

# Constitution and By-Laws of the Utah Veterinary Medical Association

## **CONSTITUTION**

### **ARTICLE I**

The name of this Association shall be the Utah Veterinary Medical Association, a non-profit corporation in the State of Utah.

### **ARTICLE II**

The purposes and objectives of the Association shall be to extend and advance Veterinary Medical Science to protect public health, to secure the enforcement of just laws concerning Veterinary Medicine, to promote fraternal feelings and fellowship among its members, to protect the right and privileges of its members, and to direct public opinion in regard to the programs of the Veterinary Medical Profession to cooperate with other professions, industries and organizations, and to elevate the standard of Veterinary Medical Education.

### **ARTICLE III**

The Association shall consist of two (2) classes of members: namely, active members and life members.

### **ARTICLE IV**

Section 1. The officers of the Association shall be: President, President Elect, and Treasurer.

Section 2. There shall be a Board of Directors constituting of the President, President Elect, the Immediate Past President, the Treasurer, the Delegate to the American Veterinary Medical Association (AVMA), the Alternate Delegate to the AVMA, Board Members as provided in Article VII and ex-officio members as determined by the Board of Directors. The ex-officio members shall be non-voting members of the Board of Directors

Section 3. The Treasurer shall be installed January 1 following election and shall serve for two (2) years and may not serve more than two (2) consecutive terms.

Section 4. The Executive Committee shall consist of the President, President Elect, Immediate Past President and Treasurer.

Section 5. There shall be a Delegate and an Alternate Delegate to the House of Delegates of the American Veterinary Medical Association who shall serve terms of four (4) years concurrently. At the end of the Alternate Delegate's term, he/she becomes the Delegate and a new Alternate Delegate is elected.

### **ARTICLE V**

Nominations for the officers of the Association and Board of Directors shall be made to the Nominating Committee in a period of time commencing six (6) months prior to the annual meeting and ending two (2) months prior to the annual meeting. If the general membership has not nominated members in good standing for the various offices, the Nominating Committee is empowered to select and nominate as least one person for each office being considered. The Nominating Committee shall submit nomination to the Executive Director, who shall send a mail ballot to all members of the Association at least one month prior to the annual meeting. All members can vote for general offices and members of the various districts shall vote for the member of the Board of Directors representing their district. All ballots shall be returned by mail to the Executive Director prior to the annual meeting. The Nominating Committee shall count the ballots at the annual meeting. The candidate with the greatest number of votes shall be duly elected.

### **ARTICLE VI**

Section 1. The Presidents shall serve for a term of two (2) years.

Section 2. The President elect shall be duly installed as President, January 1, at the expiration of the term of office of the President,

Section 3. The Treasurer shall be installed January 1 following election and shall serve four (4) years and may be re elected without limitation for (2) years and may not serve more than two (2) consecutive terms. Section 4. The elected members of the Board of Directors shall serve a term of four (4) years commencing January 1, after being elected. Districts with more than one board member shall stagger elections so that board members are elected every other election.

Section 5. The Alternate Delegate to the American Veterinary Medical Association shall be elected every four (4) years. They shall be installed January 1 after being elected and serve for four (4) years, and then shall be installed as Delegate to the American Veterinary Medical Association for a four (4) year term.

Section 6. The elected officers shall hold office until their successor has been elected and qualified. If for any reason an elected officer is not able to fulfill their office, the standing Board of Directors shall appoint a member in good standing to fulfill the rest of the term of that office.

## ARTICLE VII

For purposes of representation on the Board of Directors, the membership shall be divided into 8 Districts designated as follows:

**District 1: Bear River** (Box Elder, Cache and Rich Counties)- 1 Board Member **District 2: Northern** (Weber, Morgan and Davis Counties)- 2 Board Members **District 3: Salt Lake** (Salt Lake & Tooele Counties) 3 Board Members **District 4: Mountain** (Summit & Wasatch Counties) 1 Board Member

**District 5: Central** (Juab, Millard, Sanpete, & Utah Counties) 2 Board Members

**District 6: Basin** (Daggett, Uintah, and Duchesne Counties) 1 Board Member

**District 7: Eastern** (Carbon, Grand, San Juan, Emery, Wayne, Sevier and Piute Counties) 1 Board

Member **District 8: Southern** (Beaver, Iron, Washington, Garfield, and Kane Counties) 2 Board Members

## ARTICLE VIII

A quorum shall always be presumed to be present at the Annual or special meetings.

