Bylaws

Article 1. Name, Affiliations & Organization 2
Section 1: Name 3
Section 2: Affiliation 3
Section 3: Organization 3
Article 2. Purposes & Prohibition 3
Section 1: Purpose 3
Section 2: Prohibition 5
Article 3. Memberships 5
Section 1: Types of Memberships 5
Section 2: Requirements of Memberships 5
A. Professional Members 5
B. Student Members: 5
C. Honorary Members: 6
Section 3. Dues 6
Section 4. Good Standing 6
Section 5. Severance of Membership 6
Article 4. Volunteer Leaders and Committees 7
Section 1: Representatives to External Bodies 7
Section 2: Board of Directors & Committees 7
Section 3: Standing Committees, Structures, Administration & Chair Responsibilities 8
A. The Standing Committees of UMHCA shall be: 8
B. Structure and Administration of Standing Committees 8
C. Responsibilities of the Chairs 9
Section 4: Standing Committees, Descriptions & Structures 9
A. Executive Committee (EXEC) 9
B. Past President 10
C. President 10
D. President-Elect 11
E. Secretary 11
F. Treasurer 11
G. Presidential Advisor 11
H. Legislative & Public Policy Committee (LPPC) 12
I. Education and Conference Committee (EACC) 12
J. Graduate Student & Emerging Professionals Committee (GSEP) 12
K. Public Relations, Marketing & Membership Committee (PRMM) 13

L. Justice Equity Diversity & Inclusion Committee (JEDI) 14
Section 5: Uncompleted Terms of Office 14
Section 6: Removal from Office 15
Article 6. Meetings & Reports 16
Section 1: Annual Membership Meetings 16
Section 2: Board of Directors Meeting 17
Section 3: Standard Committee & Special Committee Members Meetings 17
Section 4: Reports 18
Article 7. Budgeting and Finance 18
Section 1: Fiscal Year 18
Section 2: Annual Budget 18
Section 3: Financial Statement 18
Section 4: Deposits, Disbursements & Expenses 18
Section 5: Books and Records 18
Section 6: Dissolution 19
Article 8. Indemnification, Adoption & Ratification, Amendments & Publications 19
Section 1: Indemnification 19
Section 2: Adoption & Ratification 19
Section 3: Publications 19
Section 4: Continuity 20
Article 9. Ethics and Non-Discrimination Policy 20
Section 1: Applicable Standards 20
Article 10. Rules of Order 20
Section 1: Adoption of Bylaws 20

Article 1. Name, Affiliations & Organization

Updated: August 12, 2023

Section 1: Name

A. The name of this association shall be the Utah Mental Health Counselors Association.

Section 2: Affiliation

A. The 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 Utah consistent with the Purposes as set forth in Article I, Section 4. Both AMHCA and UMHCA are independent and autonomous professional associations.

Section 3: Organization

A. In accordance with AMHCA's Policy & Procedures:

1. UMHCA shall consist of a minimum of 25 members.
2. UMHCA must be representative of the members in the state of Utah.
3. UMHCA bylaws shall be consistent with AMHCA bylaws. Any changes to UMHCA bylaws must be approved by a majority vote of the Board of Directors of UMHCA (Board), and approved by AMHCA.
4. UMHCA shall submit to AMHCA's national office a current roster of its officers within thirty (30) days of their elections or appointment. UMHCA shall submit written reports by June 15 to the national office.
5. UMHCA shall comply with standards and procedures for annual charter renewal as published in the AMHCA Leader Handbook.

Article 2. Purposes & Prohibition

Section 1: Purpose

A. The purposes of UMHCA are as follows:

1. Promote the profession of mental health counseling.
2. Provide a system for the exchange of professional information among Mental Health Therapists through but not limited to the following: websites, newsletters, journals, or other scientific, educational, and/or professional materials.
3. Provide professional development programs for Mental Health Therapists to update and enhance clinical competencies. Through but not limited to

websites, conferences, promotions of upcoming conferences, suggested continuing education credits, meetings, and special committees.

