive director, or top management official (i.e., a person who has ultimate responsibility for implementing the decisions of the Organization's governing body or for supervising the management, administration, or operations of the Organization).

<sup>2</sup> **Officer** – A person elected or appointed to manage the Organization's daily operations, such as a president, vice-president, secretary or treasurer. The officers of the Organization are determined by reference to its organizing

document, bylaws, or resolutions of its governing body, or as otherwise designated consistent with state law, but at a minimum include those officers required by applicable state law. Include as officers the Organization's top management official and top financial official (the person who has ultimate responsibility for managing the Organization's finances).

- <sup>3</sup>. **Key Employee** – An employee of the Organization who meets all three of the following tests: (a) \$150,000 Test: receives reportable compensation from the Organization and all related organizations in excess of \$150,000 for the year; (b) Responsibility Test: the employee: (i) has responsibility, powers, or influence over the Organization as a whole that is similar to those of officers, directors, or trustees; (ii) manages a discrete segment or activity of the Organization that represents 10% or more of the activities, assets, income, or expenses of the Organization, as compared to the Organization as a whole; or (iii) has or shares authority to control or determine 10% or more of the Organization's capital expenditures, operating budget, or compensation for employees; and (c) Top 20 Test: is one of the 20 employees (that satisfy the \$150,000 Test and Responsibility Test) with the highest reportable compensation from the Organization and related organizations for the year.

## Policy 216.00; Document Retention and Destruction Policy

**Draft Adopted:** June 27, 2009

**Date Finalized:** July 3, 2009

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Policy:** This Document Retention and Destruction Policy of the California Academy of PAs identifies the record retention responsibilities of staff, volunteers, members of the Board of Directors, and outsiders for maintaining and documenting the storage and destruction of the Organization's documents and records.

1. **Rules.** The Organization's staff, volunteers, members of the Board of Directors and outsiders (i.e., independent contractors via agreements with them) are required to honor these rules: (a) paper or electronic documents indicated under the terms for retention below will be transferred and maintained by the Human Resources, Legal or Administrative staffs/departments or their equivalents; (b) all other paper documents may be destroyed after three years; (c) all other electronic documents may be deleted from all individual computers, data bases, networks, and back-up storage after one year; and (d) **no paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.**

### 2. Terms for retention.

a. Retain permanently:

*Governance records* - Charter and amendments, Bylaws, other organizational documents, governing board and board committee minutes.

*Tax records* - Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence, files related to tax audits.

*Intellectual property records* - Copyright and trademark registrations and samples of protected works.

*Financial records* - Audited financial statements, attorney contingent liability letters.

b. Retain for ten years:

*Pension and benefit records* - Pension (ERISA) plan participant/beneficiary records, actuarial reports, related correspondence with government agencies, and supporting records.

*Government relations records* - State and federal lobbying and political contribution reports and supporting records.

c. Retain for three years:

*Employee/employment records* - Employee names, addresses, social security numbers, dates of birth, INS Form I-9, resume/application materials, job descriptions, dates of hire and termination/separation, evaluations, compensation information, promotions, transfers, disciplinary matters, time/payroll records, leave/comp time/FMLA, engagement and discharge correspondence, documentation of basis for independent contractor status (retain for all current employees and independent contractors and for three years after departure of each individual).

*Lease, insurance, and contract/license records* - Software license agreements, vendor, hotel, and service agreements, independent contractor agreements, employment agreements, consultant agreements, and all other agreements (retain during the term of the agreement and for three years after the termination, expiration, non-renewal of each agreement).

d. Retain for one year:

*All other electronic records, documents and files* - Correspondence files, past budgets, bank statements, publications, employee manuals/policies and procedures, survey information.

3. **Exceptions.** Exceptions to these rules and terms for retention may be granted only by the Organization's chief staff executive or President of the Board of Directors.

## **Policy 217.00; Conflict of Interest Policy**

**Draft Adopted:** June 27, 2009

**Date Finalized:** July 3, 2009

**Dates Revised:** June 28, 2014 - General cleanup

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Policy:** This Conflict of Interest Policy of the California Academy of PAs: (1) defines conflicts of interest; (2) identifies classes of individuals within the Organization covered by this policy; (3) facilitates disclosure of information that may help identify conflicts of interest; and (4) specifies procedures to be followed in managing conflicts of interest.

- 1. Definition of conflicts of interest.** A conflict of interest arises when a person in a position of authority over the Organization may benefit financially from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This policy is focused upon material financial interest of, or benefit to, such persons.
- 2. Individuals covered.** Persons covered by this policy are the Organization's officers, directors and chief employed executive.
- 3. Facilitation of disclosure.** Persons covered by this policy will annually disclose or update to the President of the Board of Directors on a form provided by the Organization their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.
- 4. Procedures to manage conflicts.** For each interest disclosed to the President of the Board of Directors, the President will determine whether to: (a) take no action; (b) assure full disclosure to the Board of Directors and other individuals covered by this policy; (c) ask the person to recuse from participation in related discussions or decisions within the Organization; or (d) ask the person to resign from his or her position in the Organization or, if the person refuses to resign, become subject to possible removal in accordance with the Organization's removal procedures. The Organization's chief employed executive and Treasurer will monitor proposed or ongoing transactions for conflicts of interest and disclose them to the President of the Board of Directors in order to deal with potential or actual conflicts, whether discovered before or after the transaction has occurred.



## Conflict of Interest Disclosure

<b>CAPA Board Position</b>	
<b>Date</b>	
<b>Name</b>	

CAPA must ensure that as an officer, director and chief employed executive, you in no way benefit from a decision you could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This disclosure is focused upon material financial interest of, or benefit to, such persons.

CAPA has implemented a process wherein those who hold the above mentioned positions will state their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.

In order to do this, please complete this disclosure statement and return it to the CAPA President no later than July 1. This information is necessary to comply with CAPA's Conflict of Interest Policy. Without this disclosure, you may be disqualified from serving on the CAPA Board of Directors.

### Instructions

Please list any financial relationships which could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.

**If you have no relevant financial relationships with commercial interests, please check the box indicating that at the bottom of the form.**

### Use of This Information

A conflict of interest exists when an individual has a relationship/business interest which would benefit the individual or family member. **The intent of disclosure is not to disqualify a person from serving on the Board of Directors**, but to resolve any conflicts of interest that may arise from relationships the board member may have.

For each interest disclosed to the President of the Board of Directors, the President will determine whether to: (a) take no action; (b) assure full disclosure to the Board of Directors and other individuals covered by this policy; (c) ask the person to recuse from participation in related discussions or decisions within the CAPA; or (d) ask the person to resign from his or her position in CAPA or, if the person refuses to resign, become subject to possible removal in accordance with the CAPA's removal procedures. CAPA's chief employed executive and Treasurer will monitor proposed or ongoing transactions for conflicts of interest and disclose them to the President of the Board of Directors in order to deal with potential or actual conflicts, whether discovered before or after the transaction has occurred.

My Interest	Nature of Relevant Relationship	
	Nature of what I receive/d*	My role
<i>Examples:</i> XYZ Hotels XYZ Law Firm XYZ Pharmaceuticals	<i>Examples:</i> Nothing Expert Witness Fees Consultant Fees	<i>Examples:</i> Brother is CEO Expert Witness Consultant

**\*CAPA is not inquiring about the monetary amount**

<input type="checkbox"/>	<i>Neither I nor my spouse/partner/family member(s) have any relationship/business interests which would benefit me/us/them.</i>
--------------------------	--

Date:	Signature:

**California Academy of PAs use only:**

This disclosure form was reviewed by the President and chief employed executive

<b>Date of Review</b>	
<b>Name of Reviewer</b>	

**218.00**

**Policy 218.00; Insurance Guidelines**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

The corporation shall have the power to purchase and maintain insurance on behalf of any agent (as defined in Section 317 of the California Corporations Code) against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not the corporation would have the power to indemnify the agent against such liability under the provisions of Section 317 of the California Corporations Code. The Board of Directors may purchase and maintain directors and officers errors and omissions insurance, and general liability insurance in a minimum amount of \$1 million coverage per claim.



**219.00**

**Policy 219.00; Reserve Policy and Guidelines**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

The Board of Directors, to the extent possible, shall maintain a liquid reserve account equal to a minimum of 6 months of its average operating budget over the prior three years. This account will be named with "reserve" in the title for reporting purposes and will be reported separately in the financial statements.

Reserves are defined as cash or its equivalent maintained to meet future obligations of CAPA and are to be utilized only in the event income is not sufficient to meet its needs. An affirmative vote of two-thirds of the CAPA Board of Directors shall be required to allow any transfer of funds from reserves that would reduce the reserve account to less than 6 months of operating funds. All interest and dividends earned on reserve funds shall be included as income to the reserves and are not to be utilized for other expenses.

## **Policy 219.01; Annual Report and Statement**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

**Section 1. Annual Report.** The Board shall cause an annual report to be prepared within one hundred twenty (120) days after the end of the Academy's fiscal year. That report shall contain the following information, in appropriate detail, for the fiscal year.

- a. A balance sheet as of the end of the fiscal year, and an income statement and statement of changes in financial position for the fiscal year, accompanied by any report on them by independent accountants, or, if there is no such report, by the certificate of an authorized officer of the corporation that they were prepared without audit from the books and records of the Academy.
- b. A statement of the place where the names and addresses of current members are located.
- c. Any information required by Section 2 of this Article XVII.

The Academy shall notify each member annually of the member's right to receive a financial report under this section.

**Section 2. Annual Statement.** As part of the annual report, or as a separate document if no annual report is issued, the Academy shall annually prepare and furnish to each director a statement of any transaction or indemnification of the following kind within one hundred twenty (120) days after the end of the Academy's fiscal year.

- a. Unless approved by members under Section 7233(a) of the California Corporations Code, any transaction (i) in which the Academy or any subsidiary was a party, (ii) which involved more than Fifty Thousand Dollars (\$50,000) or was one of a number of such transactions with the same person involving, in the aggregate more than Fifty Thousand Dollars (\$50,000), and in which either of the following interested person had a direct or indirect material financial interval:
  - (1) Any director or officer of the Academy or any subsidiary; or
  - (2) Any holder of more than ten percent (10%) of the voting power of the Academy, its parent or any subsidiary.

The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Academy, the nature of their interest in the transaction and, if practicable, the amount of that interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interests of the partnership need be stated.

- b. A brief description of the amounts and circumstances of any loans, guarantees, indemnifications or advances aggregating more than Ten thousand Dollars (\$10,000) paid during the fiscal year to any officer or director of the Academy under Article XV of these Bylaws, unless the loan, guaranty, indemnification or advance has already been approved by the members under Section 5034 of the California corporations Code, or the loan or guaranty is not subject to the provisions of subdivision(s) of Section 7235(a) of the code.

