

BYLAWS

of the

Florida Mental Health Counselors Association A Florida Not-For Profit Corporation

Adopted July 18, 1998

Revised January 29th, 2004, Revised January, 2009

ARTICLE I: NAME and PURPOSE

Section 1. Name

This association will be known as the "Florida Mental Health Counselors Association, hereafter referred to as FMHCA. Incorporated in Florida as a 501(C)(6) corporation.

Section 2. Affiliation

This association is a State Affiliate of the American Mental Health Counselors Association (AMHCA), and is recognized by AMHCA as the association to represent mental health counselors in Florida consistent with the Purposes as set forth in Article I, Section 3. Both AMHCA and FMHCA are independent and autonomous professional associations.

Section 3. Purposes

The purposes of FMHCA are to:

- Promote the profession of mental health counseling;
- Provide a system for the exchange of professional information among mental health counselors through newsletters, journals or other scientific, educational and/or professional materials;

Provide professional development programs for mental health counselors to update and enhance clinical competencies;

Promote legislation that recognizes and advances the profession of mental health counseling;

Provide a public forum for mental health counselors to advocate for the social and emotional welfare of clients;

Promote positive relations with mental health counselors and other mental health practitioners in all work settings to enhance the profession of mental health counseling;

Contribute to the establishment and maintenance of minimal training standards for mental health counselors;

Promote scientific research and inquiry into mental health concerns;

Provide liaison on the state level with other professional organizations to promote the advancement of the mental health profession;

Promote the utilization of empirical or scientific foundation for the selection of mental health counseling techniques, procedures or psychotherapies;

Contribute to the reduction of client harm by encouraging mental health counselors to explain the potential risk and ethical considerations of using "unproven" or "developing" techniques or psychotherapy procedures with no scientific bases;

Contribute to the understanding of individuals from different cultural backgrounds within our diverse society by considering dimensions such as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and space spiritual values, socioeconomic status and unique characteristics of individuals, couples, families, ethnic groups and communities;

Provide the public with information concerning the competencies and professional services of mental health counselors; Promote equitable licensure standards for mental health counselors through the state legislature; and to Address institutional and social barriers that impede access, equity and success for clients through ongoing advocacy efforts.

ARTICLE II: Membership

Section 1. Types of membership

There will be four types of membership: Clinical, Regular, Retired and Student. All four categories of members may vote at meetings of the membership.

Section 2. Requirements of membership

To qualify for membership, an individual must meet specific requirements for the category of membership sought, as follows:

Clinical Member:

Eligibility: Applicants for clinical membership must document that they meet entry-level standards for professional recognition as a mental health counselor by 1) holding licensure in Florida as a mental health counselor, or 2) hold approved status as an applicant for licensure examination. Anyone who qualifies for Clinical Membership must apply for membership in that category.

Procedure: A person becomes a clinical member of FMHCA upon demonstration that professional requirements have been met and their initial dues have been paid.

Obligations and Privileges: A clinical member must pay annual dues, and must adhere to the referenced professional Code of Ethics. A clinical member in good

standing will be entitled to attend and vote at membership meetings of FMHCA, to hold office in FMHCA and may enjoy such rights and privileges as may from time to time be offered members.

Regular Member

Any person whose primary work related responsibilities are in mental health counseling or a related clinical practice will be eligible for regular membership in FMHCA. Regular members may attend and vote at membership meetings of FMHCA, and will not be eligible to hold office.

Any person who is a "Registered Intern" in the State of Florida is eligible for Regular Membership. Once licensed, or approved as an applicant for the licensure examination, membership renewal must be as a Clinical member.

Retired Members

Any person who has completely retired from active practice as a licensed mental health counselor, or a professional equivalent from a state other than Florida, will be eligible as a Retired Member. Retired clinical members may attend and vote at membership meetings of the Association and will be eligible to hold any office in the Association with the exception of President or President-elect.

Graduate Student Members

Academic Requirements: Any student enrolled in a graduate program for half time or more (as defined by his/her college or university) in mental health counseling or a closely related field in a regionally accredited college or university will be eligible to become a Graduate Student Member of FMHCA. A member must be certified by his/her major professor as meeting this requirement.

Graduate Student members may attend membership meetings of FMHCA. They will not be eligible to vote at membership meetings, and they will not be eligible to hold office in the Association.

Section 3. Dues

Annual FMHCA dues will be established by action of the Board of Directors in accordance with these Bylaws and will be collected by the FMHCA Treasurer, or by such administrative person or organization as may be designated by the FMHCA President.