4. Promote full parity in the state of Utah and to the Utah legislature. Increasing recognition and advancing the profession of mental health counseling by working with state organizations including, but not limited to, the Department of Professional Licensing (DOPL), and working with senators and state representatives by submitting suggested rules affecting legislature codes to ensure Mental Health Therapists including any licensed therapist in the State of Utah as defined by Utah Rules (R156-60) definition are considered Mental Health Therapists.
5. Promote clinical parity for Clinical Mental Health Counselors within the health insurance industry, legal system, and other professions, which utilize the expertise and experience of mental health "helping" professionals.
6. Provide a public forum for Mental Health Therapists to advocate for the social and emotional welfare of clients;
7. Promote positive relations with Mental Health Therapists in all work settings to enhance the profession of mental health counseling;
8. Contribute to the establishment and maintenance of minimum training standards for Mental Health Therapists;
9. Contribute to the establishment and maintenance of minimum training standards for those who supervise students of mental health therapy, and colleagues; Promote scientific inquiry and publication of research related to counseling strategies, theories, techniques, processes, and therapies, their effectiveness in treating individuals with mental health concerns;
10. Provide a liaison on the state level with other professional organizations to promote the advancement of the mental health profession;
11. Promote the utilization of empirically-based or scientifically supported strategies for assessment, treatment, and evaluation modalities, techniques, and therapies utilized by mental health professionals;
12. Contribute to the reduction of client harm by encouraging Mental Health Therapists to explain the potential risks and ethical considerations of using "unproven" or "developing" techniques, or psychotherapy processes without a scientific basis;
13. Contribute to an understanding of individuals from different cultures, minorities, and marginalized populations by considering various features such as ethnicity, race, religion/spirituality, nationality, age, gender, sexual orientation, mental/physical ability, education level, family values, socioeconomic status, and other unique characteristics of individuals, couples, families, and communities;

14. Provide the public with information concerning the competencies and professional services of Clinical Mental Health Counselors (CMHC), services provided, and the nuances of the CMHC profession in relation to other helping Mental Health Therapists;
15. Promote equitable licensure standards for Mental Health Therapists through the state legislature, and to;
16. Address the institutional, social, financial, and related barriers that impede equal access for clients through ongoing advocacy efforts.

Section 2: Prohibition

A. No part of the earnings of UMHCA shall receive monetary Compensation in accordance with 501(c)6 regulations for their services on the Board. Compensation shall be defined according to the IRS 501(c)6 condition stating "No part of its net earnings may inure to the benefit of any private shareholder or individual." Nor shall any earnings be distributed to any members, trustees, board members, or any other private persons, except that the chapter shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the mission set forth above. Given the organization's status as a 501(c)6, UMHCA does not expend monetary compensation on private persons who provide presentations at UMHCA-sponsored events. Contracted services provided in service of UMHCA's mission and vision must be voted on and approved by the board prior to being administered.

Article 3. Memberships

Section 1: Types of Memberships

A. There shall be three types of membership; Student, Professional, and Honorary Memberships.

Section 2: Requirements of Memberships

A. Professional Members

1. Eligibility: Applicants for Professional Membership shall certify they meet the following standards: hold a master's degree or higher from an accredited institution of higher learning; be licensed as a Mental Health Professional, be retired from the profession, or be working in the field of mental health.
2. Obligations and Privileges: A Professional Member must pay annual dues, and adhere to the referenced professional Code of Ethics. A Professional Member in good standing will be entitled to attend the UMHCA Board

Meetings, serve as a committee member, and be nominated and voted as a Committee Chair or Officer on the Board of Directors. Professional Members may enjoy such rights and privileges as may from time to time be offered to members.

B. Student Members:

1. Eligibility: Any student enrolled in an accredited mental health graduate program;
2. Student Members may attend meetings, be committee members of the association, and serve in needed capacities but shall not be entitled to vote and shall not be eligible to serve on the Board or hold office.