## ARTICLE IX

The Association shall establish By-Laws and may amend them from time to time as herein provided.

## ARTICLE X

The Constitution and accompanying By-Laws may be amended by vote of not less than two-thirds (2/3) of the active members present and voting at a regular Annual Meeting, provided that the Executive Director shall have sent a notice of proposed amendments to each active member at least thirty (30) days before the meeting.

Amended 6-96, 6-2002, 06-2006, 09-2007, 06-2013, 07-2015

## BY-LAWS

### CHAPTER I

#### Officers

- 1. President.** It shall be the duty of the President to preside at all meetings of the Association. He/she shall be Chairperson of the Board of Directors and the Executive Committee. He/she shall appoint all standing committees and shall appoint special committees as their need arises. All committee appointments shall be made with the majority approval of the Board of Directors.
- 2. President Elect.** In the absence of the President, the President Elect shall act as presiding officer. **3. Immediate Past President.** shall serve as a voting officer of the executive and general board for the period of two (2) consecutive years immediately following his or her term of office of president and will preside in the event the president and president elect are not present. In the absence of all three, a chairperson shall be elected by the Board of Directors. The immediate past president will chair the Past Presidents Committee.
- 4. Treasurer.** The Treasurer shall be the fiscal officer of the Association. He/she shall be the custodian of all documents and properties of the Association. He/she shall deposit all funds in checking and/or savings accounts in the name of the Association with the approval of the Board of Directors. All bills and debts against the Association on approval by the Board of Directors shall be paid by him/her or as directed by him/her. The Treasurer shall make a Treasurer's report to the Association members at the Annual Meeting. He/she shall oversee the deposit of all funds and give security for the trust reposed in him/her whenever the Board of Directors may deem it requisite. With the approval of the board, a financial advisor may be utilized for the maintenance of any reserve funds.
- 4. Executive Director.** The Executive Director, who may or may not be a veterinarian, shall be responsible for the clerical work and the recording of proceedings of the Association, the Board of Directors, and the Executive Committee. He/She shall be responsible for the distribution and the receipt of membership applications. It shall be his/her responsibility to maintain a membership file on all members of the Association and notify all members by the 10th of January of dues payable for the current calendar year. Should dues not be paid by Feb 10th, a late fee will be assessed. He/She shall receive all membership fees and dues and contributions and shall deposit it in a bank designated by the Treasurer. It shall be his/her responsibility to keep Association members up-to-date on the current happenings of the Association and actions of the Board of Directors and the Executive Committee through a periodic newsletter. At present, all travel and expenses incurred by the Executive Director are in the annual administration fee, but the Board of Directors can be empowered to pay the Executive Director for travel and other expenses in performance of his/her Association duties.

## CHAPTER II

### Board of Directors

1. Duties. The Board of Directors shall be the governing body of the Association. The President will be chairperson. It shall review and prepare all material for presentation at the Business Meeting. It shall give majority approval to all committee appointments and to all bills payable. It shall have the responsibility of interpreting the Code of Ethics and is invested with the authority to prefer charges against those who, in its opinion, are violating the Code. It shall warn, reprimand, and/or expel from membership members proved to have, in its opinion, violated the Code and may present its actions to the membership at the Business Meeting.
2. Meetings. It shall meet each quarter; the time and place to be set by the President. Special meetings may be called by the President on the consensus of a majority of the Board of Directors.
3. Quorum. To conduct official business a quorum of at least five (5) members of the Board of Directors must be present.
4. Attendance: If an elected member of the Board of Directors has two unexcused absences from regularly scheduled and duly called Board of Directors meetings during a calendar year, then the other district officer of the district which is represented will be notified of this inadequate participation. The district will be encouraged to assure adequate representation at the Board meetings by encouraging appropriate attendance or electing a replacement Board member to fill out the remainder of the term. After a third unexcused absence in a 12 month period the Board of Directors may require replacement of the Board member. An excused absence is notifying the President or Executive Director of a legitimate reason for missing the stated meeting.