Section 4. Severance of Membership

A member will be dropped from membership for any conduct that tends to injure FMHCA or that adversely affects its Bylaws or the referenced professional Code of Ethics. A member will be dropped from membership for:

Nonpayment of dues;

Falsely documenting that membership qualifications have been met;

Having been disciplined by the 491 board, or

By action of the Ethics Committee and Board of Directors.

ARTICLE III: LOCAL CHAPTERS

Section 1. Organization of Local Chapters

Chapters. The Association promotes and encourages the development of local Chapters to promote local interest and participation in the profession. New chapters may be accepted by the Board of Directors upon meeting the following criteria:

The group must consist of at least 12 members of FMHCA.

There may be no more than one FMHCA local Chapter in any given geographical area.

The purposes of the Local Chapter will be in accord with those of FMHCA.

The Local Chapter will organize in accordance with the Bylaws of FMHCA.

All officers of the Local Chapter will be members in good standing of FMHCA.

Charter status is awarded to the Local Chapter by the FMHCA Board of Directors.

The Local Chapter will be free to conduct its affairs at the local level in compliance with the Bylaws of the Association, and

Local chapters must present Chapter Bylaws to the FMHCA Board of Directors for approval to become an official Chapter of FMHCA.

Section 2. Reports

Each local Chapter will submit a written report annually by September 1 to the Secretary of the FMHCA Board to include 1) a summary of Chapter activities during the past year 2) a current roster of its officers and 3) a list of members.

Section 3. Charter Renewal Standards

Standards for charter renewal reflect the sound organization and development necessary for a Local Chapter of FMHCA.

The Secretary of the FMHCA Board will make recommendations annually to the FMHCA Board of Directors concerning charter renewal for each Local Chapter.

Standards and Procedures for Charter Renewal will be established by policy in accordance with the Bylaws.

Section 4. Involuntary Revocation of Chapter

The Board of Directors will have the power to revoke the charter of a Local Chapter when it is deemed in the best interests of the Association to do so.

Procedures for revoking the charter of a local chapter will be established by policy.

Section 5. Interest Sections of "Special Interest Groups" ("SIGs")

"Special interest Groups" (SIGs) may be organized on a statewide or local basis to promote professional interests not otherwise included in the organizational structure of FMHCA. A group of FMHCA members interested in establishing an interest section may

petition the FMHCA Board of Directors for SIG status. The Board of Directors will adopt policies and procedures relative to formation, governance and funding of SIGs.

ARTICLE IV: OFFICERS OF THE ASSOCIATION

Section 1. Officers

1. The officers of this Association will be President, President-Elect, Past President, Secretary, Treasurer and two (2) At Large members. These officers will comprise the voting members of the Board of Directors of the Association. Only active or retired clinical members may hold office. All officers must be members in good standing of FMHCA and of the American Mental Health Counselors Association.

2. Officers of the Association will be elected at large from among members in good standing of FMHCA. Officers who have had one or more years of service on the FMHCA Board of Directors will be considered first for nomination to the office of President-Elect. In the event that no current or former Board member is available, willing or suitable for nomination, nominees may be sought without regard to prior Board experience.

3. The President, President-Elect, Secretary, Treasurer and both At Large members will be elected for one (1) year terms. All officers will assume their elected office on July 1 of each calendar year. The President-Elect will succeed to the office of President of the Association on July 1 of the year following the commencement of his/her term as President-Elect, or upon the death or resignation of the President. In the event the President-Elect should die, resign, or be otherwise unable to continue in the office prior to becoming president, the Board of Directors will fill the office in a manner to be determined by policy.

4. Upon conclusion of the President's term of office, he/she will continue as a voting member of the Board of Directors in the office of Past President for a term of one (1) year. In the event that the Past President should die, resign, or be otherwise unwilling or unable to continue in office until the conclusion of the term the Board of Directors will fill the office in a manner to be determined by policy.

5. If a member leaves the Board of Directors during his/her term of office, or if, prior to July 1, an officer-elect should be unable or unwilling for any reason to assume the office to which he/she has been elected, the President will recommend to the Board of Directors the names of three qualified replacements. The Board of Directors will appoint the replacement from these recommendations to serve for the remainder of the unexpired term.

Section 2. Nomination and Election of Officers

Officers of the Association will be nominated and elected annually consistent with policy established by the board and adhering to the following schedule:

February 1: President appoints the Nominations and Elections Committee

March 1: Publication of "Call for Nominations"

May 1: Publication of list of nominees and a procedure for voting

June 1: Deadline for completion of voting procedure

July 1: Newly elected officers assume office

Publication may be by printed copies sent to members by US mail or by appropriate notice on the FMHCA website.