## Policy 220.00; Antitrust Policy and Compliance Guidelines

Draft Adopted: June 28, 2014

Date Finalized: June 28, 2014

Dates Revised:

Proponent: Board of Directors

Purpose:

Reference:

### *CAPA ANTITRUST LAW COMPLIANCE POLICY*

It is the policy of the California Academy of PAs (CAPA) and its members to strictly comply with laws and regulations applicable to their activities, including federal and state antitrust laws. It is further the policy of CAPA to assist its members and volunteers in complying with federal and state antitrust laws. CAPA members and leaders are expected to conscientiously adhere to antitrust laws. CAPA will neither knowingly permit nor condone anti-competitive behavior, whether willful or inadvertent, in connection with any CAPA activity.

### *ANTITRUST LAWS*

The antitrust laws seek to preserve a free competitive economy. As a general rule, competitors may not restrain competition among themselves through understandings or agreements as to the price, the production or the distribution of their products, or other agreements that unreasonably restrict competitive capabilities or opportunities of their competitors, their suppliers or their customers. The antitrust laws also prohibit monopolization and attempts to monopolize, unfair methods of competition, unfair or deceptive acts or practices, most discrimination in prices between different purchasers in the sale of a commodity, exclusive dealing arrangements, most tying sales and requirements contracts, some joint ventures/mergers/consolidations, and similar activities. A more complete discussion of the antitrust laws (Sherman Act, Federal Trade Commission Act, the Clayton Act, the Robinson-Patman Act, and California's Cartwright Act) is available upon request from CAPA.

However, antitrust laws are often unclear in terms of applicability to any given conduct. Whether or not an antitrust violation exists depends purely on the specific conduct and facts involved in each instance. Notwithstanding the nebulous nature of the antitrust law, penalties for violating them, both civil and criminal, are severe. Certain activities can result in felony criminal convictions with penalties of up to three (3) years in prison and \$100K fines for individuals and \$1,000K fines for corporations per offense. Also, treble damages are available to private persons enforcing the antitrust laws.

Association members and leaders, in particular, have compelling reasons to understand and comply with antitrust laws because antitrust violation commonly consist of two elements: 1) **concerted action** which produces 2) an **unreasonable restraint of competition**. Since CAPA's activities involve meetings and activities of competitors (CAPA members), the *concerted action* element can generally be established without difficulty. The only other element necessary to prove a basic antitrust violation is to show that the action amounts to an *unreasonable restraint of competition*. So, agreements or activities of association members that are anti-competitive or have an anti-competitive effect, whether conducted as association business or not, could result in serious antitrust consequences.

### *MEMBER RESPONSIBILITIES*

CAPA programs are carefully designed and monitored on an ongoing basis to ensure compliance with antitrust law. Every CAPA member, whether organizational or individual, has a duty and

responsibility under the law to avoid and prevent antitrust violations. Every CAPA member needs to understand basic antitrust laws, to recognize areas of potential antitrust risk, and to overtly object to and refuse to participate in any activity that poses antitrust risk until that risk is properly assessed and cleared by legal counsel or other qualified advisor.

### ***AREAS OF RISK***

It is not possible to provide a complete or specific list of activities that amount to an antitrust violation. However, it is helpful to identify areas of risk, where close attention can be paid to the possible anti-competitive nature of the agreements or activity involve. Some areas of risk include discussions of the following:

- \* Controlling or influencing current or future prices (for purchase or sale), controlling or influencing price increases or decreases, or stabilization or standardization of prices

Note: Discussion of prices established by third parties not influenced or controlled by the discussing parties is generally not, standing alone, anti-competitive or illegal.

- \* What constitutes a “fair” salary or profit level
- \* Procedures for establishing selling prices, cash discounts, credit terms
- \* Control of sales levels, inventory levels or timing of sales
- \* Allocation or division of markets or geographical divisions of markets among competitors
- \* Agreements, recommendations or suggestions that members refuse to deal with certain other persons or firms (boycott)
- \* Whether or not the pricing practices of any competitor/industry member are unethical, or constitute an unfair trade practice
- \* Agreements limiting or restricting advertising
- \* Exclusion of qualified participants from membership without lawful cause

Again, some discussions relating to activities identified above will not amount to antitrust violations. However, discussions relating to them require thorough prior antitrust analysis and guidance in the discussion.

### ***CAPA MEETINGS***

To avoid even the appearance of impropriety, as well as to avoid inadvertent violation of antitrust laws, all CAPA board and committee meetings will be conducted in accordance with the following rules:

1. A written agenda will be prepared and distributed in advance of each meeting. Agendized issues with potential antitrust implications will be reviewed and discussed by the chairman, executive director and legal counsel, if deemed appropriate. Additions to the agenda having potential antitrust implications should be postponed, or discussions of such matters held with legal counsel or other qualified advisor present.
2. Accurate, detailed meeting minutes of every meeting will be prepared and reviewed. Audio, video or other recordings of meetings will not be permitted. Minutes will be approved at the next meeting.
3. In the event of concern regarding potential antitrust implications of a discussion, discussion must be discontinued pending resolution of the matter through the executive director or legal counsel, if necessary.
4. In the event that any member has a concern about potential antitrust implications of discussion during a meeting, he or she shall interrupt discussion and state that concern immediately. If discussion is not terminated and the concern resolved, the concerned member should state that he or she is leaving the meeting for that reason, and leave.
5. Conversations involving discussion of matters in violation of this policy will not be tolerated at a CAPA meeting, and violating parties may be ejected from the meeting by the chairman.

*This document has been prepared for general reference only. It is intended to inform CAPA leaders and members of basic antitrust principles to assist them in acting responsibly in the conduct of CAPA and members business activities. It must not be considered as a substitute for competent legal advice. It is recommended that interested persons confer with competent legal counsel antitrust concerns arise.*

221.00

## **Policy 221.00; Awards Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:** The purpose of CAPA's award program is to provide tangible recognition for exceptional service or achievement.

**Reference:**

Awards and citations are symbols of acknowledgement that may be presented by CAPA to individual CAPA members or other deserving persons or organizations that have rendered outstanding service and/or who have otherwise contributed to the promotion of CAPA aims and objectives.

### **Ordinary Awards Not Requiring Approval**

There are many ordinary awards given each year. Included in these (but limited to) are awards for leaders who are leaving their leadership positions and who have fulfilled all obligations as a CAPA leader/BOD member. CAPA Scholarship winners receive a plaque. The chief employed executive may award staff with special recognition for years of service or extraordinary accomplishments.

### **Gifts & Awards Budget**

Each year the Budget Committee will allocate funds for Ordinary Awards as outlined above.

### **Special Awards**

On occasion, the Board of Directors will present a special award to individual CAPA members or other deserving persons or organizations.

Any member of CAPA can make a nomination for a special award. Nominations will be reviewed by the CAPA Board of Directors for consideration. Included in the motion for special award approval, will be a request for funds for the award itself and any additional funds needed for the formal presentation.

### **Pride of the Profession Award**

In the case of the ***Pride of the Profession*** Award, (CAPA's highest honor) nominations will be brought to the President and to the past recipients of the ***Pride of the Profession Award*** for consideration. This is considered CAPA's highest honor and as such will be awarded only with a simple majority vote of past recipients and the President. All past recipients will be approached for their vote. If not all can be reached and/or don't wish to participate, proof of more than one attempt to reach them will be provided. The remainder will vote. In the case of a tie, the Vice President will vote. A perpetual plaque shall be hung in the CAPA office with the name, date and photo of each person who was presented with the ***Pride of the Profession*** Award.

Upon approval for awarding the ***Pride of the Profession*** Award, the President shall contact the chief employed executive so a budget can be developed for all aspects of the award presentation including but not limited to the cost for the actual award.

## **Policy 222.00; Preceptor Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:** June 24, 2017 - Removed paragraph offering free exhibit space to PA programs and paragraph offering the use of CAPA exhibit spaces for preceptor recruitment.

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

There are several new PA programs starting up in California and there are many established PA programs throughout the state. The competition for PA preceptor sites is greater than ever. While CAPA supports the creation of new preceptor sites, CAPA will not gather or be the repository of names/information of those who are interested in learning more about precepting or who wish to become a preceptor.

The Editor of the *CAPA magazine* may assign to the Chair of the PA Education Committee (or others at the discretion of the Editor) the task of writing articles for the *CAPA magazine* about becoming a PA preceptor.

**Policy 300.00; Membership**

**Draft Adopted:** September 14, 2014

**Date Finalized:** September 14, 2014

**Date Revised:**

**Proponent:** Board of Directors

**Purpose:** To establish the Academy membership procedure

**Reference:** CAPA Bylaws Article V

**Policy:** To establish membership procedures.

1. MEMBERSHIP APPLICATION AND CRITERIA

A. Criteria for Membership

All members of CAPA shall:

- a. meet the qualifications of membership as set forth in the CAPA Bylaws
- b. agree to (1) support the mission, ideals and goals of CAPA; (2) adhere to AAPA Code of Ethics that CAPA has accepted as their own and CAPA Code of Professional Conduct; (3) adhere to CAPA policies, rules, regulations and Bylaws; (4) abide in the reasonable decisions of duly constituted committees of CAPA, and (5) conduct him or herself in a manner not harmful or prejudicial to the interests of CAPA.

B. Application for Membership

Every new applicant for membership in CAPA shall provide the following:

- a. complete application
- b. initial dues payment
- c. pledge to, upon approval of the application, to (1) support the mission, ideals and goals of CAPA; (2) adhere to AAPA Code of Ethics and CAPA Code of Professional Conduct; (3) abide in CAPA policies, rules, regulations and Bylaws; (4) abide in the reasonable decisions of duly constituted committees of CAPA, and (5) conduct him or herself in a manner not harmful or prejudicial to the interests of CAPA.

2. MEMBERSHIP REVIEW

CAPA Staff shall review each application, and shall screen the suitability of the applicant for membership in the association based upon criteria set forth in CAPA policy, including the Bylaws, Code of Ethics, Code of Professional Conduct, other policies, applicable laws and regulations. Any applicant having areas of concern identified in the initial screen will be brought to the Board of Directors or its designate. When reviewing membership applications, CAPA will not consider information or matters not reasonably related to the above-referenced criteria.

3. APPROVAL OR DENIAL OF MEMBERSHIP APPLICATION:

CAPA Staff may approve membership applications based on the initial screen, but only the Board of Directors or its designate shall make a preliminary denial of a completed membership application. If the application is denied, the decision shall be made known to the applicant, and the applicant shall be informed of their right to a hearing concerning the denial of membership. A notice of request for a hearing shall be included with the notice of decision. An applicant may request a hearing concerning a denied membership application within 45 days of the date the notice of denial was mailed to the applicant. If no hearing is requested within 45 days, the denial is final, and no longer subject to hearing or appeal.