C. Honorary Members:

1. Eligibility: A past president who has distinguished service in UMHCA and has affected the Board to such a degree as to elicit a motion and vote of a past president to induct the past president the "Hall of Distinguished Service," A position of highest honor in UMHCA.
2. Honorary Members shall receive a lifetime right to receive UMHCA membership without annual fees;
3. Honorary Member may serve in any other position of the Board, upon proper election or appointment by the Board;
4. Honorary Members have no voting rights unless serving on the Board as a Chair or appointed as the Presidential Advisor position on the Executive Committee.

Section 3. Dues

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

Section 4. Good Standing

A. Members in good standing shall be one whose current dues and assessments, if any, have been paid in accordance with the provision of these Bylaws, who is duly licensed to practice clinical mental health counseling, and who has met the applicable requirements during the period of the preceding three (3) years as set forth in these Bylaws.

Section 5. Severance of Membership

A. Members may be removed from membership for exhibiting conduct that tends to injure the association, or which violates the Bylaws or code of ethics of the association. A member may be removed from membership due to:

1. Non-payment of dues;
2. Falsifying membership qualifications;
3. Disciplinary action, including suspension or revocation of licensure by the Utah Department of Licensure, Utah Mental Health Professional Licensing Boards, or;
4. By actions of the UHMCA Board of Directors though charges of unethical conduct brought forth in writing by two members of the Board in good standing.
5. Members charged with engaging in such conduct shall be given the opportunity to present evidence on their behalf through witnesses or otherwise; shall be given the opportunity to confront witnesses against them, and shall have the right to appeal and have a hearing before the Association directors, whose decision shall be final.

Article 4. Volunteer Leaders and Committees

Section 1: Representatives to External Bodies

A. UMHCA committee representatives to organizations, professional associations, political coalitions, advocacy groups, and governmental and non-governmental policy advocacy groups will be nominated by the President or Chair and approved by vote of the Board for terms not to exceed three (3) years. These appointees serve at the pleasure and will be accountable to the Board. They will report to the Board according to schedules specified by policy, or specific instruction, and will be subject to recall by the Board.

Section 2: Board of Directors & Committees

A. The Board of Directors shall be made up of the Committee Chairs, the Executive Committee, and the Executive Director (when applicable): None of the elected officers of UMHCA shall receive compensation for their services on the board.

1. The Board of Directors will conduct, manage, and control the business of UMHCA.
2. The Board of Directors may, at its discretion contract with an outside organization for administrative services as determined necessary in the course of carrying out its business. Such contracts shall be on the basis of a written description of the services to be provided;

3. Policies of UMHCA shall not be delegated to a paid employee or other entity;
4. Employees of other entities contracting with UMHCA will report to the President and they shall report activities to the board.
5. Serving on the board shall be voluntary, and in accordance with the 501(c)6 members of the board shall not be paid;
6. Members of the board may serve as staff in UMHCA and in multiple committees at the same time as their time allows;
7. Members of the board can serve separately as a paid member of the staff, however the position as a paid staff member is separate from their board member status and cannot be compensated;
8. The Executive Director, may be a paid staff and required to attend board meetings but shall not be allowed to vote;
9. The board must always have unpaid members on the board in regulation of the 501(c)6 status.
10. The Committees of the UMHCA shall consist of Standing Committees and such Special Committees as may be deemed necessary by the Board. Nominations for appointment to the Board or Chairs of the Board will be made collaboratively by any member of the Board and approved through vote by the Board;
11. Executive Committee and the Board after broad solicitation for interested members; the president-elect will submit the vacant Executive Committee nomination to the board for their approval prior to assuming office;
12. Special Committees shall be appointed for a term of one (1) year. The mandate of special committees must be renewed by the board on an annual basis;
13. Standing Committees shall consist of at least three (3) members, each of whom shall serve terms of one (1) year with the ability to renominate annually without term limits;
14. Initial appointments to standing committees following adoption of these Bylaws may be for terms of less than three (3) years to ensure that terms of two members expire and are subject to appointment every year;
15. Members of Standing Committees may be re-appointed for additional three (3) year terms.