## CHAPTER III

### Executive Committee

1. Duties. The Executive Committee shall conduct the day to day business of the Association in accordance with the policies and directive set forth by the Board of Directors.
2. Chairperson. The President shall act as chairperson of the Executive Committee.
3. Meetings. The Executive Committee will meet at the times and places set by the Chairperson.
4. Quorum. Official business may be conducted by the quorum of at least (2) members of the Executive Committee.
5. Special Business. During the interim between Board of Directors meetings, the Executive Committee may act on urgent business that requires Board of Directors action after first polling the Board members individually and then reporting action taken by the Executive Committee to the Board of Directors at their next meeting.

## CHAPTER IV

### Delegate to the House of Delegates of the American Veterinary Medical Association

1. Duties. The Delegate to the House of Delegates of the American Veterinary Medical Association and his alternate shall attend all sessions of the House. The Delegate shall present pending proposed legislation to the Board of Directors and convey its wishes to the house. He/she shall present a formal report of the meeting of the American Veterinary Medical Association to the Board of Directors at its next regular meeting following the national meeting.
2. Reimbursement. The Board of Directors is empowered to reimburse the Delegate and the Alternate Delegate for all or part of their documented travel and incidental expenses incurred in attending the meetings of the House of Delegates of the American Veterinary Medical Association.

## CHAPTER V

### Class of Members

1. Active Member. Active members shall be persons of good moral and professional character, and reputation and shall be either veterinarians who are legally licensed and registered to practice or veterinarians who are graduates of institutions recognized by the American Veterinary Medical Association or veterinarians not licensed to practice but engaged in related veterinary fields. Candidates for membership must make application in writing to the Executive Director. The eligible candidates shall be investigated and approved by the Board of Directors preliminary to being voted upon by the membership. An elected candidate shall be advised by the Executive Director that, upon payment of the dues, he/she will become a member.
2. Life Members. Life membership is a special recognition of contributions to the veterinary profession and state and local veterinary associations. It is specifically meant to recognize those who, throughout their career, have given of their time

and effort to build and promote the profession and associations beyond basic requirements of practice or employment. Minimum requirements for Life Membership: 1) Applicant must demonstrate a history of actively contributing to the veterinary profession, and local and state veterinary associations; 2) Have been a member in good standing of the Utah Veterinary Medical Association for at least 25 years. They must be a fully paid member in good standing at the time of application and have been so for at least the 5 consecutive years prior to application; 3) Be at least 65 (sixty-five) years of age; 4) Retired from employment as a veterinarian; 5) An application for Life Membership may be considered for members in good standing who have not yet retired but are at least 70 (seventy) years of age and have been a paid Utah Veterinary Medical Association member for at least 35 years, 10 of which must be consecutive prior to and including the time of application. The Board of Directors reserves the right to approve exceptions to the minimum requirements if extenuating/special circumstances exist for a deserving UVMA member.

In order to be considered for Life Membership, application must be made to the Executive Committee or its designate. After review to ensure requirements have been met, the application will then be forwarded to the Board of Directors for consideration. The Board of Directors may approve or decline Life Membership at its discretion. Those who are approved will be granted full privileges of active membership and henceforth be exempt from the payment of annual dues. Life Members are responsible for providing current contact information to the Association on an annual basis at the usual time of dues payment and information updates to the UVMA. Failure to do so may result in removal from contact lists. The Board of Directors may review the list of Life Membership as needed. A Life Member who returns to active employment (receiving compensation for veterinary related work for an average of 15 hours per week or more) shall be required to begin payment of dues. The Board may, after review and majority vote, remove from Life Membership any member who has violated the UVMA by-laws, Code of Ethics of the Association, or has committed acts or conduct deemed disorderly, harmful, or hostile to the interests of the Association or the veterinary profession.