4. HEARING PROCEDURES



In the event that an applicant requests a hearing concerning a denied membership application, due process requirements are applicable. To satisfy due process requirements there must be: (a) reasonable notice of the reasons for denial of the application, (b) notice of the time and place for the hearing, and (c) an opportunity to refute all claims concerning lack of eligibility for membership. Neither the applicant nor CAPA shall be entitled to be represented or accompanied by legal counsel during the hearing portion of this process, but either party may be represented by legal counsel outside of the hearing. All hearings shall occur in the written form.

Upon hearing and consideration of the facts and evidence presented, the CAPA Board of Directors, or its designate, shall render a decision. Every decision, whether for approval or denial of membership, shall be in writing, and denials shall specify the reasons for the denial. Notice of the decision shall be sent by return receipt requested mail or courier to the applicant. Decisions of the CAPA Board of Directors or its designate are final.

#### NOTICE TO DENIED MEMBERSHIP APPLICANT OF RIGHT TO REQUEST A HEARING

Persons and/or entities denied membership in CAPA are advised of the following procedures:

1. APPROVAL OR DENIAL OF MEMBERSHIP APPLICATION:

Based upon its review of the membership application and related materials, CAPA shall approve or deny each complete membership application. If the application is denied, the decision shall be made known to the applicant, and the applicant shall be informed of their right to appeal concerning the denial of membership application. A notice of request for appeal shall be included with the notice of decision. An applicant may appeal a denial of membership application within 45 days of the date the notice of denial was mailed to the applicant. If no appeal is requested within 45 days, the denial is final, and no longer subject to appeal.

2. APPEAL PROCEDURES

In the event that an applicant requests a hearing before the CAPA Board of Directors or its designate concerning a denied membership application, due process requirements are applicable. To satisfy due process requirements there must be: (a) reasonable notice of the reasons for denial of the application, (b) notice of the time and place for the hearing, and (c) an opportunity to refute all claims concerning lack of eligibility for membership. Neither the applicant nor CAPA shall be entitled to be represented or accompanied by legal counsel during the hearing portion of this process, but either party may be represented by legal counsel outside of the hearing. All hearings shall occur in the written form.

Upon hearing and consideration of the facts and evidence presented, the CAPA Board of Directors, or its designate, shall render a decision. Every decision, whether for approval or denial of membership, shall be in writing, and denials shall specify the reasons for the denial. Notice of the decision shall be sent by return receipt requested mail or courier to the applicant. Decisions of the CAPA Board of Directors or its designate are final.

## **Policy 301.00; Special Membership Designations**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** April 21, 1996 - Added Retirement (edited as approved in 1998 bylaws during 1999 P&P update)  
August 29, 1998 - Revised Founding Member to include Honorary Founding Member (edited as approved in 1998 bylaws during 1999 P&P update)  
August 29, 1998 - Added Interim Student  
January 28, 2006 - Updated Interim Student  
June 27, 2008 - General cleanup  
July 1, 2012 - Added Pre-PA Membership  
June 28, 2014 - Defined Special Designations and deleted duplicate membership classes that are in bylaws  
June 24, 2017 - Removed Physician/PA membership

**Proponent:** Board of Directors and Membership Committee

**Purpose:** To establish the Academy membership categories

**Reference:** CAPA Bylaws Article V

**Policy:** From time to time CAPA may create special membership classifications to signify unique group classifications of membership in CAPA.

### **Special Designations:**

**FOUNDING/HONORARY FOUNDING:** The Founding member classification is reserved exclusively for those who participated in the founding of CAPA. PAs who have been, or are CAPA members and who have demonstrated exemplary service in the advancement of the California Academy of PAs and the PA profession generally may be accorded recognition for such stellar service by being appointed as Honorary Founding Members. Honorary Founding Members shall be nominated by a Fellow or Associate member and must be confirmed by a two-thirds (2/3rds) vote of the CAPA Board of Directors. They shall be known as Honorary Founding Members, in addition to their current or previous membership status. They shall have no rights and privileges of CAPA, however, except as granted to them by whatever other CAPA membership status they currently hold.

# 301.01

## **Policy 301.01; Membership Dues**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** April 21, 1996, -- Added Retirement (edited as approved in 1998 bylaws during 1999 P&P update)  
August 29, 1998 - Added Founding/Honorary Founding (edited as approved in 1998 bylaws during 1999 P&P update)  
June 4, 1999 - Revised VI to omit actual charges, replace with Board of Directors designation.  
August 29, 1998 - Added Interim Student  
July 1, 2012 - Added Pre-PA  
July 1, 2013 - Added 20% discount for PA Program Faculty  
June 28, 2014 - Added dues amounts  
June 24, 2017 - Updated dues amounts  
July 1, 2018 - Updated dues amounts

**Proponent:** Board of Directors

**Purpose:** To establish the dues structure of the Academy.

**Reference:** CAPA Bylaws Article VII Section 4., c.; CAPA Board Meeting Minutes 11/4/2009

**Policy:** The CAPA Board of Directors will impose such charges, dues and/or assessments as it may deem advisable for purposes of furthering the Academy's objectives.

## **Annual CAPA Dues**

The Board of Directors shall determine annual dues in the following categories:

- Fellow - \$240
- Associate - \$240
- Student - \$30
- Interim Student - \$60
- Physician - \$240
- Retired \$50
- Military - \$50
- Affiliate - \$125
- Group Membership -see below

The following dues categories are considered complimentary:

- Honorary Lifetime Member
- Hardship

California PA Programs that enroll 100% of their full time faculty will receive a 20% discount for the Fellow or Associate member rate.

Group (employed by the same company) of 400 or more CAPA members shall receive a 28.5% discount on membership dues for their designated employees. The Chief Employed Executive will review the number of members the company pays for each year and renegotiates the amount as deemed appropriate (for example if 600 members are in the group, the discount may be greater per member).

## **Policy 302.00; Hardship: Waiver of Dues**

**Draft Adopted:** July 29, 1995

**Date Finalized:** October 14, 1995

**Dates Revised:** June 27, 2008 - General cleanup and updated section III - Hardship Membership can be conferred by the chief employed executive or office designee instead of a majority vote from the BOD.

**Proponent:** Board of Directors

**Purpose:** To establish policy regarding Hardship Membership in the California Academy.

**Reference:** CAPA Bylaws Article VII, § 4., c.

**Policy:** The California Academy recognizes that current and potential Fellow, Associate and Student members may find themselves in extraordinary financial circumstances through no fault of their own making payment of dues an unreasonable hardship. Furthermore, through this policy and procedure, the California Academy will grant Hardship membership in the California Academy for qualifying Fellow, Associate and Student members. Hardship Membership in the California Academy means that dues are waived for the current fiscal year. A member in the Hardship category retains all rights and privileges consistent with the membership category for which they qualify.

- I. Request for Hardship Membership in the California Academy must either be requested in writing by the member or potential member, or by a member of the Board of Directors.
- II. At the discretion of the President, or at the request of a member of the Board of Directors, an *Ad Hoc* Committee of the Board may be appointed to review a request for Hardship Membership and to provide a recommendation for action to the full Board of Directors.
  - A. Nothing in this policy shall be construed to imply that the Board cannot act on a request for Hardship Membership directly.
  - B. After a formal request for Hardship membership, and while a Board decision is pending, an existing member of the California Academy shall temporarily retain all rights and privileges of their previous membership status.
  - C. The *Ad Hoc* Committee has the authority to investigate any and all circumstances surrounding a member's or potential member's hardship status in preparation of their recommendation.
  - D. Failure of the member or potential member to cooperate fully with the *Ad Hoc* Committee will result in the immediate denial of the request for Hardship membership.
- III. Hardship Membership in the California Academy can be conferred by the chief employed executive or their office designee.
- IV. When appropriate, requests for Hardship Membership in the California Academy must be renewed annually when appropriate.
- V. Examples of situations which qualify for Hardship Membership include, but are not limited to:
  - A. Medical disability.
  - B. Illness.
  - C. Injury.
  - D. Full-time service in the Peace Corps or international humanitarian health practice.

- E. Other extraordinary financial hardship out of the control of the member or potential member.
- VI. Examples of situations which do not qualify for Hardship Membership include, but are not limited to:
- A. Disciplinary action.
  - B. Termination of employment for cause.
  - C. Military Active Duty.
  - D. Conviction of a crime.
  - E. Other financial hardship in the control of the member or potential member.

## **Policy 304.00; Code of Professional Conduct**

**Draft Adopted:** September 14, 2014

**Date Finalized:** September 14, 2014

**Date Revised:**

**Proponent:** Board of Directors

**Purpose:** To establish the Academy Code of Professional Conduct

**Reference:** CAPA Bylaws Article V

**Policy:** To establish the CAPA Code of Professional Conduct.

*CAPA Code of Professional Conduct:*

1. Members are required to respect the CAPA governing documents, including the CAPA Articles of Incorporation, Bylaws and Policy Manual.
2. Members are required to abide by decisions that have legitimately been made by the appropriate bodies of CAPA.
3. Members will refrain from activities that wrongfully damage the reputation or credibility of CAPA, its staff, membership, and/or its leaders.
4. Members are expected to behave according the generally accepted professional standards and to refrain from fraudulent and otherwise unethical practices.
5. Members are expected to adhere to *AAPA's Code of Ethics*.
6. Members may report and issues involving a potential violation of the *CAPA Code of Professional Conduct* directly, confidentially and anonymously to the Board of Directors or the Executive Director. All complaints of potential violations of the Code made in good faith will receive a fair and reasonable investigation conducted with the relevant internal and/or external assistance.

Activities considered a breach of the *CAPA Code of Professional Conduct* include, but are not limited to:

1. Any material misrepresentation of service, employment, or credentials in application for any class of membership, or made during the duration of membership, or made when serving as a volunteer leader of CAPA.
2. Any activity intended to wrongfully disrupt the operations, credibility or unity of CAPA.
3. Any act that violates the Articles of Incorporation, Bylaws, and/or Policy Manual, such as using one's position in CAPA to promote or advance personal, political, religious, or social agendas.
4. Any act that misrepresents or violates CAPA's 501(c)(6) status, that brings public disrepute upon CAPA, or that seeks to wrongfully undermine the purposes or programs of the association.
5. Any defamation, vilification, or deceitful act, false accusation, or slander or libel against CAPA, its officers, members or staff.
6. Any misrepresentation or use for any purpose other than the stated purposes of CAPA's name, symbols, icons, trademarks, certificates, copyrighted material, purposes, activities, membership or member data, including any act, assertion, or implication of, affiliation with, sponsorship of, or approval by CAPA not permitted by CAPA.
7. Any use, duplication, sale, disclosure or distribution, including direct or indirect contact of other members, as an individual or as a representative of any company or corporation, for any private, commercial or marketing purpose or use for any other purpose other than the stated purposes of CAPA of the CAPA name, symbols, icons, trademarks, certificates, copyrighted material, purposes, activities, membership or member data without prior written permission by CAPA
8. Any wrongful disclosure, directly or indirectly, of any confidential information relating to CAPA business, staff, or other CAPA members.
9. Any act in violation of a fiduciary or other trust exercised on behalf of CAPA.

