

**Resolution #12
Establishment of College of Pharmacology & Toxicology**

**Proposed Council Bylaw Change
Council Diagnosis and Internal Disorders**

Submitted by:

**Dr. Michael Taylor, Executive Committee of the CDID; Dr. Cindy Howard;
Dr. Mike Simone; Dr. Rob Jones; Dr. Bob Nelson; Dr. Ric Bruns; Dr. Tony Hamm**

CURRENT:

None

PROPOSED:

**COLLEGE OF CHIROPRACTIC PHARMACOLOGY AND TOXICOLOGY OF
THE AMERICAN CHIROPRACTIC ASSOCIATION**

STATEMENT OF PURPOSE

PROFESSIONAL GOALS:

To maintain and promote the Chiropractic profession as a primary health care provider profession and support the advancement of the chiropractic profession.

To preserve and foster traditional Chiropractic values while incorporating contemporary diagnostic procedures and conservative therapeutic procedures to improve the overall quality of health service by the profession.

To educate the chiropractic profession that the use of certain medications can promote vitamin and mineral deficiencies that may occur from lack of intake or the accelerated depletion of specific nutrients by medications.

To further educate the chiropractic physician to fully comprehend and comply with the federally mandated meaningful use criteria relating to drug-drug and drug-allergy interactions, maintain an active medication list, maintain an active medication allergy list and to implement and maintain drug formulary checks. The physician's comprehensive education will focus on the appropriate medication indications and applications pertaining to DOT requirements of the examining chiropractic physician as well as being clinically alert to toxicological influences of legend drugs.

To understand the drug-nutrient and drug-botanical interactions as well as drug-nutrient depletions.

To understand the pharmacokinetics and pharmacodynamics of common prescribed legend drugs as well as OTC's.

To create, conduct and supervise post-doctoral courses in pharmacology and toxicology sponsored through Chiropractic Colleges having status with an accrediting agency approved by the United States Department of Education.

**COLLEGE OF CHIROPRACTIC PHARMACOLOGY AND TOXICOLOGY OF THE
AMERICAN CHIROPRACTIC ASSOCIATION**

BYLAWS

ARTICLE I NAME

This organization shall be known as the College of Chiropractic Pharmacology and Toxicology of the American Chiropractic Association, Inc., and shall be abbreviated as ACA-CCP&T, hereinafter referred to as the "College".

ARTICLE II OBJECTIVES

The objectives of this College shall be:

Sec. 1 To assist in the advancement of Chiropractic medicine as a science and healing art.

Sec. 2 To protect in every proper and reasonable way the professional welfare and interest of the members of this College.

Sec. 3 To promote the highest standards of moral and ethical conduct.

Sec. 4 To encourage professional and ethical consultation with members of other professions.

Sec. 5 To cooperate with the ACA Executive Board, officers and all other related committees, councils and departments.

Sec. 6 To cooperate with state chiropractic association board of directors, officers and all other related committees, councils and departments.

Sec. 7 To create, sponsor, promote, and supervise educational programs through offered at chiropractic colleges having status with an accrediting agency approved by the United States Department of Education. These courses augment chiropractic physician's knowledge that the use of certain medications can promote vitamin and mineral deficiencies that may occur from lack of intake or the accelerated depletion of specific nutrients by medications. To further educate the chiropractic physician to fully comprehend and comply with the federally mandated meaningful use criteria relating to drug-drug and drug-allergy interactions, maintain an active medication list, maintain an active medication allergy list and to implement and maintain drug formulary checks. The physician's comprehensive education will focus on the appropriate medication indications and applications pertaining to DOT requirements of the examining

chiropractic physician as well as being clinically alert to toxicological influences of legend drugs. To understand the drug-nutrient and drug-botanical interactions as well as drug-nutrient depletions. To understand the pharmacokinetics and pharmacodynamics of common prescribed legend drugs as well as OTC's.