Section 3: Standing Committees, Structures, Administration & Chair Responsibilities

A. The Standing Committees of UMHCA shall be:

1. Executive Committee (EXEC);
2. Legislative & Public Policy Committee (LPPC)
3. Education & Conference Committee (EACC)
4. Graduate Student & Emerging Professionals Committee (GSEP)
5. Public Relations, Marketing & Membership Committee (PRMM)
6. Justice Equity Diversity & Inclusion Committee (JED&I)

B. Structure and Administration of Standing Committees

1. Standing Committee Chairs shall each be elected by a majority vote by the Board of Directors for a term of one (1) year with the ability to renominate annually without term limits;
2. Standing Committees shall be comprised of a minimum of one (1) member which shall be appointed by the Chair of said committee. The Chair of the Committee shall track its members and be available for review at all times by the Board;
3. Standing Committees, when requested shall carry out assignments from the Board of Directors including orchestrating and organizing additional phone conferences, meetings, etc. in order to promote the advancement of the mental health profession.
4. Standing Committee members are duly identified as members of the Volunteer Advisory Committee.
5. UMHCA will waive the Membership and Conference fees for Chairs and co-chairs of standing committees.

C. Responsibilities of the Chairs

1. Attend or have proxy attend monthly Board Meetings.
2. Attend or have proxy attend annual Board Retreat.
3. Work towards Board's objectives for the respective Committee.
4. Provide lists of tasks Committee members are currently working on.
5. Keep board informed of current task leader.
6. Provide monthly updates to Board Members on Progress of tasks.
7. Recruit Committee Members.
8. Keep updated Record of Committee Members for Board Review.
9. Keep Board Members informed as to potential additional needs to address in your Committee Area.
10. Provide two articles or blogs per year for UMHCA website.
11. Learn to use Website and update information for committees.
12. Provide answers for the questions directed at your committee for the website monthly.

Section 4: Standing Committees, Descriptions & Structures

A. Executive Committee (EXEC)

The Executive Committee shall be responsible to maintain the vision of UMHCA in directing issues to the appropriate committees and committee Chairs. To maintain Bylaws, corporate documents, the minutes, the bank accounts and history of UMHCA in order to facilitate the professional development and best interest of association members as well as other goals and purposes of UMHCA and the mental health profession. The EXEC will be responsible to ensure UMHCA's compliance with the AMHCA's charter and to maintain its good standing as for annual charter renewal. The EXEC shall be responsible to facilitate, attend and promote a monthly board meeting in order to meet with and gather information from the Executive Director and Chairs of each Committee in order to promote the advancement of the mental health profession.

Members of the Executive Committee shall be comprised of the Past President (voting member), President (non-voting member except in the case of a tie), Treasurer (voting member), Secretary (voting member), President-Elect (voting member), Presidential Advisor (voting member), and Executive Director (non-voting member) of UMHCA. All Executive Committee positions are not required to be filled in order to have a working Executive Committee but must have a minimum of the Past President and President.

B. Past President

The Past President was elected by the Board of Director through a majority vote in accordance with the Bylaws and assumes office after serving as the President-Elect and has already served as President. This position is part of a three (3) four-year commitment which the individual serves first as the President-Elect for a period of one (1) year, President for one (1) year, and Past President for one (1) year directly after serving as President. These positions are served in consecutive order. Past President is responsible to help the President perform their duties as President and to preserve the organizational structure and focus, according to the Bylaws of UMHCA. Past Presidents may, serve as a Chair, in any of the Executive Committee positions, or any committees while serving as Past President as long as they are properly voted in by the Board. Past President may be appointed to serve by the President upon approval of the Board in the event of resignation or a Chair being vacant.

C. President

The President is elected by the Board of Directors through a majority vote in accordance with the Bylaws and assumes office after serving as the President-Elect. This position is part of a (3) three-year commitment which the individual serves first as the President-Elect for a period of one (1) year, President for one (1) year, and Past

President for one (1) year directly after serving as President. These positions are served in consecutive order. The mantle of President is served for one (1) year. This position is responsible for recommending the members of the Executive Committee and submitting positions to the Board of Directors for approval. The President oversees the Board meetings. The President directly supervises the Executive Committee in all the business affairs associated with the Executive Committee's responsibilities or oversees an Executive Director (if applicable). The President must be a fully licensed Mental Health Therapist.