10. Any felonious violation of U.S. federal, state, or local laws or any prosecutable or indictable act, at the discretion of the Board of Directors, whether or not related to CAPA.
11. Any conflict of interest or appearance of conflict of interest with CAPA's Articles, purposes, neutrality or objectives if not resolved immediately and satisfactorily upon notification and concurrence of the Board of Directors.

## **Policy 401.00; Member, CAPA Leaders, Professional Decorum**

**Draft Adopted:** August 27, 2011

**Date Finalized:** November 5, 2011

**Proponent:** Board of Directors

**Date Revised:** June 28, 2014 – Added Electronic Use and Fragrance Free Policies

**Purpose:** To clearly define the expected standards of decorum for all CAPA leaders

**Reference:** None

### **Policy:**

The way CAPA leaders conduct themselves is the foundation on which our organization is built. Professional decorum is an outward and visible sign of the principles we embody and the professionalism we strive to maintain.

By adopting and following the following CAPA Rules of Decorum for Board meetings and other official meetings, we will help to ensure the professionalism and integrity of the organization.

### **Electronic Use Policy during Board Meetings and Retreats**

- CAPA expects full, engaged participation of all leaders.
- Electronic devices which have the ability for two way communication or audio/video recording will be silenced and stowed during meetings of the Academy. Meetings, under no circumstance, will not be recorded unless directed by the Board
- Should an urgent or emergency call be received, the leader will be expected to excuse themselves from the meeting room to take the call. The minutes will reflect which leader(s) received calls during the meeting. Computers and tablets may be used only for purposes related to the discussion.
- The secretary or designated minute-taker is expected to have a computer for record keeping
- Computers, email and phone may be used during meeting breaks, but it is expected that they be stowed again during the meeting.

### **Wear Appropriate Attire**

- At CAPA meetings, the appropriate attire for CAPA leaders is business casual.

### **Attend Meetings and Be On Time**

- It is important to attend all Board meetings.
- If you find there is a conflict that will keep you from attending a meeting, notify the President immediately
- Arrive at meetings at least 15 minutes early
- When participating in conference calls/teleconferences, be on time

### **Avoid Any Form of Profanity or Swearing**

- Profanity is not acceptable when conducting business/participating in activities on behalf of CAPA
- Avoid telling off-color jokes or making inappropriate comments of any type.

### **Fragrance Free Meetings**

We recognize that exposure to strong scents and fragrances in the environment can cause discomfort, as well as directly impact the health of some individuals. Since we hope to support a healthful environment for employees and members, it is CAPA's policy to have a fragrance free environment. Therefore, for the comfort and health of all, immediately before and during CAPA meetings, please refrain from the use of scents and fragrant products (other than minimally scented personal care products).

### **Enforcement:**



All CAPA leaders and/or staff may notify the CAPA President to report conduct they feel violates this policy. The CAPA President will address the issue individually with each leader who is not in compliance. If the behavior continues, a director may be subject to disciplinary action consistent with the CAPA Bylaws. If they are a Committee Chair or Committee member, they may be removed from the Committee at the discretion of the President.

## **Policy 401.01; Member, Board of Directors Position Description**

**Draft Adopted:** January 03, 1998

**Date Finalized:** June 27, 1999

**Dates Revised:** June 9, 1999 - Minor typographical changes

January 28, 2006 - Combined Policy 401.00 and general cleanup

June 27, 2008 - General cleanup and changed the submission requirement of the written report to the CAPA office from 2 weeks to 15 working days before a scheduled meeting.

July 1, 2010 - Added membership requirements section.

July 1, 2012 - Added President to Membership Requirements.

June 28, 2014 - Clarifying expectations

**Proponent:** Board of Directors

**Purpose:** To clearly define the role and responsibilities of the CAPA Board of Directors.

**Reference:** None

**Policy:** Members of the California Academy of PAs' Board of Directors have a fiduciary responsibility to the organization. Members of the Board of Directors are personally accountable for, enabling the organization to achieve its mission, vision and goals, realize its opportunities, and fulfill its obligations to its members and the general public. Board members must be dedicated to the vitality of the Academy, participatory, knowledgeable, strong and supportive, stakeholder-oriented, and empowering of the chief employed executive and staff. They must commit extensive time and service to the Academy. They must bring resources and talents that benefit the long-term viability and strengthen the future of the Academy.

### **General Expectations and Responsibilities**

#### **GENERAL**

- To prepare for and attend scheduled Board meetings.
- To attend Board of Directors Retreat/Strategic Planning Session.
- To serve in leadership positions and committee assignments, when applicable, willingly and enthusiastically.
- To apply obedience to the governing documents, the Code of Ethics, a fiduciary duty of care, inquiry and loyalty to the organization.
- To serve the full term of office and not terminate prior to expiration of the term without reasonable cause.
- To appoint and employ, and at its discretion to remove and suspend permanently or temporarily, the chief employed executive.

#### **POLICY**

- To participate in the development, approval and establishment of policies through which the work of the Board is accomplished.
- To suggest appropriate policy-related agenda items for meetings and ask substantive questions, while supporting majority decision on matters decided by the Board.
- Preferably, to bring the experience of service on other successful Boards and with growing organizations.
- To ensure policy created allows full operation of CAPA as a nimble organization to continue work on CAPA's Mission and towards its Vision.

#### **PLANNING**

- To help ensure effective organizational planning by reviewing, critiquing, and approving annual budgets and long-range plans.
- To be knowledgeable about the environment in which CAPA functions.
- To follow trends in our field of interest to best serve the PA profession.
- To identify changing stakeholder interests and build stakeholder investment.

## **FINANCES**

- To ensure CAPA's long-term financial stability and integrity.
- To adopt an annual budget for CAPA.
- To ensure appropriate checks and balances are in place for safeguarding of CAPA's finances.
- To ensure that periodic financial reviews of CAPA's finances are conducted.
- To read and understand CAPA's financial statements and otherwise assist the Board to fulfill its fiduciary responsibility.
- To determine who shall be authorized to sign, on the Academy's behalf, bills, receipts, endorsements, checks, releases, contracts, and documents.
- To impose such charges, dues and/or assessments as it may deem advisable for the purposes of furthering the Academy's objectives.

## **DEVELOPMENT**

- To participate actively in fundraising events undertaken by CAPA and such activities approved by the Board for the purpose of enhancing CAPA's financial base.
- To assist in efforts to recruit new and retain current members.
- To contribute to ensuring the adequacy of resources to meet effectively CAPA's current needs and its long-term financial solvency.
- Consistent with the Bylaws, to fill all vacancies occurring between annual elections.

## **MEMBERSHIP REQUIREMENTS**

- Fellow membership is required per CAPA Bylaws, Article 7, Section 5 for the positions of President, President Elect, Vice President, Treasurer and Secretary. To serve in these positions, one must remain a Fellow member in good standing of CAPA and AAPA throughout their entire term. All other Board members must remain a CAPA member in good standing throughout their entire term.

## **Policy 401.02; Meeting Attendance and Confidentiality Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

CAPA Board and committee meetings shall be open only to members of the Board/committee, and other persons authorized by law, the Bylaws or CAPA policies, or action of the Board, subject to the following provisos:

1. In the event that the matters being discussed are confidential or proprietary, as determined in the sole discretion a majority of that Board or committee, the Board or committee shall enter into executive session or attorney-client privileged session for the duration of that discussion. If such an instance, only members of the Board or committee, and those specifically authorized by the Board or committee to do so may be present for said discussions.
2. The Board or committee shall enter into executive or attorney-client session to protect the interests of CAPA, and may in its discretion do so to protect the interests and/or privacy of others.
3. Members of the Board or committee may be excluded from a discussion of that respective Board or committee only in the event that said Board or committee member has, with respect to the matter being discussed, a material conflict of interest.
4. Confidential minutes shall be kept of all executive and attorney-client privileged sessions. Said confidential minutes shall be maintained in a secure manner in the headquarters office of the Association until such time as the Board determines that the confidential minutes are no longer confidential or proprietary.
5. The regular minutes of the Board/committee meeting shall, at a minimum, note that a matter was discussed in a confidential or attorney-client privileged session. The minutes need not reflect the nature of the topic discussed. The regular minutes may include such portions of the discussion as may be determined by the Board or committee not to be confidential or proprietary.
6. Members of the Board/committee shall maintain matters discussed in executive or attorney-client session as confidential until and to the extent that disclosure of such matters is authorized by the Board or committee. The officers of CAPA shall have a right to review all confidential matters of all CAPA committees unless otherwise directed by the Board.

## **Policy 402.00; Presidential Reimbursement**

**Draft Adopted:** July 29, 1995

**Date Finalized:** October 14, 1995

**Dates Revised:** June 27, 2008 - Changed reference to Western Region salaries to be more specific to California

June 28, 2014 - General cleanup

**Proponent:** Board of Directors

**Purpose:** To establish Policy for Reimbursing the President.

**Reference:** AAPA Presidential Reimbursement Policy.

**Policy:** It is the policy of the California Academy of PAs to eliminate or mitigate any financial impediment to service as President. Therefore, to the extent feasible in light of the California Academy's financial resources, the California Academy shall reimburse the President for lost income as a result of time away from the President's employment to perform the California Academy's business or paid leave time used to perform CAPA Business. The maximum amount of reimbursement payable for unpaid time away from the President's employment setting or paid leave time used to perform CAPA business will be based on current information regarding California PA salaries and recent history reflecting the proportion of time the President spends away from the employment setting on CAPA business. Such reimbursement is not meant to augment the President's income and may not compensate 100% of all costs, inconveniences and intangible losses incurred by the President or the employer. The reimbursement should be sufficient so as not to deter quality leaders from pursuing the California Academy's highest elected post.

The budgeted maximum amount of reimbursement available in any given fiscal year, and the manner in which it is disbursed, will be derived according to guidelines developed and monitored by the chief employed executive in conjunction with the Budget Committee.

### **Procedure:**

- I. Guidelines for disbursement of funds on behalf of the CAPA President
  - A. A draft budget for Presidential reimbursement shall be formulated on an annual basis by the Budget Committee. The budget shall be based on the anticipated amount of time the President will spend away from his or her employment setting based on recent history of Presidential duties. In addition, in determining the maximum amount of Presidential reimbursement appropriate for the budget, the Budget Committee shall establish a maximum hourly or daily salary equivalent determined based on the upper percentiles of PA salaries in California, as published by the AAPA.
  - B. After assuming the position of President-elect, the Budget Committee and the President-elect shall meet to review reimbursement options, taxation implications and the preferences and needs of the President-elect.
  - C. Special needs or requests of the President-elect may be addressed through adjustments to the salary equivalency used to prepare the initial draft budget prepared by the Budget Committee and the chief employed executive.
  - D. The President shall submit itemized vouchers for reimbursement setting forth the amount of lost income from employment or paid leave time used while performing CAPA business. Such vouchers shall state the number of hours or days of employment missed or paid leave time used to perform CAPA business and the amount of salary or wages lost a result thereof.