Sec. 8 The "College" in consultation with the ACA-CDID and CCE accredited Chiropractic college post-graduate departments will approve all course instructors. The Educational committee within the College will be in charge of developing the curriculum and shall include at least one medical doctor/osteopathic doctor and at least one pharmacology doctorate along with chiropractic internists having received that credential from the American Board of Chiropractic Internists, Ph.D.'s, and other appropriate participants. The educational committee will be appointed by the President.

Sec.9 The "College" will not grant a "diplomate" status in chiropractic pharmacology and toxicology at this time.

ARTICLE III MEMBERSHIP

Sec. 1 General Member.

Any licensed Doctor of Chiropractic who is a member, in good standing, with the ACA may be accepted for membership in this "College" upon approval by the credentials committee. The general member shall have voting rights regarding matters of this "College" at general assembly meetings.

Sec. 2 Chiropractic Student Members.

Any student actively attending a CCE approved chiropractic college who is also a SACA member, may apply for Student Membership to the "College" by payment of the discounted Student member dues and may participate in "College" activities and publications, but shall have no official vote at "College" meetings.

Sec. 3 It is the policy of this College to recognize outstanding and loyal performance for the profession and this College by awarding to a member or former member an honorary membership.

ARTICLE IV REVENUE

Sec. 1 **Dues.** The annual dues of this "College" shall be determined by majority vote of the Executive Board of this College.

Sec. 2 **Applications.** All applications for membership in the "College" shall be in writing on a form prescribed by may be submitted electronically or by paper via facsimile or mail the Executive Committee and shall be accompanied by a non-returnable application fee of \$25.00 and the dues for the fiscal year in which application is made. In the event the application is not accepted, only the dues will be returned.

Sec. 3 The reinstatement fee shall be determined by the Executive Committee.

Sec. 4 The annual dues for students shall be determined by the Executive Committee.

Sec. 5 The annual dues shall be payable on or before the first day of October, which shall be the beginning of the fiscal year. The reinstatement fee and payment of annual dues shall apply if a member fails to pay the annual dues by the first day of January following the beginning of the fiscal year (ACA Mandated item)

Sec. 6 Conduct of members. Conduct of members of this College must be in agreement with the Code of Ethics of the American Chiropractic Association.

ARTICLE V OFFICERS

Sec. 1 **Officers.** The officers of this "College" shall consist of a President, Vice- president, Treasurer and Secretary. These four and, in the future, the immediate two past presidents shall constitute the Executive Committee of this College. Each officer shall report the activities of his/her office to the other officers on a quarterly basis, and quarterly reports shall be made to the ACA Board liaison by the "College" President.

Sec. 2 **Nomination Committee.** This college shall have a nomination committee that will be responsible for recruiting and nominating members to serve on the Executive Committee in accordance with these Bylaws. The nomination committee will have three (3) members, one of which will have been a past officer on the Executive Committee of the college. Two (2) members will be elected by ballot vote of the members and one (1) member, a past officer of the College, will be appointed by the Executive Committee of the College. This will ensure that a past officer of the College is serving on the nomination committee. The terms of the committee shall be five (5) years. An Executive Committee member may not serve on the Nomination Committee while still serving on the College's Executive Committee. Nomination Committee members may not be removed by the Executive Committee. In the event a member of the Nomination Committee resigns or is otherwise unable or unwilling to serve out their 5-year term the Executive Committee may appoint a replacement member to serve out the remainder of that committee member's 5-year term. The Nomination Committee shall designate one member to act as a liaison to the President and Secretary of the Executive Committee.

Sec. 3 **Nominations and Elections.** Nominations for the four (4) officers shall be made by the Nomination Committee. The Nomination Committee shall file a report with the Secretary of the College not less than sixty (60) days prior to the annual meeting. Thirty (30) days prior to the annual general membership meeting, ballots shall be mailed to all ACA-CCP&T members in good standing, listing the selections of the Nomination Committee and providing for the write-in candidates. All ballots must be returned (in the envelopes provided) to the ACA-CCP&T Secretary and must be received thereby postmarked seven (7) days prior to the annual general membership meeting. All ballots received late, or with erasures or changes on the ballot form will be voided. The ballots are to be opened and counted in the presence of the appointed liaison to the ACA Board of Governors or other ACA appointee.