Section 3. Powers and Duties of Officers

The President will serve as presiding officer of FMHCA, and serve as a voting member of and the Chairperson of the Board of Directors. The President will, with the approval of the Board of Directors, appoint the Chairperson of all Standing and Special Committees except the Finance Committee, the Chair of which will be the Treasurer. The President will have the power to act on behalf of FMHCA in legislative and regulatory matters requiring immediate action. The President will perform such other duties as are

incidental to the office, or may be properly required by vote of the Board of Directors and/or specified by policy.

The President-Elect will serve as a voting member of the Board of Directors; will coordinate the Committees and will perform such duties as may be directed by the Board.

The Past President will serve as a voting member of the Board of Directors; serve as Chairperson of the Nominations Committee; and perform duties as may be directed by the President, the Board of Directors and/or by policy.

The Treasurer will serve as a voting member of the Board of Directors; serve as Chairperson of the Finance Committee; and perform other duties as may be directed by the President, the Board of Directors and/or by policy.

The Secretary will serve as a voting member of the Board of Directors; be responsible for the recording of minutes at all official meetings of the Board of Directors; be responsible for the timely distribution of these minutes to all members of the Board; serve as corresponding Secretary for all officially designated Board business, including receiving reports from local Chapters; and perform other duties as may be directed by the President, the Board of Directors and/or by policy.

The At-Large Members will serve as voting members of the Board of Directors, and perform such other duties as may be directed by the President, the Board of Directors and/or by policy. At Large Members may hold an Advisory Board position in addition to serving as an At-Large Member.

Section 4. Powers and Duties of Advisory Board Members

The President with the approval of the Board will appoint the Counselor Educator Representative, the Registered Mental Health Counselor Intern Representative and the Graduate Student Representative annually for a term of one year. Appointees may be reappointed at the pleasure of succeeding Presidents.

The Councilor Educator Representative, will serve as a member of the Advisory Board; will serve on the Membership Committee and will be responsible for promoting the purposes and goals of FMHCA in counselor educator programs in colleges and universities throughout the state. He/she will perform duties as may be directed by the President, the Board of Directors and/or by policy.

The Registered Mental Health Counselor Intern Representative, will serve as a member of the Advisory Board and will be responsible for promoting the purposes and goals of FMHCA among registered interns throughout the state. The Registered Intern Representative will serve on the Membership Committee and will perform such other duties as may be directed by the President, the Board of Directors and/or by policy.

The Graduate Student Representative, will serve as a member of the Advisory Board; will be responsible for promoting the purposes and goals of FMHCA in college and university programs statewide that are educating and training future Mental Health Counselors. The Graduate Student Representative will serve on the Membership Committee and will perform such other duties as may be directed by the President, the Board of Directors and/or by policy.

Local Chapter Presidents will serve as members of the Advisory Board and will serve as direct communication/liaison links between their Chapter membership and the Board. They will assure that their chapter is in compliance with applicable FMHCA Bylaws concerning local chapters. They will also serve as consultants to promote the purpose and work of FMHCA at the local level, and they will be members of the Membership Committee.

Parliamentarian

1) Qualifications: Has been an active member of FMHCA for at least one year, is knowledgeable concerning parliamentary procedure and is available to attend FMHCA Board meetings. The Parliamentarian may serve in any Standing or Advisory Board position except President.

2) Term: Appointed by the President subject to approval by the Board. Serves at the pleasure of the President by whom appointed. May be re-appointed by succeeding Presidents.

3) Duties: Serves as an advisor to the President and the Board of Directors regarding parliamentary procedure and is responsible for ensuring that meetings follow the process outlined by Robert's Rules of Order, 10th edition, as published by the Robert's Rules Association, or by subsequent editions published by that association.

4) The position of Parliamentarian is a nonvoting position.

Section 4. Removal from Office

A two-thirds majority of the FMHCA Board of Directors will be required to remove an elected officer from his/her position.

Reasons for removal from office are:

Violation of professional, legal or ethical codes;

Failure to carry out duties/responsibilities of office, or

Failure to act in accordance with the established legislative platform or purposes of FMHCA.

The procedure for removing an officer from his/her position will be established by policy.