- E. Vouchers shall be approved by the Budget Committee and payment shall be made by the chief employed executive pursuant to CAPA reimbursement policy.
- F. Funds may be disbursed to either the employment setting or the President.

## **Policy 403.00; Spokesperson**

**Draft Adopted:** July 16, 1994

**Date Finalized:** September 25, 1994

**Dates Revised:** June 27, 2008 - Deleted section III which previously authorized Board members, Committee Chairs and the chief employed executive to respond to direct requests for media interviews without contacting the President as long as the information requested was within their area of expertise and they were clear and knowledgeable on CAPA's policy regarding the question.  
June 28, 2014 - Ratification of Executive Committee  
July 1, 2015 - Amended Section I and added Section IV to clarify procedural policy for operational inquiries.

**Proponent:** Board of Directors

**Purpose:** To establish the formal spokesperson of CAPA

**Reference:** CAPA Bylaw Article VIII

**Policy:** It is the policy of CAPA that external communications represent the formal policies of the Academy.

- I. The President is the official spokesperson of CAPA and may speak publically on behalf of the CAPA Board of Directors on all issues involving the Academy. Notwithstanding the role of the President as CAPA's official spokesperson, CAPA volunteer leaders are authorized and encouraged to communicate openly with CAPA members concerning CAPA affairs as part of their service to CAPA when doing so is appropriate. The appropriateness of said communications will depend on the nature and purpose of the communication. Generally, if the subject matter of the communication is confidential in nature, or if the inquiring party's purpose in making the inquiry is unduly inquisitive, critical or potentially threatening to CAPA, even if the inquiry is arguably innocuous, a greater degree of care and formality in the response is required. Such matters should be referred to the spokesperson for response as set forth in section IV below. Responses to ordinary questions about CAPA or CAPA business, plans or policies, if otherwise appropriate, may be addressed by a director in his or her reasonable discretion.
- II. The President has the authority to appoint other spokespersons at his or her discretion, subject to ratification of the Executive Committee.
- III. A brief report regarding the external communication, the information given and follow-up needed (if any) is to be forwarded and provided to the chief employed executive in a timely manner.
- IV. In-person inquiries, criticism, concerns or similar questioning from CAPA members or non-members regarding the operations of CAPA, including, but not limited to, its finances, governing documents, elections, leaders, staff, consultants, committees, workgroups, or task forces, shall direct the inquirer to contact the President by email at [capa@capanet.org](mailto:capa@capanet.org). Similar written inquiries, e.g. Email, Facebook, Twitter, LinkedIn, etc., shall be provided to the President and copied to the chief employed executive prior to issuing any response. The President shall, in consultation at a minimum with the chief employed executive, determine an appropriate response, which situation dependent may include no response.

## **Policy 404.00; Lines of Authority**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** June 27, 2008 - Changed policy to reflect that the Executive Committee, in consultation with key leaders evaluates the chief employed executive  
July 1, 2012 - added to section II to include contractors  
June 28, 2014 - General Cleanup

**Proponent:** Board of Directors

**Purpose:** To establish clear-cut lines of authority and responsibility within the organizational structures of CAPA.

**Reference:** CAPA Bylaws Article VII & Article VIII

**Policy:** It is the policy of CAPA to establish a clear-cut chain of command within all command and control mechanisms of the Academy.

- I. The President is the chief elected officer of the Academy and shall preside at all meetings of the Academy and at all meetings of the Board of Directors.
- II. The chief employed executive is the chief staff and administrative officer in charge of the Academy's operations. The chief employed executive hires, terminates, supervises and evaluates all employees and contractors of the Academy and oversees contract compliance and performance.
  - A. The supervisor of the chief employed executive is the Board of Directors, with the president serving as an interface between the BOD and the chief employed executive. The members of the Compensation Committee per CAPA Policy 215.00, in consultation with key CAPA leaders who have worked closely with the chief employed executive during the year shall evaluate the performance of the chief employed executive and meet with and present the evaluation to the chief employed executive prior to June 30 of each year. At the time of evaluation, the Compensation Committee will discuss if a performance bonus is warranted and whether or not in the 4<sup>th</sup> quarter, funds are available for a bonus.
  - B. The chief employed executive has the right to review with the President and/or members of the Executive Committee all requests for assistance and/or action from others on or off the Board to ensure appropriateness and priority for action.
- III. In the event of a temporary absence or incapacity of the President, the Vice President shall assume his or her duties; or, if the Vice President is unable or unavailable, the President-elect shall do so.
- IV. The chairpersons of the Standing and *Ad Hoc* Committees of CAPA preside at all meetings of their respective committees. Committee chairs report directly to the Board of Directors and interface with the President.



## **Policy 406.00; Executive Committee**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** March 11, 2000 - Revised I. below, removed Treasurer and Secretary

June 27, 2008 - Added VI.

July 1, 2010 - Updated I to reflect July 1, 2010 Bylaws changes.

July 1, 2012 - Added section III regarding duties to make legislative and regulatory recommendations to the Board of Directors. Added 30 day reporting requirement for legislative actions to section V.

September 8, 2012 - Changed reporting requirement timeframe in section V from 30 days to 72 business hours.

June 28, 2014 - Defined Role of Executive Committee and removed section VII.

**Proponent:** Board of Directors

**Purpose:** To establish the Executive Committee.

**Reference:** CAPA Bylaws Article X

AAPA Bylaws

**Policy:** The California Academy of PAs has a duty to adhere to its Mission and progress towards its Vision. To accomplish these mandates, the Executive Committee is intended to act on behalf of the Board of Directors for matters facing CAPA between scheduled meetings of the full Board of Directors.

- I. The Executive Committee is a subcommittee of the Board of Directors and shall consist of the President, the Immediate Past-President, the President-Elect, and the Vice President. In the event of two consecutive Two Year Presidents (creating vacancies in the positions of President-Elect and Immediate Past-President), the Board shall appoint the Treasurer, the Secretary or a Director-At-Large to the Executive Committee. The Executive Committee must be comprised of at least 3 individuals at all times.
- II. The Executive Committee is empowered to act on behalf of the Board of Directors between scheduled Board meetings, Specific Actions of the Executive Committee will move with majority vote of the Executive Committee members.
- III. In addition to other duties assigned it by the Board, the Executive Committee shall review all proposed legislation and regulatory changes which can be reasonably expected to have an impact on the Academy's membership. Upon review, the Executive Committee will make recommendations to the Board of Directors for positions on legislation and regulations. Should a piece of legislation or regulation language change or be introduced in between scheduled meetings of the Board of Directors, and the Executive Committee agrees that a position, position change or a position letter is required prior to the meeting of the board, the Executive Committee is empowered to act on behalf of the Board of Directors. Actions of the Executive Committee will move with majority vote of the Executive Committee members.
- IV. Meetings of the Executive Committee are convened in accordance with Article VII., §12 **Special Meetings** of the CAPA Bylaws.
- V. The Executive Committee shall report its actions to the full Board of Directors at the earliest regular meeting of the Board.
- VI. All such committee actions must be reviewed and ratified by the Board of Directors, and shall be included in the official Board minutes.

## **Policy 407.00: Leader Reimbursement for the CAPA Summer Conference**

**Draft Adopted:** November 5, 2011

**Date Finalized:** January 28, 2012

**Dates Revised:** June 28, 2014 - Defined Work and added Section III  
June 24, 2017 - Changed "Fall" to "Summer and updated definition of "work."

**Proponent:** Board of Directors

**Purpose:** To establish policies for reimbursement for expenses associated with leaders' attendance at CAPA's Summer Conference.

**Policy:** The California Academy of PAs supports involvement of its leaders at the Summer CAPA Conference.

- I. **Reimbursement.** The Budget Committee, in preparing the draft CAPA budget each year, will take into account the costs associated with leaders' participation at the Summer Conference, among other factors. The Summer Conference Leader Attendance budget line item will be created taking into account CAPA's overall financial picture. **Maximum reimbursement will include A & B below:**

CAPA may provide funds toward travel expenses—as outlined below and contained in the CAPA Reimbursement Policy—for members of the CAPA Board of Directors and Committee Chairs. To receive reimbursement, leaders attending the CAPA Conference will make themselves available and will "work" the conference. "Work" is defined as tasks assigned at the conference and may include, but is not limited to, introducing speakers, assisting in registration, moderating events and others. Leaders who do not wish to be assigned to tasks while at the Summer Conference, will waive any reimbursement by CAPA for travel to or attendance at the Conference. CAPA staff is authorized to review all travel arrangements and alert the President and CME Chair when appropriate.

A. **Travel Stipend.** CAPA may provide funds toward round-trip travel expenses to the Summer CAPA Conference for leaders who make themselves available to work the Conference and in accordance with the CAPA Reimbursement Policy. The amount of the travel stipend will be determined by the Budget Committee and approved by the Board of Directors at the beginning of the fiscal year as part of the CAPA Annual Budget.

B. **Hotel.** For those eligible, CAPA may provide funds toward lodging equal to the number of days of the CAPA Conference. Reimbursement for expenses related to hotel costs shall be in accordance with the CAPA Reimbursement Policy.

- II. The CAPA office will distribute copies of this policy to each CAPA leader at the Annual Leadership Retreat each June.
- III. **CME:** The expenses associated with attending CME at the conference, and receiving credit for the CME, is not included in this policy. Although there is a requirement of "work," Board members will be able to participate and attend CME events, and receive credit, if they registered for the conference and paid the appropriate registration fees.