## CHAPTER VI ELECTIONS

1. **President:** The President Elect shall advance to the office of President on January 1 at the conclusion of the Term of President; the President shall serve a term of two (2) years.
2. **President Elect:** The President Elect shall be elected by ballot mailed to each qualified voting member at his last recorded address. Ballots must be mailed at least thirty (30) days and returned to the Executive Director before the annual meeting. The ballot so returned shall be opened and canvassed by the Nominating Committee prior to the Annual Meeting and the results announced at the Annual Meeting. The President Elect shall be a member in good standing for at least 5 years and have served as Treasurer, Member of the Board of Directors, Chair of one of the Association standing committees or as a local Association Officer. He/She will take office as President Elect January 1<sup>st</sup> following the election.
2. **Treasurer:** The Treasurer shall be elected every four years at the same time and in the same manner as the President Elect. The Treasurer shall be a member in good standing of the Association for at least five (5) years.
4. **A.V.M.A. Alternate Delegate.** An Alternate Delegate will be elected every fourth year beginning in 1975. In the year of election of the Alternate Delegate he/she will be elected at the same time and manner as the President Elect. The Alternate Delegate shall have been a member in good standing of the Association for at least five (5) years.
5. **Elected Members of the Board of Directors:** Each district shall elect representation to the Board of Directors as described in the Constitution Article V, Article VI: Section 4, and Article VII

## CHAPTER VII

### Dues

1. Dues shall be paid on an annual basis to maintain status as an association member. Dues are due by January 31<sup>st</sup> of each year. A late fee may be imposed by the board of directors.
2. Changes in dues shall be recommended by the board of directors and approved by majority vote at the annual membership meeting.
3. A new graduate shall receive complimentary membership for the remainder of the calendar year in which they graduate. The veterinarian must request membership in the association.

## CHAPTER VIII

### Meetings

1. Regular Meetings. Regular meetings shall be held at least once each year at a time set by the Board of Directors.
2. Special Meetings. Special meetings may be called by the President or in his/her absence by the President Elect or at the

written request of ten (10) members in good standing. A notice issued to the membership shall indicate the purpose for which the special meeting is being called. At a special meeting, no business other than that which has been specified in the mailed notice may be considered.

3. **Meeting Announcement.** A printed program announcing the regular meeting shall be sent at least four (4) weeks before date of meeting to all members. Announcement of special meetings must be sent to all members at least ten (10) days before date of meeting.

## CHAPTER IX

### Order of Business

1. **Agenda.** An agenda shall be prepared prior to all Board meetings by the members of the executive committee and the Executive Director. The agenda shall be made available to all members at their request.

2. **Indemnification Clause.** The Association, by the act of the Board, shall indemnify any person who was or is a party of any proceeding by reason of the fact that he or she was or is a member of the UVMA Executive Board, UVMA Board, or UVMA Committee against any liability or settlement cost, and any expense (including attorneys fees and associated costs) actually and reasonably incurred by him or her in connection therewith, to the full extent of the Association's power to so indemnify such persons as provided by law.

## CHAPTER X

### APPOINTED COMMITTEES

1. **General Consideration.** Each standing committee shall be appointed by the President and approved by the Board unless otherwise specifically constituted. Sub-committees may be appointed for special assignments. The committee chairperson shall make written reports to the Board of Directors or to the regular Annual Meeting at the request of the President. Committees shall not have authority to incur expenses for the Association without formal approval of the Board of Directors.

2. **Program Committee.** The Program Committee is responsible for the annual meeting and shall be made up of the President and/or President-elect, Treasurer, Executive Director and the chairperson of the Education Coordinating Committee. Other members may be added as needed.

3. **National Legislative Committee:** The committee shall consider national legislative matters and designated members shall be assigned to work closely with U.S. Congressmen and Senators. Committee members shall function as Congressional Contacts on behalf of the AVMA. The committee shall obtain information on all pending military and federal measures affecting veterinary medicine and veterinary public health. It shall employ all honorable means in its power to carry out the wishes of the Association in regard to national legislative matters affecting veterinary medicine.

4. **State Legislative Committee:** This committee shall include the President of the Association. The committee shall obtain information on all state and municipal matters affecting veterinary medicine and veterinary public health. It shall employ all honorable means in its power to carry out the wishes of the Association in regard to legislative matters affecting veterinary medicine. It shall develop a close working relationship with other professional groups on legislation of common interest or concern. It shall be responsible for carrying changes in the Practice Act desired by the Association to the state legislature and shall interpret and clarify provisions of the Practice Act. It shall prepare all amendments to the Constitution and By-Laws for submission to the Association.