D. President-Elect

The President-Elect is elected by the Board of Directors through a majority vote in accordance with the Bylaws. This position is part of a (3) three-year commitment in which the individual serves first as the President-Elect for a period of one (1) year, President for one (1) year, and Past President for one (1) year directly after serving as President. These positions are served in consecutive order (See Exhibit A). The mantle of President-Elect is served for one (1) year. This position assists the Past President, President, and/or Vice-President in carrying out duties assigned by the President and ensures the structure and organization and that UMHCA remains in good standing in association with smooth transitions in leadership.

E. Secretary

The Secretary is recommended by the President and approved by the Board of Directors by a majority vote. This position is a one (1) year commitment and is responsible for keeping the minutes of the meetings of the board of directors. The Secretary keeps track of the organizational activities ensuring that each committee is in compliance with the Bylaws. The Secretary informs members of the board of board meetings, updates the organization, and keeps records of current memberships, email, and documentation; historian/tracking succession of power;

F. Treasurer

The Treasurer is recommended by the President and approved by the Board of Directors by a majority vote. The Treasurer keeps account of the receipts and disbursements in the organization's books. The Treasurer shall prepare and present a financial report to the Board of Directors at each monthly meeting. The Treasurer shall work with the President to conduct an annual financial audit. This audit shall be presented to the Board of Directors at the annual meeting. Additional responsibilities of the Treasurer include: tracking the financial condition of the organization, and ensuring memberships are maintained;

G. Presidential Advisor

The Presidential Advisor in the Executive Committee is a past president, appointed by the President and voted in by the Board to serve in an advisory position. The Presidential Advisor shall have full voting rights and full Board membership rights. The function of the Advisor is to bring experience, and expertise and to serve as a confidant to the President, Executive Committee, and Board. This position shall be appointed every year in April by the President.

H. Legislative & Public Policy Committee (LPPC)

The LPPC shall be responsible for advocating and implementing the UMHCA legislative platform. Issues impacting the profession of mental health counseling at the state level will be addressed by UMHCA, including issues involving legislation, agency regulation, and encroachment by other entities on the practices of mental health counseling. The LPPC will inform and enlist support from members as to pertinent legislative issues and positions beneficial to the membership. The LPPC shall recommend members to serve on various boards in the state of Utah to represent UMHCA. These recommendations will be presented to the Board of Directors for a majority vote. Advocacy for legislation that recognizes and advances the profession of mental health therapy, will be a priority. The LPPC will identify and support laws, programs, and practices affecting the practice of mental health counseling. The LPPC, at the request of the Board of Directors, will provide a liaison on the state and federal level with other government organizations to promote the advancement of the mental health profession and attend the legislative meetings drafting bills for the State of Utah or assist on a National Basis as necessary. The LPPC will be responsible for recommending Rule changes through DOPL and ensuring mental health professionals have full parity in the Rules incorporated through DOPL. The Chair shall be responsible for organizing the LPPC to carry out the assignments from the Board of Directors in carrying out legislative bills, DOPL rules, and proper representation of mental health professionals. The Chair will hold additional phone conferences, meetings etc. discussions, and emails to discuss legislative bills, DOPL rules, and government board representation of UMHCA's vote, and will strive to assign committee members to participate on a government level in promoting the advancement of the mental health profession;

I. Education and Conference Committee (EACC)

The EACC will be responsible for providing workshops, publications, and in-service opportunities related to the identified needs of mental health professionals. EACC will be responsible for developing, organizing, and orchestrating UMHCA's annual conferences and any additional semi-annual, quarterly, or conferences the Board may

commission. EACC shall be responsible for education-related written materials such as white papers, position statements, and educational articles for the UMHCA website, and contribution to collaborative partners and interested media. EACC will establish a comprehensive plan to continue to offer quality continuing education to add to the professional development of all mental health professionals in accordance with DOPL guidance as outlined in R156-60 Mental Health Professional Practice Act Rule.