Sec. 4 The officers shall be elected for a term or until their successors are qualified and elected; and they shall take office at the close of the annual business meeting at the

Annual ACA meeting. Any officer may be elected for not more than 2 consecutive terms in any office, excluding the secretary.

Sec. 5 Vacancies. A vacancy occurs if an elected officer is unable or unwilling to complete his/her term. If a council officer is unable to complete his/her term for any reason, the office shall remain vacant until the next election. If the majority of the remaining members of the Executive Committee of the College desire that an interim appointment be made, it may make an interim appointment upon majority vote. [Mandated by the ACA]

Sec. 6 Term of Office. The officers shall be elected for a term of two years.

Sec. 7 Members of the Executive Committee shall not hold administrative or policy making positions with any chiropractic college.

Sec. 8 The Executive Committee shall be entitled to reimbursement for reasonable, necessary and customary expenses incurred in the conduct of each elected office.

Sec. 9 No officer shall be entitled to reimbursement by the "College" if he/she is, in any other capacity, entitled to reimbursement by the ACA.

ARTICLE VI DUTIES OF THE OFFICERS

Sec. 1 President. The President shall be the chief executive officer of this College and shall preside over all meetings of the members and of the Executive Committee. The President shall have the general and active management of the business of the College and shall execute all orders and resolutions of the Executive Committee. The President shall be an ex-officio member of all standing committees and shall have the general powers and duties of supervision and management usually vested in the office of the President of a College and shall name and appoint all committees. Following the first 4 years of existence of this college, the President shall be required to be an ACA member for a minimum of 3 years and must serve the college's executive board for a minimum of 4 years prior to eligibility for election.

Sec. 2 Vice-President. The Vice-President shall in case of the death, absence, resignation or disqualification of the President, preside and fill the duties of said office until an election is held, and shall perform such other duties as the President shall designate. The Vice-President shall be required to be an ACA member for a minimum of 2 years and must serve on the college's executive council for a minimum of 3 years to be eligible for election.

Sec. 3 Treasurer. The Treasurer shall have custody of all College funds and shall keep in books belonging to the College full and accurate accounts of all receipts and disbursements. The Treasurer shall deposit all monies in such depositories as may be designated by the Executive Committee. The Treasurer shall disburse the funds of the College as may be ordered by the Executive Committee and shall render to the Committee, whenever requested by them an accurate account of the financial condition of

the College. The Treasurer's books shall be part of the minutes of the College. The Treasurer shall receive all fees and keep an accurate record of the source of these fees and any other monies received in the name of the College. All disbursements shall be made by check and all checks shall require the signature of the Treasurer or the President. The Treasurer shall be prepared to advise on the budget and any expenditures required by the Executive Committee. The treasurer must be an ACA member for a minimum of 2 years prior to eligibility for election.

Sec. 4 **The Secretary** shall be responsible for mailing the ballots to the membership. The Secretary-also shall keep in the books of the College the record of all motions made at all meetings; give all notices required by statute, bylaws or resolution; conduct the correspondence, keep the records and keep the Executive Committee informed of all current business, and issue authorized membership certificates. The Secretary-shall be bonded. The Secretary must be an ACA member for a minimum of 2 years prior to eligibility for election.

Sec.5 Unless otherwise provided, all officers of the "College" and all members of committees shall hold office until the annual meeting or until their successors are qualified and elected or appointed.

Sec. 6 The College shall provide for bonding of all officers having responsibility for College funds.

Sec. 7 Each officer shall report the activities of his/her office to the other officers on a quarterly basis, and quarterly reports shall be made to the ACA Board liaison by the College president.

ARTICLE VII MEETINGS

Sec.1 **Annual Meeting.** An annual meeting of the members shall be held once a year in a location decided on by the executive committee of the "College".