5. **Budget and Auditing Committee.** This committee shall be made up of President, President Elect, Treasurer shall be made up of the Executive Committee (see Constitution Article IV, Section 4) plus two other members. The committee shall be responsible for presentation of an annual budget to the board of directors, auditing of expenses and other financial matters. The committee shall also prepare an audit of all expenses, income and accounts as well as other financial matters. The audit findings shall be presented at the annual meeting of the association.

6. **Past Presidents Committee.** The Nominating Past Presidents Committee shall consist of the last five (5) three (3) consecutive past Presidents of the Association with the Immediate Past President as chair. This committee shall receive nominations from the membership for elected offices as provided in Article V of the constitution. If the general membership fails to nominate members in good standing that qualify for the various offices, the Nominating Committee shall select one or more candidate and submit those names to the Executive Secretary who shall prepare and mail ballots as provided in Article V of the Constitution. This committee shall also conduct a review of the AVMA Resolutions and submit their recommendations to the AVMA delegates and/or the UVMA Board prior to the meeting of the AVMA House of Delegates. The committee can select at least one other general member of the association and at least one new graduate in the review process.

7. **Public Relations Committee.** The Public Relations Committee shall develop and carry out means of friendly communications with professional organizations, agricultural organizations and the general public so that the veterinary

profession is respected. It shall use all ethical methods such as helping organizations with their programs and meetings, providing articles or programs for the lay press, radio or television, and making booths or displays at public functions. It shall coordinate the publicity of the activities of the various Association committees.

8. **Ethics.** The Ethics Committee shall consist of exactly three (3) members. It shall promote and interpret rules of ethical conduct among veterinary professionals under the Code of Ethics. It shall act as a grievance committee, hearing charges and defense of accusations of unethical conducts and recommend disciplinary action to the Board as appropriate. 9.

**Honors Committee.** This committee will be selected from the list of past honorees and past presidents. This committee shall review the activities of the members of the Association and select a member to be given the recognition of Veterinarian-of-the-Year, and present the name of the individual to the Board of Directors for approval. It may also recommend to the Board of Directors any individual who has contributed distinguished service to veterinary and animal science for special honors with presentation of appropriate certificate and/or plaque.

10. **Education Coordinating Committee.** The Education Coordinating Committee shall plan, implement, and coordinate the continuing education program for the members of the Association. The Education Coordinating Committee may, at its discretion, or by request of the Board of Directors, create sub-committee to consider, plan and implement education programs for Paraprofessionals, and Lay groups as the need may arise.

11. **Education Evaluation Committee.** This committee shall, as separate from any committee organizing continuing professional education, evaluate the merits of education programs according to standards and guidelines drafted by the committee and approved by the Board. The committee shall also, as requested by the Board of Examiners in Veterinary

Medicine and the Division of Occupational and Professional Licensing, assist in determining the compliance of veterinarians with requirements for continuing education requirements for maintaining a license in the State of Utah. 12.

**Membership Support Services Committee.** The Membership Support Services Committee shall be available to evaluate and assist any veterinarian or others who have professional working relationships with veterinarians, with chemical or other impairments. The committee may work with appropriate, qualified government agencies, professionals and the AVMA to assist the impaired individuals in returning to normal productivity. This committee shall consist of three members with the senior member serving as chair. When appropriate for assisting a specific member of the veterinary profession, other veterinarians or appropriate individuals may be asked to assist the committee. Committee members must always remember the sensitive and confidential nature of the issues.

13. **Special Committee.** Special Committees may be appointed by the President for duties not assignable to a standing committee with approval of the board. The Special Committee's function terminates at the successful completion of the assigned task. All special committees will be reconsidered by the President and board at the first board meeting of the new year.

14. There shall be a Historian appointed by the President. He/she shall prepare an Annual Report to include the Officers, the Committees, the Membership, and the events of importance which transpired during the year. His/her report will become part of the cumulative history of the Association. He/she shall have one group picture taken annually of the Officers and Committee Chairpersons for purposes of the record.

## CHAPTER XI

### **Suspension or Expulsion of a Member**

(a) **Grounds for Suspension or Expulsion.** The Executive Committee of the Utah Veterinary Medical Association Board of Directors shall have power by a majority vote to suspend membership or expel members for infractions of the Bylaws, or Code of Ethics of the Association, or for acts or conduct that they may deem disorderly, injurious or hostile to the interests or objectives of the Association, after a complaint has been signed by the Ethics Committee and delivered to the Executive Committee.