## **Policy 501.00; Committee Service**

**Draft Adopted:** January 7, 1996

**Date Finalized:** October 10, 1996

**Dates Revised:** August 28, 1999 - Revised term of office  
September 12, 2004 - Revised CME and GAC committees' term of service and added requirement that all members of a committee be a CAPA member.  
June 27, 2008 - General cleanup to add Interim Student  
July 1, 2010 - Revised Student Affairs Committee term of service and updated GAC to LAC  
July 1, 2012 - Revised section 1 to delete LAC Chair and added section 2 regarding approval of committee members and section 3 regarding prior approval of projects and activities.  
June 28, 2014 - Clarify committee term  
January 29, 2017 - Revised CME Committee term date

**Proponent:** Board of Directors

**Purpose:** To establish policy for committee service.

**Reference:** CAPA Bylaws Article XI.

1. Eligibility to serve on a CAPA committee is determined by membership class, as outlined in Article V of the CAPA Bylaws, and the Committee Chair or Member must be, in good standing throughout the entire term of service. The terms of appointments of Committee Chairs and Committee Members shall be one (1) year from July 1 to June 30. The only exception is the CME Chair(s) and their respective committee whose term shall be from September 1 through August 31. Committee Chairs and Committee Members shall consider their obligations complete at the end of this period, with no expectation of future appointment as a Committee Chair or as a member of that committee.
2. Those wishing to serve on a CAPA committee may apply for appointment. To apply to serve on a committee, CAPA members shall submit a letter, email or fill out online interest form and submit to CAPA expressing their reasons for wanting to serve on a CAPA committee and provide any special qualifications they may have. Upon confirmation of membership in good standing, the CAPA office will forward the applicants' information to the appropriate Committee Chair for consideration. If, after review, the Chair would like to invite the committee applicant to serve on their committee, they will submit the name to the Board of Directors for approval. Upon approval, the invitation to serve on a CAPA committee will be made. Those who will be members of the Board of Directors during any portion of the term of their committee service will be exempt from applying to serve on a committee, but acceptance on to the committee must come from the Committee Chair. Between meetings of the Board of Directors, the Committee Chair may ask a CAPA member who has applied for membership on the committee to observe committee meetings and participate until the board takes action to approve/not approve them as a committee member. Should the need arise to invite a member to a committee between scheduled meetings of the board; a request could be made by the Committee Chair to the Executive Committee per CAPA policy 406.00.
3. Committee Chairs must seek prior approval from the Board of Directors for all projects or activities that would require the use of CAPA's time, funds or other resources or would associate CAPA's name with such project or activity. Only those projects or activities proposed to and approved by the Board of Directors will be funded or authorized. Even projects or activities not requiring funds must be approved by the Board of Directors prior to commencement of the activity and/or prior to any commitment of time or resources by the Committee Chair or committee member. If commencement of the project or activity is time sensitive, any Committee Chair may request the Executive Committee's approval of a project or activity.

# 502.00

## **Policy 502.00; *Ex Officio* Members of CAPA Committees**

**Draft Adopted:** January 24, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** July 1, 2010 - Updated to change Government to Legislative  
July 1, 2012 - Added Public Policy Director and deleted Affairs Committee.  
Also removed Procedure III  
June 28, 2014 - Added Chief Employed Officer in Procedure I  
July 1, 2018 - Removed Section II

**Proponent:** Board of Directors and Professional Practice Committee

**Purpose:** To formulate policy governing the role and function of *ex officio* members of CAPA committees

**Reference:** Modern Parliamentary Procedure, p. 91.

**Policy:** The California Academy of PAs recognizes that certain of its committees will have *ex officio* members.

### **Procedure:**

- I. Unless otherwise provided in the bylaws or policies, the President and chief employed executive of the California Academy of PAs will be an *ex officio* member of all committees, sub-committees, and other entities of CAPA.
  
- III. *Ex officio* membership will confer all the privileges of other committee members, including the right to vote, but not the obligation to attend meetings regularly.
  
- IV. An *ex officio* member shall not be counted in determining the number of members that constitute a theoretical quorum for meetings in general; however, if an *ex officio* member is present, his/her presence will be counted toward the establishment of a quorum for that particular meeting.

**503.00**

**Policy 503.00; Committee Rules**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:** To establish committee charges

**Reference:** CAPA Bylaws

All committees shall be accountable to, and work at the direction and pleasure of the Board of Directors. Committees shall take no action that is inconsistent with CAPA Bylaws, rules or policies without prior approval of the Board.

Committees may not change the use of budgeted funds without prior approval of the Board.

## **Policy 503.01; Continuing Medical Education Committee Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** August 28, 1999: Added IV below

June 27, 2008 - General cleanup and updated the term of office to reflect the appropriate dates of November 1 - October 31.

July 1, 2012 - Removed the word "Annual" when referring to CAPA conference and made conference plural as there are multiple CAPA conferences.

February 8, 2014 - updated job description in sections I, II, III and IV.

December 7, 2015 - Added Section V & VI

January 29, 2017 - Changed scope of work for the CME Committee bringing all on-site duties to staff along with dates of Committee service.

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **Continuing Medical Education Committee**

CAPA's Continuing Medical Education (CME) Committee is an integral link between PAs and the issues involving PA practice in California and the United States. The purpose of the CAPA Conferences is to provide quality CME, a forum for professional and social interaction, and to generate non-dues revenue to help sustain the operation of the Academy. The CME Committee Chair will create a draft program outlining the educational content and speaker portion of the conferences with the goal to ensure timely and relevant medical and professional information is provided to conference attendees. That draft program will be reviewed by 3-5 PAs assigned by the President to discuss/review the content and program flow prior to moving forward with program publication and promotion. For the Summer Conference, the program development process should begin no later than December 1 and should be complete and be fully reviewed no later than April 1. For a conference with multiple tracks and days, the program development process should begin no later than 9 months prior to the conference. For smaller, one-track, one-day conferences, planning should begin no later than 4 months prior to the conference. If a sudden opportunity arises to hold a CAPA Conference, these suggested time frames can be altered if a quality conference can be produced in less time.

- I. The primary charge of the CME Committee is to identify relevant medical and professional content of interest to California PAs. This includes developing topics for lectures and workshops, and matching high-quality, dynamic speakers to these topics. CAPA staff liaison to the CME Committee will be on all planning conference calls. Staff will be involved throughout the process and will be the ones who manage and direct the CAPA Conference program, workshops and activities on-site and pre- and post-conference. This may require hiring local/distant temps who specialize in working conferences/conventions. CAPA staff will formally connect with the speakers to invite them to speak, to confirm date and time, to gather needed information/documents and to confirm honoraria amount and send out reimbursement agreements to speakers. CAPA staff will provide input regarding any previous experience(s) with those speakers being considered prior to a speaker being invited to present.
- II. The Committee Chair and committee members will be aware of and be respectful of best practices and guidelines that relate to CAPA's relationships with hotels, decorators, AV companies and all vendors with whom CAPA works.

- III. The term of office for the CME Chair will begin on September 1 and end on August 31.  
The President-Elect will appoint the CME Chair with approval of the BOD.
- IV. Upon individual circumstance review and with approval of the Board of Directors, the CME Chair position may be divided into co-chairs with shared responsibility.
- V. The CME Chair or their designee along with key staff shall review applications for graduates who wish to work on the on-site CME Committee and interview candidates for a position on the On-site CME Committee. Staff will determine how many graduate members of the On-site CME Committee are needed for any given conference/year. Once the Committee members have been selected, CAPA staff will help to schedule and set specific expectations for them.
- VI. Consult with the President and Chief Employed Executive to identify the appropriate person(s) to serve as the Student Challenge Bowl Coordinator at the Summer Conference..

# 503.01.00

## **Policy 503.01.00; Conference Fees**

**Draft Adopted:** July 20, 1996

**Date Finalized:** October 10, 1996

**Dates Revised:** January 4, 1997 adopted 1 and 2.

April 17, 1999 included Budget Committee.

June 4, 1999 revised 3 to omit actual charges and include Budget Committee/CME Committee

June 8, 1999 - Changed title of policy to "Conference Fees"

June 8, 1999 - Added Annual Conference sub-heading, revised policy where applicable

June 27, 2008 - Updated guest registration to delete access to lectures as part of their fee; and deleted discounts offered to exhibitors.

July 1, 2012 - Removed the word "Annual" when referring to CAPA conference and made conference plural as there are multiple CAPA conferences and clarified conference fees as part of the annual budget.

June 28, 2014 - Removed section III and IV and general cleanup

**Proponent:** CME Committee

**Purpose:** To define CAPA policy regarding conference fees, discounts and waivers.

**Reference:** None

**Policy:** CAPA shall have consistent and justifiable policies regarding all fees charged, and waivers and discounts granted, at CAPA Conferences . The CAPA Staff shall propose all the conference fees and submit said fees to the Budget Committee for approval by the Board of Directors as part of the annual budget

The chief employed executive, with the concurrence of the CME Committee Chair, has the authority to waive late conference registration fees on a case-by-case basis.

### A. Annual Conference

1. *Hardship* and *Retirement* categories of CAPA Annual Conference registration are available, the fees for which are equal to the actual CAPA cost of meals, services and supplies. To be eligible for Hardship or Retirement CAPA Conference registration, one must be a Hardship or Retirement member of CAPA.
2. One day conference fees will be available for each day of the Annual Conference (i.e., Friday, Saturday, and Sunday) based on the current Annual Conference Fee for both graduates and students. Developed fees shall be based in part on the proportion of CME hours available each day as measured against the total of available CME hours.
3. The Fee for each Exhibit Space shall be determined by the Budget Committee, in concurrence with the CAPA Staff as set forth in the policy above.



## **Policy 503.02; Nominating Committee Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** June 27, 2008 - Changed name of Committee from Elections to Nominating and added a Committee duties description.  
July 1, 2012 - Added statement to number 2 under Nominating Committee  
June 28, 2014 - Added Candidate eligibility requirements, candidate endorsement and updated evaluation process and support of endorsed candidates.

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **Nominating Committee**

The Chair of the Nominating Committee will be the President-Elect. If the President-Elect position is vacant, the chair of the Nominating Committee will be the Vice President, unless the Vice President does not wish to fulfill that role and/or is a candidate in the election. In either case, the Vice President will be required to nominate an alternate person to serve as the Chair who must be approved by the Board of Directors or its designee. The Chair of the Nominating Committee will select members to serve on the Committee. Committee members will be approved by the Board of Directors and comprised of an odd number of members. Members of the committee, including the Chair, may not be candidates in the election or the current CAPA President. The Immediate Past-President may serve on the Nominating Committee if not in the election. Committee Members should be aware of the role of each officer, director and student representative position in CAPA as well as the role of a Delegate in the AAPA House of Delegates. Committee Members have ideally previously served in top leadership positions in CAPA, such as president, to truly understand the needs of the organization.

### **Candidate Eligibility:**

1. Fellow membership is required per CAPA Bylaws, Article 7, Section 5 for the positions of President, President Elect, Vice President, Treasurer and Secretary.
2. All other Board members must be a CAPA member in good standing throughout their entire term.
3. Candidates for officer positions must have at least 1 year CAPA board member or CAPA committee chair leadership in the prior 3 years and have an uninterrupted member in good standing status with CAPA the prior 3 years. Candidates may ask the CAPA Board of Directors for an exemption. If found to have appropriate experience, they must be reviewed by the nominating committee, and if endorsed they will be eligible for run for an officer position.

### **The Nominating Committee will:**

1. Actively solicit and encourage qualified candidates to seek elected Academy office.
2. Work to ensure that candidates represent the diversity of the Academy (considering ethnicity, practice setting, specialty practice, etc.).
3. Oversee all elections, annual and special.
4. Oversee the balloting of members.
5. Ensure the election process is of the highest integrity.