J. Graduate Student & Emerging Professionals Committee (GSEP)

The GSEP will devise plans in an effort to introduce current graduate students and emerging professionals to UMHCA and cultivate the student's active participation and membership with the organization. GSEP will work with schools to ensure Honor Students are being recognized appropriately tracked and welcomed into the Honor Society of each graduating class. The GSEP will work with related student organizations to help promote the relevance, importance, and perpetuation of UMHCA throughout all graduating classes in every accredited school in the State of Utah. The GSEP should endeavor to have its membership represent the schools in which the mental health professional will be educated and be a liaison between the student needs and the members of UMHCA. The GSEP will communicate with other UMHCA committees concerning professional development activities for all levels of professional development in helping to further UMHCA membership. The GSEP shall carry out the assignments from the Board including orchestrating and organizing additional phone conferences, meetings, surveys, webinars, and continuing educational material, etc. in order to identify the professional development needs of the membership and promote the advancement of the mental health profession in all stages of professional development.

K. Public Relations, Marketing & Membership Committee (PRMM)

PRMM is responsible for ALL advertising campaigns of UMHCA, including but not limited to ALL conference advertising. PRMM is responsible for actively promoting UMHCA membership among Utah Mental Health Professionals, Mental Health Professional Interns, Students of Mental Health Professionals, or Mental Health Professional groups through the development of websites, advertising campaigns, and the use of social media for UMHCA. PRMM will be responsible for the emailing of members and marketing materials for ALL other committees of UMHCA. PRMM will be responsible for tracking website statistics, determining website needs, e-mailer costs

and rules, and the maintenance of all digital information and mailing information for UMHCA, including the needs of partners or paid advertisements through UMHCA's website. PRMM will be responsible for the recommendation of website needs and costs to the Executive Committee. PRMM is responsible for providing a consistent voice to the public through the use of websites, campaigns, and digital dissemination of information. PRMM is responsible for the digital footprint of UMCHA and the digital integration of UMHCA committees, membership, and UMCHA's advertising. PRMM will establish and maintain the history of UMHCA through the use of the websites and other digital file storage usage. PRMM is responsible for providing digital formats for requests for information, and dissemination of information to the membership which may include the following: conference proposals, student poster submissions, digital applications for Board consideration, Chair openings, calendar events, meetings, webinars offered by UMHCA; relaying any information, the Board or PRMM, deems pertinent in providing mental health service to the public in events of emergency or disaster. PRMM is charged with increasing the number of paying UMHCA members by facilitating membership involvement and promoting the advancement of the mental health counseling profession through the use of promotions, advertising, and marketing.

L. Justice Equity Diversity & Inclusion Committee (JED&I)

JEDI is responsible for improving and promoting counselors to gain cultural, ethnic, and racial empathy, understanding, and awareness. Offer professional opportunities for members from diverse cultural backgrounds, while upholding our responsibility of being culturally competent counselors. JEDI will advocate and be cognizant of the conditions that create barriers to the development and holistic well-being of people of all cultural and ethnic communities. Provide resources, support, and community for both multicultural counselors and multicultural clients. JEDI will include and work together with the other committees and promote inclusivity across the board. The JEDI Chair will attend monthly board meetings, annual board retreats, and special meetings of the Board of Directors. Designate a proxy to vote when attendance is not possible at board meetings, or special meetings. The Chair will support the objectives of UMHCA as determined by the Board of Directors, and orchestrate committee members' activities toward the work. Manage the tasks and activities assigned to each committee member and ensure progress. Update Committee Action Plan to the Board of Directors. Prepare a monthly report of committee activities, including newly identified needs for presentation at monthly board meetings or designate an alternate to report in the Chair's absence. Recruit and advance potential committee members. The JEDI Chair will be the spokesperson and respond to questions directed to your committee for the website, and other sources. Provide two monthly blog posts per year for publishing on the UMHCA website. The chair shall be responsible for carrying out assignments from the

board of directors including conducting phone conferences, meetings, surveys, special assignments, etc. to serve the membership and promote the advancement of the mental health profession.