(b) **Notice and Hearing.** Prior to the suspension or expulsion of a member, such person shall be entitled to a notice and hearing before the Executive Committee. Such notice and the hearing shall proceed as follows: (1) **The Notice.** The notice shall state the charges made against said member and that a hearing will be held with respect to said complaint on a date certain, which shall not be less than ten (10) nor more than thirty (30) days from the service of said notice. The notice shall state the date, time and location of the hearing. Service of the notice shall be by personal service or by certified mail actually received.

#### (2) **The hearing.**

(i) The President or President Elect shall preside at the hearing. The complaint shall be read by the presiding officer. Any person having knowledge of the allegations in the complaint may give, by written statement or oral testimony, facts and circumstances supporting said allegations. The member complained of shall have the right to present facts and circumstances refuting and/or negating the allegations in the complaint. The member complained of and members of the Executive Committee shall have the right to examine and cross-examine witnesses.

- (ii) The presiding officer shall have the right to cut off cross-examination and re-direct examination when, in his/her discretion, further testimony would be redundant.
- (iii) Upon the closing by the presiding officer of the presentation of written and oral testimony, the member complained of or a member designated by him/her shall have the right to a closing argument in duration of not more than ten minutes.
- (3) **The Verdict.** At the end of such closing argument, all persons not members of the Executive Committee shall be excused from the hearing at which time the Executive Committee shall deliberate and determine by a majority vote of the quorum present, whether or not a sentence of suspension or expulsion should be imposed, and if such sentence is suspension, then the duration thereof.
- (4) **Notice of Verdict.** Notice of the determination of the Executive Committee shall be mailed to the member complained of, by mailing the same to the address given by said member at the hearing. Such notice shall be deemed given as of the date of mailing.
- (c) **Appeal by Member.** The offender may appeal from the sentence of suspension or expulsion, as herein provided. (1) **Notice of Appeal.** A member suspended or expelled from the Association by sentence of the Executive Committee may appeal to the Board of Directors there from within thirty (30) days after notice thereof by filing with the Executive Director a written notice of his appeal, and the reasons therefore.
- (2) **Time for Hearing Appeal.** All appeals shall be tried at a meeting of the Board of Directors; to be called for that purpose by the Board of Directors, within sixty (60) days after notice of the appeal has been filed with the Executive Director.
- (3) **Procedure.** The President, or President-Elect, shall preside at such meetings, and the cause of suspension or expulsion shall be reported in writing by the Executive Committee, with a statement of facts on which their sentence was founded, a copy of which shall be furnished to the appellant at least ten (10) days before the meeting, at which time a copy thereof shall also be filed with the Executive Director of the Association. The appellant shall then present his defense in writing, to which one member of the Executive Committee may reply orally. The appellant, or any member of the association in his behalf, may then answer, and a member of the Executive Committee may a second time speak in support of the charge; thereafter no further discussion shall be allowed.
- (4) **Disposition of Appeal.** The presiding officer shall excuse the appellant and then put the question to the Board of Directors: "Shall the sentence of the Executive Committee in this case be affirmed?" If a majority of those present shall vote in the affirmative, the sentence shall stand as the final judgement of the Association. If less than a majority of those present vote in the affirmative, then the sentence of the Executive Committee shall be reversed, and the appellant shall immediately be restored to membership.
- (5) **Reinstatement.**
  - (i) **Suspension.** When a member has been suspended from the Association, such suspension shall be automatically terminated on the date such period of suspension expires, unless, during the period of suspension, one or more additional complaints are filed against such suspended member and if, after notice, hearing and appeal as hereinabove set forth, additional periods of suspension or expulsion from the Association has resulted, then such action shall supersede the termination of the suspension.
  - (ii) **Expulsion.** If a member has been expelled from the Association, he/she shall have the right to reapply for membership only after a lapse of time of not less than two (2) years from the date of expulsion. Reinstatement after expulsion of membership shall be based upon the same criteria as for new admittees, as well as a consideration by the Executive Committee of the seriousness of the offense for which such member was expelled. If such former member is not reinstated, he/she shall have the right to reapply only after the lapse of an additional two (2) years unless such time is shortened by act of the Executive Committee.