A member of the Association must initiate the process of removal from office in writing. Two additional letters from members supporting removal from office must accompany the initial charge. Ethical violations must be dealt with according to procedures detailed in policy relating to such matters as set forth by the Ethics Committee. The following steps will apply and sequence when the charge relates to failure to carry out the duties of responsibilities of one's office:

ARTICLE V: BOARD OF DIRECTORS

Section 1. Composition

Voting members of the Board of Directors of FMHCA will be composed of the President, President-elect, Past President, Secretary, Treasurer, and two At-Large Members. Nonvoting members of the Board will include all members of the Advisory Board.

Section 2. Duties and Responsibilities

The Board of Directors will be the agency through which the general administrative, policy, and executive functions of the Association are effected. The Board will be responsible for developing and implementing policies in accordance with these Bylaws.

The Board of Directors will conduct, manage and control the business of the Association in accordance with these Bylaws. The Board of Directors may, at its discretion, contract with an outside organization for administrative services to be determined. Such contract services will be on the basis of a written description of the services to be provided. No policy decisions may be delegated to a paid employee or any other entity. Employees of and other entities contracting with FMHCA will report to the President.

The Board of Directors approves charters submitted by Local Chapters.

The Board of Directors approves the formation of Special Interest Groups (SIGs).

The Board of Directors identifies issues and establishes priorities in the areas of mental health counseling.

Section 3. Meetings

The Board of Directors meets at least quarterly. Meetings may be held in person, telephonically or via the Internet. At least one "in person" meeting must be held annually. The President or a majority of the Board of Directors may call additional meetings. Each member of the Board of Directors has one vote. A majority of the voting members of the Board of Directors constitutes a quorum.

All regular meetings of the Board of Directors will be open to members of the Association. The Board may meet in Executive Session (during which all nonvoting participants will be excluded) for 1) the purpose of considering personnel matters relating to hired employees, 2) when considering disciplinary action of a member or 3) for such other purposes as the board may determine by majority vote.

Section 4. Expenses

The travel, lodging and meal expenses of the voting members of the Board in attending meetings of the Board may be paid from Association funds. The President consistent with current budgetary restraints will make decisions regarding these expenses.

ARTICLE VI: ADVISORY BOARD

Section 1. Composition

Members of the Advisory Board will consist of the Chairperson of each Standing committee, the Chairperson of each Special Committee, a Registered Intern Representative, a Counselor Educator Representative, a Graduate Student Representative, the President of each local FMHCA chapter and the Parliamentarian.

Section 2. Duties and responsibilities

The function of the Advisory Board is to provide information and advice to the President and Board of Directors.

Section 3. Meetings

The Advisory Board will meet together with the Board of Directors at regularly scheduled or called meetings of the Board. They will actively participate in discussing matters under consideration but they will not have a vote nor will their presence count toward the quorum required to conduct Board business. Advisory board members should take advantage of any communication means available to convey their advice to the President and Board.

Section 4. Expenses

Expenses for attending Board of Directors meetings will be the responsibility of Advisory Board members individually. However, if lunch is served in connection with a Board meeting, Advisory Board members will be guests of the Association.

ARTICLE VII: STANDING and SPECIAL COMMITTEES

Section 1. Standing Committees

Standing Committees are established in these Bylaws in order to facilitate the organizational structure and well-being of the Association. Standing Committee members will serve for a period of one (1) year following their appointment or until the beginning of the next fiscal year, whichever comes first. The FMHCA President with the approval of the Board of Directors will appoint committee chairpersons. Each committee will report to the Board of Directors, in writing, the salient activities, financial information and progress of the committee. All Standing Committee Chairpersons will be non-voting members of the Board of Directors as well as members of the Advisory Board.

The following will be Standing Committees of FMHCA:

- 1) The Executive Committee will be made up of the President, President-Elect, Secretary, Treasurer and Past President. It will filter and condense information that will be given to the full Board of Directors and will meet in between the quarterly Board meetings as necessary.
- 2) The Nominations and Elections Committee will be responsible for carrying out nominations and elections procedures. The committee members will be appointed by the President and consist of 1) the Past President who serves automatically as the Chairperson of the Nominations Committee; 2) one other member of the Board of Directors; and 3) one clinical member of FMHCA in good standing who is not a member of the Board.
- 3) The Finance Committee will be appointed by the President prior to the beginning of the fiscal year, the Chair of which will be the Treasurer. The Committee will prepare a

budget for the upcoming fiscal year and present it to Board of Directors for approval at the first meeting of the fiscal year. The finance Committee may submit revisions to the approved budget as it may become necessary or expedient.

4) The Ethics Committee will receive and review requests from Association members relating to the ethical conduct of Association members or officers and any other issue of an ethical nature that may come before the Association. It will make any recommendation for action to the Board of Directors.