Sec.2 **Notice of Annual Membership meeting.** The Secretary of the College shall mail written notice to the membership at least thirty (30) days prior to the date of said meeting.

Sec.3 **Special Meeting of Members.** A special meeting of the members may be called at any time by the President or a majority of the Executive Committee or shall be called by the Executive Committee upon written request of 30% of the members entitled to vote, who shall specify in such written requests the purposes for which they desire the special meeting to be held.

Sec.4 **Notice of Special Meeting.** At least thirty (30) days prior to the date fixed for the special meeting, written notice of the time, place and purpose of such meeting shall be mailed, as herein after provided, to each member entitled to vote at such meeting. No business not mentioned in this notice shall be transacted at such meeting.

Sec. 5 Meeting of the Executive Committee. Regular meetings of the Executive Committee may be held at such time and place as the Executive Committee may from time to time determine or at such time and place as may be designated by the President.

Sec. 6 Special Meetings of the Executive Committee. Special meetings of the Executive Committee may be called by the President or a majority of the members of the Executive Committee giving due notice of the time, place and purpose to each Committeemember.*

Sec. 7 Fiscal year. The fiscal year of this College, shall be the same as the ACA.

Sec. 8 Five (5) members, two of whom are officers, in good standing, shall constitute a quorum at any regular or special meeting of this College.

Sec. 9 Quorum of the Executive Committee. A majority of the Executive Committee shall constitute a quorum.

Sec.10 Except as the articles or an amendment otherwise provide, each member in good standing in this College shall, at every meeting of the members, be entitled to one vote in person upon each subject properly submitted to vote. Voting may be by voice, sign or written ballot at the discretion of the presiding officer.

Sec.11 No provision is made for proxy voting. **Sec.12** Voting for Executive Officers of the "College" shall be by mail ballot.

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ARTICLE VIII THE EXECUTIVE COMMITTEE

Sec. 1 Executive Committee. The Executive Committee shall have full power between meetings of the College, except to legislate or change the bylaws of this College, and shall be charged with the management of the College. The Committee shall have the power to hire and fire employees and to make and enter into prudent contracts. The Committee shall cause all articles which are released for publication in the name of the College to be edited by qualified persons who will constitute the Education Committee.

Sec. 2 Vacancy. In case of a vacancy, the Executive Committee shall appoint a College member in good standing to fill the same until an election can be held at the next annual meeting.

ARTICLE IX COMMITTEES

Sec. 1 All committees shall be appointed by the President of the College, except as otherwise provided by these bylaws, with the approval of the Executive Committee.

ARTICLE X DUTIES OF THE COLLEGE TO THE ACA

Sec. 1 The ACA House of Delegates is the legislative body of the ACA and determines specific ACA policies, aims and purposes. ACA College of Chiropractic Pharmacology

and Toxicology functions as subordinate arm of the ACA, operating only within its specific delegated field.

Sec. 2 The College shall not act on a major issue on which ACA policy has not been adopted, until an applicable ACA policy has been adopted. The ACA President with the approval of the ACA Executive Board of Governors, may authorize the College to act in the interim in the absence of ACA policy and set forth the conditions under which such action may occur.

Sec. 3 The College shall submit an annual report of College activities to the ACA prior to the Annual ACA Meeting.

Sec. 4 The College shall submit a complete list of College officers and their status to the ACA annually.

Sec. 5 The College shall submit a complete set of Bylaws biennially, except when amendments are approved by the ACA House of Delegates. Then, the College shall submit a complete updated set of bylaws within sixty (60) days of the close of the annual ACA Meeting.

Sec. 6 The College shall have an accountant's review or report conducted through the ACA home office on its finances, including income and expenses, on an annual basis, as part of the annual ACA audit.

Sec. 7 The College shall place a disclaimer on all published materials.

Sec. 8 The College shall be responsible for the aforementioned reports, activities, bylaws and finances for its Board being submitted with the reports for the College.