Amended 06-1997, 06- 2002, 06-2006, 09-2010, 06-2013, 07-2015

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## CODE OF ETHICS

### Preamble

The honor and dignity of our profession lies in our obedience to a just and reasonable code of ethics set forth as a guide to the members. The object of this code, however, is more far reaching, for exemplary professional conduct not only upholds honor and dignity, but also enlarges our sphere of unselfishness, exalts our social standards and promotes the science we cultivate. Briefly stated, our code of ethics is the foundation of our individual and collective efforts. It is based upon the Golden Rule.

### The Duty of the Veterinarian

### **Honor of the Profession**

Section 1. Every one on entering the veterinary medical profession and thereby becoming entitled to full professional fellowship, incurs an obligation to advance the science and art of veterinary medicine, to guard and uphold its high standard of honor, to conform to the principles of professional conduct and to conduct himself as a gentleman/lady.

### **Purpose of the Veterinary Medical Association**

Section 2. Every veterinarian should identify himself/herself with the organized body of his/her profession as represented by Veterinary Medical Associations. These Associations are the chief elements of strength in the organization of the profession and should be made the instrument for the cultivation of fellowship, for the advancement of the science of veterinary medicine, for the dissemination of veterinary medical knowledge, for the maintenance of ethical standards and for the promotion in general of the interests of the profession and the welfare of the public.

### **Standard of Character and Morals**

Section 3. The Veterinary Medical Profession exacts from its members the highest type of character and morals, and to attain such a standard is a duty every veterinarian owes alike to the profession and to the public. It is incumbent on veterinarians to be temperate in all things, for the practice of veterinary medicine requires the unremitting exercise of a clear and vigorous mind.

### **Duty in Sustaining Laws**

Section 4. It is the duty of the veterinarians to bear their part in sustaining the laws, institutions and burdens of their community; they should cooperate in the observance and enforcement of sanitary laws and regulations in the interests of public health.

### **Quarantine and Reporting and Communicable Disease**

Section 5. Veterinarians should, when indicated, instruct their clients in regard to quarantine regulations and measures for the prevention of communicable diseases; they should report all such diseases under their care to the health authorities as requested.

### **Gratuitous Services**

Section 6. Veterinarians should recognize poverty as presenting valid claims for gratuitous services; but endowed institutions, societies for mutual benefits, or analogous bodies are not entitled to receive such services.

### **Compensation**

Section 7. Veterinarians should deem it a point of honor to adhere, with as much uniformity as the varying circumstances will admit, to the compensation for professional services prevailing in the community in which they practice. They should not dispose of their services by a contract which interferes with the giving of proper services to their patients, or which sacrifices their professional standing, or militates against the public good.

### **Pharmacy**

Section 8. Veterinarians should recognize and, by legitimate patronage, promote the profession of pharmacy, but any pharmacist who, not being qualified and licensed veterinarian, makes a practice of prescribing for animals, should not be recognized nor supported. Any druggist or pharmacist who wilfully dispenses deteriorated, inferior or adulterated drugs, or who substitutes one remedy for another designated in a prescription, or who fails to follow the given prescription, forfeits all claims to recognition and patronage or veterinarians and the public.

### **Advertising**

Section 9. Advertising means newspaper and periodical announcements and listings; professional cards; office and other signs; letterheads; telephone and other directory listings; and any other form of communication designed to inform the public about the availability, nature or prices of products or services, or to attract clients. Advertising by veterinarians is permissible when it includes no false, deceptive or misleading statement or claim.

Solicitation means advertising intentionally directed to specific individuals. Written solicitation is permissible. Oral and in-personal solicitation is undesirable because it provides no evidence that can be examined by a regulatory body. A false, deceptive, or misleading statement or claim is one which:

(1) contains, in a manner which is false or misleading: a testimonial about or endorsement of a veterinarian, or a combination of a veterinarian's name or photograph and identification as part of a testimonial, endorsement, or sales



promotion of a non-veterinary product or service.