### **Evaluation Process:**

1. Per CAPA Bylaws, all candidates must declare 75 days prior to the election; unless they are nominated or endorsed by the Nominating Committee and then candidates have to declare at least 60 days prior to the election. Candidates declaring before 75 days may self-declare and not be evaluated by the Nominating Committee, or request to be evaluated by the Nominating Committee. They can indicate that if

they are not endorsed by the Nominating Committee they will either not appear on the ballot, or appear on the ballot with a mark indicating "Reviewed by the Nominating Committee, but not "Endorsed."

2. All candidates will be screened by CAPA Staff to determine minimum qualifications for the position sought, such as verify member status, prior leadership service, etc.
3. All submitted candidate information for eligible candidates will be reviewed by all committee members.
4. Each committee member will interview a relatively equal number of candidates, using at least one pre-determined question.

#### **Candidate Endorsement:**

1. To help educate the general CAPA membership regarding candidates for elected office, the Nominating Committee will provide an endorsement of those candidates who are most qualified to strengthen the future of CAPA in accordance with the CAPA Mission Statement and Vision. Endorsements will be given to those candidates on the basis of what is good for all members and CAPA. Endorsements will not be issued to those candidates as a reward to a member based on prior service, but rather the committee will endorse those candidates that are most qualified to meet the current and future needs of the organization. To avoid confusion, the Nominating Committee will only endorse up to the maximum number of candidates that can be elected. The Nominating Committee reserves the authority to not endorse a candidate for any business reason, including their belief that no candidates are qualified to strengthen the future of CAPA in accordance with the CAPA Mission Statement and Vision, or that a candidate lacks the demeanor and civility necessary to serve in a leadership position.
2. An endorsement by the Nominating Committee will be indicated on the official ballot and election material. Endorsed candidates will be listed before non-endorsed candidates.

#### **Support of Endorsed Candidates:**

1. As a service to CAPA's members, the members of the Nominating Committee, and those candidates the Nominating Committee endorses, will be publicized. Members are entitled to vote for whomever they wish. Unless otherwise prohibited by an action of the Board of Directors, the Academy and its officers, staff and agents will be authorized to utilize the Academy's funds and resources, in an amount deemed reasonable and appropriate by the President, in consultation with the Nominating Committee, to support the election of the endorsed candidates.

## **Policy 503.03.00; Legislative Action**

**Draft Adopted:** July 16, 1994

**Date Finalized:** November 19, 1994

**Dates Revised:** June 27, 2008 - General cleanup and updated section VI. to add to the chief employed executive to receive, review and approve the draft letter  
July 1, 2010 - Changed Government to Legislative, GAC to LAC and general cleanup.  
July 1, 2012 - Deleted Legislative Affairs Committee. Also changed order and made edits to Procedures I, II III, IV V and VII  
July 1, 2018 - Changed Public Policy Director to Lobbyist

**Proponent:** Board of Directors

**Purpose:** To establish a mechanism for expressing formal Academy positions on legislative and regulatory issues affecting PAs and their patients on the state and federal level.

**Reference:** CAPA Bylaws Articles VII and XI.  
AAPA Policy 602-02-01.  
AAPA Policies §900-00 Government Affairs.

**Policy:** One of the purposes of CAPA is “To sponsor and promote regulatory and legislative changes which will enhance the ability of the PA to provide safe, cost-effective medical care to the citizens of California.” To this end, the Academy will take formal positions on legislative and regulatory issues as they affect our membership, our profession and the patients we serve, upon formal recommendation of the Executive Committee and adoption by the Board of Directors.

Having the Executive Committee serve in the role of reviewing and recommending legislative and regulatory changes arguably enhances the rights of members. Thus, the members essentially elect the persons who serve this role.

Those serving on the Executive Committee are the elected persons who are most knowledgeable about current events affecting CAPA. The Committee has frequent and ongoing dialogue concerning legislative and regulatory priorities and is well informed regarding CAPA’s strategic direction. The Executive Committee has direct access for communication with Legal Counsel, Lobbyist and fellow Board members/leaders when their expertise is needed.

### **Procedure:**

- I. Pursuant to Article X Section 2, the Executive Committee is responsible for reviewing all proposed legislative and regulatory changes which can be reasonably expected to have an impact on the Academy’s membership, our profession and our patients.
- II. Recommendations for formal Academy positions on legislative and regulatory issues must come from the Executive Committee.
- III. The right and authority to establish formal Academy positions on legislative and regulatory issues resides with the Board of Directors pursuant to Article VII, §4., of the Bylaws.
- IV. After a formal position is taken on a legislative or regulatory issue in any meeting of the Board of Directors allowed pursuant to Article VII or X of the Bylaws, a letter stating the Academy’s position will be drafted by a designee of the Executive Committee if such action is indicated pursuant to CAPA Policy 503.03.01.
- V. The range and meaning of Academy positions on legislative and regulatory issues is defined in Policy 503.03.01

- VI. The draft letter will be forwarded to the President and chief employed executive for review, approval pursuant to CAPA Policy 205.00.
- VII. The final letter will be forwarded to the appropriate legislators/representative(s) and/or agency(ies) in a timely manner.

## Policy 503.03.01; CAPA Legislative Position Recommendations

**Draft Adopted:** November 19, 1994

**Date Finalized:** January 8, 1995

**Dates Revised:** July 29, 1995

June 27, 2008 - General cleanup

July 1, 2010 - Changed Government to Legislative

July 1, 2012 - Combined "Active Support" and "Support. Also combined "Oppose" and "Active Opposition"

**Proponent:** Board of Directors

**Purpose:** To establish the formal California Academy positions for use in legislative and regulatory bill analysis on issues affecting CAPA's constituents and the patients that we serve on the local, state and federal levels.

**Reference:** CAPA Bylaws Article XI.

### POSITION RECOMMENDATIONS

<b>SUPPORT</b>	Items of relevance to CAPA's mission. CAPA's support of legislation in this category may include letter writing, lobbying, networking activities, necessary funding and other activities as indicated.
<b>NEUTRAL</b>	CAPA would take an official opinion of neutrality, would express no official opinion in support or in opposition, and would permit no lobbying activity.
<b>OPPOSE</b>	Items of relevance to CAPA's mission. CAPA's opposition to legislation in this category may include letter writing, lobbying, networking activities, necessary fundraising, and other activities as indicated.
<b>WATCH</b>	Bills of some interest or peripheral relevance to CAPA's mission. Such bills require little or no action. Bills in this category require careful tracking, however, for potential future amendments and/or possible change in CAPA's position.
<b>UNLESS AMENDED</b>	Any of the above positions may be combined or modified to reflect recommendations contingent upon suggested changes such as "Support if amended to add/delete...", "Oppose unless amended in the following manner ...," etc. This position would require at least some telephone calls, letter writing, <i>etc.</i> in order to communicate CAPA's position and in order to attempt to implement the change(s) desired by CAPA.

## **Policy 503.04; Committee on Diversity Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** May 17, 1999 - Added to goals of MAC the awarding of the Ruth Webb Scholarship  
November 19, 2000 - Changed name of Committee from "Minority" to "Multicultural"  
December 5, 2004 - Changed name of Committee from "Multicultural" to Committee on Diversity  
June 27, 2008 - General cleanup  
June 28, 2014 - Defined goals and removed section B. Strategies.  
January 29, 2017 - Updated charge of COD committee  
June 24, 2017 - General clean up

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **Committee on Diversity**

A. The charge of the Committee on Diversity is:

1. To consider and provide advice on CAPA actions from the viewpoint of diversity.
2. To select the recipient of the Ruth Webb Memorial Scholarship from the pool of the valid applications received by CAPA.

B. Committee Commitment:

1. The committee may meet telephonically and by email periodically to accomplish its goals.
2. The chair of COD, and at times members of the COD, may be asked to write articles for *CAPA's magazine*. The Editor will assign articles based on need for content. The Editorial Board ultimately determines the publication of content in *CAPA magazine* per CAPA's magazine per CAPA policy 503.05.

## **Policy 503.05; Magazine**

**Draft Adopted:** May 14, 1994

**Date Finalized:** July 16, 1994

**Dates Revised:** June 27, 2008 - Updated section II to change the Editor of the *CAPA magazine* from being appointed by the President to CAPA staff.  
July 1, 2010 - Updated Policy to reflect "Magazine" instead of "Newsletter"  
June 28, 2014 - Updated sections I and II  
January 29, 2017 - Updated to change magazine name and update Editor position  
June 24, 2017 - General clean up

**Proponent:** Board of Directors

**Purpose:** To establish the newsletter as the official publication of CAPA.

**Reference:** CAPA Bylaws Articles III & XI

### **Policy:**

- I. The official magazine of CAPA, is intended to cultivate a unity of purpose among Academy members through the sharing of ideas and information by carrying news of key issues, concerns, and achievements of PAs to CAPA's statewide membership. The magazine additionally serves as a key educational tool about CAPA with California's Legislators, Regulators and other key stakeholders.
- II. The Editor of the magazine shall be the chief employed executive, unless the chief employed executive chooses to appoint another qualified individual. The Editor is the chair of the Editorial Board. The Editorial Board of the magazine which must include, but is not limited to, the President, chief employed executive, the Editor (only if not the chief employed executive), and, when appropriate, CAPA legal counsel.
- III. The Editorial Board of the magazine has the sole authority to determine its content, and reserves the right to edit, condense, and/or refuse publication of submitted articles, letters, and advertising at its sole discretion, subject to the ultimate authority of the Board of Directors.

## **Policy 503.06; Professional Practice Committee Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** March 15, 1997 - Added review of AAPA materials

June 27, 2008 - General cleanup

July 1, 2012 - Deleted and replaced Committee Job Description, Committee Goals and Committee Strategies with new text

June 28, 2014 - Replaced section III and added section IV

January 29, 2017 - General cleanup

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **Professional Practice Committee**

### **I. Committee Job Description.**

The focus of the Professional Practice Committee (PCC) is on the general professional practice issues concerning PAs in California. This is a broad topic which affects the daily practice of every PA in every medical setting. Professional practice issues may include, but are not limited to, those concerning scope of practice, reimbursement, compliance with laws and regulations and the integration of PAs into the healthcare delivery system. PAs and others within the healthcare delivery system must be aware of laws, regulations and policies pertaining to PAs to remain in compliance. Compliance is required not only by state and federal law and regulation, but also by policies of other agencies and organizations such as those found within the insurance industry. Therefore, providing education is a major responsibility of this Committee. The activities of the PPC are directed by the Board of Directors and/or the Executive Committee. The goals for the committee are typically assigned during discussions at our annual retreat and also during the year as needed as new issues may become prioritized. The Committee Chair is appointed each year by the CAPA President and approved by the Board of Directors.