Section 5: Uncompleted Terms of Office

A. In the event that any Board of Directors' positions are vacated due to death, resignation, or any other reason, the UMHCA Board of Directors shall appoint a person to fill such office until a person is elected to serve the remainder of the uncompleted term.

Section 6: Removal from Office

A. An elected officer of the Board of Directors may be removed from office by a two-thirds majority vote of the UMHCA Board of Directors. Voluntary resignation of any officer may be requested by the Board of Directors due to failure to carry out their duties or responsibilities of the office. The following steps will apply in sequence when the charge relates to failure to carry out duties and responsibilities of one's office;

1. Written documents of charges must be presented to the UMHCA President. In cases where the President is being charged, the past president shall receive the written document of the charges;
2. Notification of charges must be provided to the officer in question and to the UMHCA Board of Directors;
3. The Board of Directors, less the accused Board Member, may vote by a two-thirds majority to request a voluntary resignation if there is less evidence over a reasonable amount of time of delinquency of duty or inability to attend meetings;
4. Consideration of this issue, in closed executive session, by the UMHCA Board of Directors;
5. Attempts will be made to resolve the issues through appropriate communication channels with the intent of keeping the person in office, if possible;
6. Removal from office can occur by a two-thirds majority vote of the voting Board Members of those present;
7. There will be an opportunity for the accused to respond to charges, in person or in written form to the board of directors;
8. Removal from the office will not be official until thirty (30) days from the date of action taken regarding charges by the UMHCA Board of Directors. These proceedings will be provided in writing to the person charged and recorded in the minutes of the next board meeting;
9. An appeal process will be available within thirty (30) days from the date of action taken regarding charges by UMHCA Board of Directors;

B. Declined Voluntary Resignation; If voluntary resignation is declined, the process of removal from office must be initiated in writing by a member of UMHCA. Two additional letters supporting removal from office must initial charge.

C. Violation of the ethical code of the American Mental Health Counseling Association's Code of Ethics. Ethical violations shall be reported to the State of Utah;

D. If the State of Utah finds the member of UMHCA to be in violation of ethical standards, UMHCA will accept the conditions the State of Utah put upon the licensee and revoke membership with the revocation or suspension of the member's license;

1. Members of UMHCA not holding a current license in the State of Utah and a violation of ethics have been charged with the following procedures apply;
2. Written documents of charges must be presented to the UMHCA President. In cases where the President is being charged, the past president shall receive the written document of the charges;
3. Notification of charges must be provided to the officer in question and to the UMHCA Board of Directors
4. The Board of Directors, less the accused Board Member, may vote by a two-thirds majority to request a voluntary resignation if there is less evidence over a reasonable amount of time of delinquency of duty or inability to attend meetings;
5. Consideration of this issue, in closed executive session, by the UMHCA Board of Directors;
6. Attempts will be made to resolve the issues through appropriate communication channels with the intent of keeping the person in office, if possible;
7. Removal from office can occur by a two-thirds majority vote of the voting Board Members of those present;
8. There will be an opportunity for the accused to respond to charges, in person or in written form to the board of directors;
9. Removal from office will not be official until thirty (30) days from the date of action taken regarding charges by the UMHCA Board of Directors. These proceedings will be provided in writing to the person charged and recorded in the minutes of the next board meeting;
10. An appeal process will be available within thirty (30) days from the date of action taken regarding charges by UMHCA Board of Directors;

Article 6. Meetings & Reports

Section 1: Annual Membership Meetings

A. Meetings of the membership will take place annually. The agenda for such meetings will include a review of the Association's activities and accomplishments in the past year, financial reports, legislative activities, and ratification of any Bylaws changes previously approved by the Board of Directors.

B. The Annual Membership Meeting will be called to order at the Annual Conference when held, otherwise by electronic media. A quorum at the Annual Membership Meeting will be the members present.

C. Notice of the date time and method of attending the annual meeting will be sent to all members where possible, otherwise by notice in UMHCA's online newsletter.

Section 2: Board of Directors Meeting

A. The Board of Directors Meetings may be held in person, telephonically or via the Internet. At least 10 meetings must be attended annually. The President or a majority of the Board of Directors may call additional meetings.