ARTICLE XI PARLIAMENTARY AUTHORITY

Sec. 1 Robert's Rules of Order, Newly Revised, Current Edition, shall apply to all of the meetings of this "College" and to all questions of procedure and parliamentary law not specified in these bylaws.

Sec. 2 Nothing in these Bylaws is intended to conflict with the Articles of Incorporation or Bylaws of the ACA which take precedence.

ARTICLE XII AMENDMENTS

Sec. 1 These bylaws may be amended by a two-thirds (2/3) vote of the mail ballots received from the members provided the proposed amendment has been filed with the secretary at least sixty (60) days prior to the meeting or by first declaring an emergency by a two-thirds majority vote of the general assembly meeting, followed by proper deliberation of the body of the proposed bylaw change, and passing the amendment with a two-thirds vote.

Sec. 2 All proposed amendments to be heard at a general assembly meeting of the "College" are to be mailed/delivered to the College members at least thirty (30) days prior to the meeting. All ballots must be returned to the College Secretary post marked/dated seven (7) days before the annual general membership meeting. All ballots received late or with erasures of changes on the ballot form will be voided. The ballots are to be opened and counted in the presence of a representative of the ACA Board of Governors or Tellers Committee or other non-interested oversight committee.

Sec. 3 Amendments are not in effect until approved by the ACA House of Delegates.

Sec 4 These bylaws shall not conflict with CDID or ACA bylaws

Article XIII INDEMNIFICATION

Sec. 1 To be and remain a charitable organization availed of only for charitable purposes as provided in Section 501 (c) (6) of the Internal Revenue Code of 1954, as amended, as an organization formed or availed of for the gathering, correlating and disseminating of knowledge and information concerning family practice, diagnosis and internal disorders for the benefit of its members, the profession and the general public. No part of the net earnings of the organization shall inure to the benefit of, or be distributed to, its members, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments; and distributions in furtherance of the purposes set forth in these bylaws. No substantial part of the activities of the organization shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the organization shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these Bylaws, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under Section 501 (c) (6) of the internal Revenue Code of 1954, as amended, (with the correspondent provisions of any future United States Internal Revenue Law) or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954, as amended, (or the correspondent provisions of any future Untied States Internal Revenue Law.)

ARTICLE XIII CERTIFICATION BOARD

Sec. 1 It is the intent of the College to develop a certification board within 3 to 4 years of establishment of the college as the curriculum matures.

RATIONALE:

The "College", through its efforts will assist in preparing the chiropractic physician to meet existing, current practice requirements and DOT requirements including the fact that the DOT-CDL examination reportedly has roughly 30% of the questions pertaining to medications. Specifically, regarding the DOT medical exam report at page 4, Section 391.41 Physical Qualifications for Drivers at (12)(i) the chiropractic physician who is a CME must be able to know "...other habit forming drugs"...

And, at page 5, it instructions pertaining to “Advisory Criteria” states: “In addition to reviewing the Health History section with the driver and conducting the physical examination, the medical examiner should discuss common prescriptions and over-the-counter medication relative to the side effects and hazards of these medications while driving.....”

Further, in keeping with the ACA’s Meaningful Use Criteria Policy whereby the chiropractic physician must be knowledgeable in drug-drug and drug-allergy interactions, maintaining an active medication list, maintaining an active medication allergy list and to implement and maintain drug formulary checks.

Additionally, ACA’s policy pertaining to Chiropractic Physicians Training as Primary Care Physicians as it pertains to training in Toxicology.

And the ACA Wellness Model Policy under Health Information Resource (Primary Prevention) whereby typical health promotion activities performed by a DC serving as a health information resource includes Drug Alerts, Immunization, and Drugs Used in Pain Relief;

And lastly, to understand the drug-nutrient and drug-botanical interactions as well as drug-nutrient depletions due to the fact that a significant number of chiropractic physicians across the country prescribe, administer, and dispense a wide range of nutritional/botanical medicines.