### **II. Committee Goals.**

- To respond to the concerns of the membership regarding reported problems, issues, and/or barriers to efficient and effective PA practice.
- To identify general and/or specific concerns or problems affecting the professional practice of PAs.
- Help to determine priorities of identified concerns and problems related to professional practice and investigate the potential and means for resolution
- Research issues regarding reimbursement, credentialing, scope of practice and the applications of laws and regulations regarding PA practice.
- Provide education to all stakeholders to promote compliance with laws, regulations and policies.
- Make recommendations to the CAPA Board regarding the need for legislative or regulatory change.
- Provide reports, presentations and educational materials as needed for the CAPA magazine (consistent with CAPA policy 503.05.), website or at an educational event. Maintain updated material in the website.





### III. Committee Commitment:

The majority of communication will be by telephone and email and to a less extent by meetings in person. Committee members will be reimbursed for approved expenses related to participation in Committee work pursuant to the CAPA Reimbursement Policy 210.00. Research assignments may be given to Committee members regarding specific laws, regulations or other issues to seek resolution of any problems. Members may be asked to do ongoing monitoring in a specific area of concern. The chair of PPC and at times members of the PPC may be asked to write articles for CAPA's magazine. The Editor will assign article requests based on need for content. The Editorial Board ultimately determines the publication of content in CAPA's magazine per CAPA policy 503.05.

### IV. Budget:

Each year a certain amount of funds may be budgeted for use by the committee.

## **Policy 503.07; Public Education Committee Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** June 25, 2004

June 27, 2008 - General cleanup and deleted section V. under “strategies” to develop education videos regarding the profession.

July 1, 2013 - Changed Public Relations to Public Education. Redefined committee goals in section II, III, and IV. Removed strategies section.

June 28, 2014 - Updated section IV and added section V.

January 29, 2017 - Updated charge of the committee and general cleanup.

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **Public Education Committee**

The Public Education Committee (PEC) of CAPA will work with staff, consultants and the Board of Directors to educate a range of audiences about the PA profession in California. According to the Bylaws, one of CAPA’s purposes is to serve as a public information center regarding the PA profession for its members, other health professions and the public.

### **The goals of the PEC are to:**

- I. Provide advice on the development and distribution of materials regarding the profession and the Academy as requested by the Board in conjunction with CAPA staff.
- II. Carry out specific tasks as requested by the Board in conjunction with CAPA staff (i.e., speaking at high schools, health clubs, **PA Week** activities, etc.)
- III. The chair of PEC and at times members of the PEC may be asked to write articles for CAPA’s magazine. The Editor will assign articles based on need for content. The Editorial Board ultimately determines the publication of the magazine’s content per CAPA policy 503.05.
- IV. Encourage members to use all opportunities to educate various audiences about the PA profession in California.

## **Policy 503.08; PA Education Committee Job Description**

**Draft Adopted:** March 18, 1995

**Date Finalized:** May 7, 1995

**Dates Revised:** December 11, 1999 - Added sections III, IV, V, VI below  
December 11, 1999 - Added the word "appropriate" to section II, line 5  
May 17, 1999 - Added Scholarship goals (from November 8, 1997) below, revised language to reflect scholarship capacity of Committee  
November 19, 2000 - Revised MAC title to reflect new Committee name "Multicultural" vs. "Minority"  
December 5, 2004 - Revised MAC title to reflect new Committee name COD "Committee on Diversity"  
June 27, 2008 - General cleanup and updated section II. A2 (scholarship sub-committee shall consist of at least two other CAPA members)  
July 1, 2010 - Added III and IV - Student Challenge Bowl and Student Ambassador Program responsibilities.  
July 1, 2012 - Changed responsibility for Student Challenge Bowl  
June 28, 2014 - Removed section I added Section 5.  
December 7, 2014 - Removed Section II and moved up all other sections. Removed Student Ambassador Duties.  
June 12, 2016 - Combined Policy 503.08 and 503.10 to form PA Education Committee.  
January 29, 2017 - Updated to clarify Scholarship Sub Committees and general cleanup.

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:** CAPA Bylaws

## **PA Education Committee**

- I. Each year CAPA puts forth calls for applications for the general CAPA PA Scholarships and the Ruth Webb Memorial Scholarship. A CAPA Student Scholarship Sub-Committee will convene for the purposes of awarding the general scholarships. The Committee on Diversity (COD) will convene a sub-committee for the purpose of selecting the Ruth Webb Scholarship. The Student Scholarship Sub-Committees shall disband at such time as the scholarships for that year are presented.
  - A. The CAPA Student Scholarship Sub-Committee shall consist of:
    1. At least three CAPA members
  - B. The Student Scholarship Sub-Committee will be responsible for the awarding of two CAPA general scholarships. The Committee on Diversity shall select the Ruth Webb Memorial Scholarship recipient.
- II. If requested, help to facilitate presentations to incoming PA Students at California PA programs at the request of faculty at said programs. This may be done in conjunction with the CAPA Student Representative to the Board of Directors.
- III. Leadership mentoring of Student Representative to Board of Directors.
- IV. Assist Board of Directors, staff and all committees of CAPA with matters that pertain to PA education, students, and PA Programs.

- V. Help to maintain regular communication between CAPA, PA Program Directors, PA Program Faculty and PA Students.
- VI. Assist with developing strategies to increase CAPA membership among PA faculty and PA students.
- VII. Connect with PA Programs at CAPA conferences.
- VIII. Help to identify synergistic needs/benefits between PA Programs and CAPA that are consistent with CAPA's mission and vision.
- IX. The PA Education Committee Chair and at times, members of the committee may be asked to write articles for *CAPA's magazine*. The Editor will assign articles based on need for content. The Editorial Board ultimately determines the publication of the magazine's content per CAPA policy.

## **Policy 503.09; Investment Committee Policy**

**Draft Adopted:** December 11, 2000

**Date Finalized:** March 11, 2000

**Dates Revised:** June 25, 2004 - Updated to reflect current investment strategy  
November 10, 2013 - Deleted section 6 and updated new section 6 to reflect new Investment Policies, Guidelines and Objectives.  
June 28, 2014 - Removed Reference.  
January 29, 2017 - Updated for clarification regarding implementation

**Proponent:** Board of Directors

**Purpose:** To establish guidelines for the management of CAPA's Cash Reserves to achieve the primary goal of ensuring the future financial needs of CAPA.

### **Objective:**

The investment objective of all CAPA's Investment Accounts is to maximize total return (interest, dividends and capital gains) on principal while, at the same time, attaining a prudent and responsible balance among such factors as safety of principal, liquidity, and yield, depending upon the objectives of each individual account.

### **Policy:**

1. The Investment Committee will be comprised of the President, President Elect, Immediate Past President, Vice President and the Treasurer. The Committee will appoint a Chair.
2. The Chair of the Investment Committee along with the chief employed executive shall be responsible for proper implementation of this policy and oversight of all investments.
3. The Chair of the Investment Committee and the chief employed executive shall be responsible for executing these policies and submitting statements to CAPA's accountants so they may prepare financial reports for the CAPA Board of Directors no less than monthly.
4. The Chair of the Investment Committee along with the chief employed executive will secure the services of a registered investment advisor to assist with the management of CAPA investments.
5. CAPA's accountants shall prepare financial reports on a monthly basis. The Treasurer shall include in their report, review of the investment portfolio to the Board of Directors at each scheduled board meeting.
6. The CAPA Budget Committee shall review the Investment Policies, Guidelines and Objectives document annually.

# 503.11

## **Policy 503.11; Budget Committee**

**Draft Adopted:** June 27, 2008

**Date Finalized:** July 1, 2010

**Dates Revised:**

**Proponent:** Board of Directors

**Purpose:** To establish committee charges and job description.

**Reference:**

The Budget Committee will be chaired by the Treasurer. Members of the Budget Committee will be the President, President Elect and chief employed executive. The President may appoint others to the Committee when appropriate.

The Budget Committee will meet no less than once each year to review and prepare the proposed budget. They will work closely with the chief employed executive to monitor and ensure that the CAPA budget is adhered to and that necessary adjustments are made along the way.

## **Policy 503.12; Audit Committee Policy**

**Draft Adopted:** June 28, 2014

**Date Finalized:** June 28, 2014

**Dates Revised:** January 29, 2017 - Updated to require at least one meeting each year  
July 1, 2018 - Changed meeting frequency

**Proponent:** Board of Directors

**Purpose:**

**Reference:**

This document describes the composition and responsibilities of the CAPA members serving on the Audit Committee. In addition, the document includes the responsibilities of the CAPA officers in support of the Audit Committee.

## **Audit Committee**

The Audit Committee shall be composed of three members. The President shall appoint the Chair of the Audit Committee; the Chair of the Audit Committee would appoint the other two members (one Board member, and one at-large CAPA member); the CAPA Treasurer will not be on the Audit Committee; one person on the committee will have financial expertise as determined by the Board of Directors. The audit committee shall meet at least once every other year, either in person or by teleconference, including prior to the time the CAPA prepares its annual financial statements.

### **Audit Committee Charter**

The Audit Committee will review financial statements, checks and balances, speak with CAPA's CPA, Treasurer and staff to determine if there are issues of concern. When /if indicated and appropriate the Audit Committee will recommend to the Board of Directors the appointment of independent auditors to be engaged by CAPA and work to establish the audit fees of the independent auditors.

If auditors are engaged, the Audit Committee will be responsible for meeting with the independent auditors in executive session before the audit work has begun, and after the audit work is completed. The meetings should focus on:

- ◆ Review and approval of the scope of work for the audit, including any specific areas of review desired by the committee.
- ◆ Review the financial statements prepared by the independent auditor prior to their being finalized.
- ◆ Review the report of the independent auditor based on their work during the audit, including any significant findings or recommendations.

The Audit Committee will review with the independent auditor the audit scope and plan of the independent auditors.

The Audit Committee will review, with the independent auditor and the Executive Director, the CAPA annual financial statements and related footnotes, the independent auditors' audit of the financial statements and their report thereon. The independent auditors judgment about the quality, not just the acceptability of the CAPA accounting principles applied in its financial reporting, any changes required in the independent auditor's audit plan, any serious difficulties with management encountered during the audit and any matter required to be discussed by the Statement of Auditing Standards (SAS) No.61, Communication with Audit Committee, as amended, to the conduct of the audit.



## **CAPA Officer's Responsibility**

The CAPA Officers have specific legal obligations to ensure that CAPA provides full, fair, accurate, timely, and understandable financial reports and internal controls. Officers may not divulge confidential or proprietary information except as authorized by the President and Executive Director.

Any officer who knows, or has reason to believe, of violations to this or other CAPA policies and procedures is expected to report the violation to the President or Executive Director. Reporting may be anonymous. No officer will be subject to retaliation, discrimination, or other adverse treatment for reporting known or suspected violations of this and other CAPA policies and procedures.