5) The Bylaws Committee will receive and review proposals for amending the Bylaws and resolutions submitted by members and various components of the Association. The committee will make recommendations to the Board for revising the Bylaws as deemed appropriate. The committee will cause the Bylaws to be published and distributed to the membership every four years.

Section 2. Special Committees

The Bylaws establish Special Committees in these in order to facilitate the professional development and best interest of Association members as well as other goals and purposes of the Association in the mental health counseling profession. The President with the approval of the Board of Directors will appoint committee chairpersons who will serve for a period of one (1) year following their appointment or until the beginning of the next fiscal year, whichever comes first. Each committee will report to the Board of Directors, in writing, the salient activities, financial information and progress of the committee. All Special Committee Chairpersons will be members of the Advisory Board.

The following will be special Committees of FMHCA:

1) The Governmental Relations Committee will be responsible for advocating and implementing the FMHCA legislative platform. Issues impacting the profession of mental health counseling at the state level will be addressed by FMHCA, including issues involving legislation, agency regulation and encroachment by other entities on the practice of mental health counseling. FMHCA will be represented regularly at 491 Board meetings. The committee will inform and enlist support from members as to pertinent

legislative issues and positions beneficial to the membership. Advocacy for legislation that recognizes and advances the profession of mental health counseling will be a priority. The committee will identify and support laws, programs and practices affecting the practice of mental health counseling. The committee, at the request of the Board of Directors, will provide liaison on the state level with other professional organizations to promote the advancement of the mental health profession.

2) The Educational, Training Standards and Continuing Education Committee will monitor the professional development needs of the Association's members. It will develop and implement a comprehensive plan of continuing education directed towards clinical and practical issues. The committee will be responsible for providing workshops, publications, and in-service opportunities related to identified needs. The committee will communicate with other FMHCA committees concerning professional development activities for the membership.

3) The Membership Committee will actively promote FMHCA membership among Florida Mental Health Counselors, Mental Health Counselor Interns and others with professional or job-related interests in mental health counseling. Members will include the Counselor Educator Representative, the Graduate Student Representative, Local Chapter Presidents and such other members as may be appointed by the President.

4) The Graduate Student Committee will actively promote FMHCA membership among students enrolled in mental health counseling programs in Florida colleges and universities.

5) The Interpersonal and Consumer Relations Committee will maintain contact with consumer and other professional associations to allow maximum exposure for FMHCA. It will advocate for consumers of mental health services both to ~~the~~ professionals and ~~the~~ public.

6) The Public Relations Committee will advertise all association events and work closely with all committee Chairpersons to relay their interest and concerns to the public as appropriate. It will promote understanding and positioning of mental health counseling to

the public, third party payers, employers and other professionals. It will promote the profession of mental health counseling through the exchange of professional information among mental health counselors by use of newsletters, journals or other scientific, educational and/or professional materials. The public relations committee will provide the public with information concerning the competencies and professional services of mental health counselors.

7) The Research Committee will promote scientific research and inquiry into mental health concerns.

ARTICLE VIII: ADOPTION & RATIFICATION, AMENDMENT and PUBLICATION

Section 1. Adoption and Ratification.

These Bylaws are adopted by the Board of Directors effective July 1, 1998 and are subject to ratification by the membership at the first Annual Meeting of the Membership subsequent to that date. These Bylaws are revised by the Board of Directors effective **(date to be determined)** and are subject to ratification by the membership.

Section 2. Amendment.

These Bylaws may be amended by a two-thirds (2/3)-majority vote of the Board of Directors subject to ratification by the members at the first Annual Meeting of the Membership subsequent to such revision, or by a method to be determined by the Board of Directors. A continuing record of any amendments to these Bylaws will be added to and made a part of Article VIII, Section 1 of the Bylaws.

Section 3. Publication

The Bylaws of the Association will be published in their entirety every four years, beginning with their promulgation (July 1, 1998). All amendments adopted by the Association will be printed and distributed to membership upon adoption.

Section 4. Continuity

The Secretary of the Association will be responsible for maintaining an official copy of these Bylaws and amendments thereto and for passing same to his/her successor.

ARTICLE IX: ETHICS

Section 1. Applicable Standards

The Ethical Standards published by the American Mental Health Counselors Association (AMHCA) as they may from time to time be revised, are adopted as the ethical standards of FMHCA. In any instance where Florida State and/or federal law and the referenced ethical standards of AMHCA conflict, the higher or more stringent standard will apply. AMHCA's Standards of Ethics are the minimum standards of professional conduct and behavior for practicing counselors and therapists. All members are expected to familiarize themselves with these standards.