- (2) refers to secret drugs or methods of treatment for special services and which could be characterized as deceptive;
- (3) concerns illegal transactions;
- (4) is not identified as a paid advertisement or solicitation unless it is apparent from the context that it is a paid advertisement or solicitation;
- (5) states or implies that a veterinarian is a specialist, unless the veterinarian is a diplomate of an AVMA-recognized specialty organization;
- (6) is intended or is likely to create an inflated or unjustified expectation;
- (7) contains a material misrepresentation of fact;
- (8) fails to state any material fact necessary to make the statement or claim not misleading in the circumstances under which it is made;
- (9) would result in the violation of any law or regulation or a contractual or other obligation of any person with whom the veterinarian seeks to communicate; or
- (10) contains a representation or implication that is likely to cause an ordinary prudent lay person to misunderstand or be deceived, or fails to contain reasonable warnings or disclaimers necessary to make a representation or implication not deceptive.

#### **Commission or Bonus**

Section 10. Veterinarians shall not give, solicit or receive, nor shall they offer to give, solicit or receive any gifts, gratuity, commission, or bonus in consideration of or in return for the referring, recommending or procuring of any patient for medical, surgical or other treatment. Veterinarians shall not directly, or by any subterfuge participate in or be a party to the act of the division, transference, assignment, subordination, rebating, splitting or refunding of any fee for medical, surgical or other treatment.

The provisions of this section shall apply with equal force to the referring, recommending, or procuring by a veterinarian of any person, specimen or material for diagnostic or other study or work.

Nothing in this section, however, shall prohibit the payment of salaries by a qualified veterinarian to other duly qualified persons rendering veterinary medical care under his supervision.

#### **Guarding the Veterinary Medical Profession**

Section 11. Every veterinarian should guard to protect the veterinary medical profession against the admission of those who are, either in moral character or education, unfit as professional associates.

#### **Reporting Unprofessional Conduct**

Section 12. Veterinarians should report in writing to the Executive Committee or to the Secretary of the Association any corrupt or dishonest conduct of members of the veterinary profession, and the Executive Committee shall keep the name of the reporting veterinarian in absolute confidence.

#### **Groups and Clinics**

Section 13. These principles of Professional Conduct shall apply to veterinarians as individuals or as members of clinics, colleges, schools, foundations, companies or groups, by whatsoever name they may be known.

#### **Enforcement of the Code of Ethics**

Section 14. This Association should cooperate with the properly constituted authorities in the enforcement of local, State, and Federal Laws, and their respective localities, relating to the public health and to the practice of veterinary medicine, and should report promptly to such authorities any evidence received by them indicating any violation of such laws. The commission of an act or acts by a veterinarian which would subject him/her to reprimand or discipline or which would subject his/her license to practice medicine to revocation, suspension or annulment under laws at the time shall constitute a violation of this code.

This Association, through By-Law provisions, shall fix and determine the degrees of discipline and the nature and extent of the penalty or punishment which may be imposed.

### **PROCEDURE FOR REGISTERING A GRIEVANCE**

A procedure to be followed by anyone wishing to register a complaint against any Association member:

(1) Any person, lay or professional, shall have the privilege of registering a complaint and securing a hearing on any matter with the Ethics Committee of the Utah Veterinary Medical Association.

(2) Any person having a complaint, or question or ethical practice, or other complaint, shall file such complaint in writing with the Chairperson of the Ethics Committee, or the office of the Association. To assure action by the Committee on every case submitted, the written complaint should be sent by registered or certified mail with return receipt.

(3) Such written complaints shall contain the following information:

(a) Residence of the defendant;

(b) Date of the act being protested;

(c) The specific complaint, violation, or grievance;

(d) Details of the circumstances;

(e) Witnesses or other persons having direct knowledge of the act;

(f) Signature and address of the person originating the complaint.

(4) Committee action:

(a) Committee will immediately acknowledge receipt of all communications. (b) Committee will review every written complaint and the supporting evidence and shall notify the accused and the accuser of the action taken.

(c) If justified, the Committee shall set a date and place, and meet with and 1) listen to the accused in person; 2) listen to the accuser in person; notification of such a meeting will be by registered mail with return receipt.

(d) Committee will review the case and attempt through negotiation and discussion to arbitrate and resolve the differences.

(e) If no satisfactory solution is reached, the Committee will submit its findings and recommendation to the Executive Board of the Association.

(f) The Executive Board will in turn take appropriate action; if justified, the case will be referred to the Board of Examiners for legal action.