B. Each member of the Board of Directors has one vote. The exception is when a committee has a dual chair structure, that committee has one vote which can be assigned to either co-chair. A majority of the voting members of the Board of Directors constitute a quorum. Members of the Board of Directors may vote in person, send an appointed proxy to the Board Meeting to cast their vote, or by means of a conference phone, electronic mail, or similar communication equipment.

C. All regular meetings of the Board of Directors will be open to members of UMHCA. The Board of Directors may meet in Executive Session (during which all nonvoting participants will be excluded) for;

D. The purpose of considering personnel matters related to hired employees;

1. When considering disciplinary action of a member or;
2. For such other purposes as the Board of Directors may determine by majority vote;

E. UMHCA Board of Directors meetings will follow the parliamentary process outlined by Roberts Rules of Order, 2011 edition.

Section 3: Standard Committee & Special Committee Members Meetings

A. Each of the Standing Committees and Special Committees shall hold meetings as needed to complete the assignments made by the Board of Directors;

1. The Chair of each committee or a majority of the members of the committee shall determine the time and frequency of the place of meeting;
2. The committee meetings may be held in person, telephonically or via the Internet. The Chair of the committee or a majority vote in the committee may call additional meetings.
3. All regular meetings of the committee will be open to members of UMHCA and those approved by the Board of Directors to be on the committee;

Section 4: Reports

A. Each committee Chair shall report to the President, in the monthly board meeting, on the salient activities, financial information, and progress of the committee.

Article 7. Budgeting and Finance

Section 1: Fiscal Year

A. The fiscal year shall be from July 1 to June 30.

Section 2: Annual Budget

A. An annual budget of UMHCA and a financial statement to the Board of Directors shall be made at the end of each fiscal year by the treasurer.

Section 3: Financial Statement

A. Monthly financial statements shall be prepared and made available to the Board of Directors.

Section 4: Deposits, Disbursements & Expenses

A. UMHCA's funds shall be deposited in an account under its name in such financial institutions that the Board of Directors shall designate, and shall be drawn out only by such manner as may be specified by resolution of the board;

B. The registration fees of the voting members of the Board of Directors in attending the AMHCA annual conference may be paid for from UMHCA funds. The Board of Directors consistent with current budgetary restraints will make decisions regarding these and other expenses.

C. UMHCA will pay the AMHCA national dues for the President and Executive Director.

Section 5: Books and Records

A. The state chapter shall keep complete books of account in accordance with generally accepted accounting principles, and shall keep a record listing the names and addresses of the members of the Board of Directors;

B. All business books and records may be inspected by any member of the Board of Directors, or his or her agent or attorney, for any proper purpose at any reasonable time.

Section 6: Dissolution

A. Upon dissolution of UMHCA, 100% of the assets shall be distributed to the American Mental Health Professionals Association (AMHCA).

Article 8. Indemnification, Adoption & Ratification, Amendments & Publications

Section 1: Indemnification

A. To the extent permitted by law, each member of the Board of Directors, whether or not then in office, shall be indemnified by UMHCA against all cost and expenses reasonably incurred by or imposed on them in connection with or arising out of any action, suit, or proceeding in which they may be involved by reason of their being or of having been a member of the Board of Directors, such expenses to include the cost of reasonable settlements (other than the amounts paid to UMHCA itself) with a view to curtailment of costs of litigation. The foregoing right of indemnification shall not be exclusive of other rights to which any member of the Board of Directors may be entitled;

B. UMHCA shall be authorized to purchase liability insurance for UMHCA without obtaining reimbursement of all or any part of the premium, to ensure UMHCA's obligations under the Bylaws and to indemnify members of the Board of Directors against liability, loss, and expense incurred by them or any of them by reason of having been a member of the Board of Directors, whether or not they have or would have a right or indemnification from UMHCA under the Bylaws.

Section 2: Adoption & Ratification

A. These Bylaws are adopted by the Board of Directors effective and are subject to ratification by the board membership at the first annual meeting of the board membership subsequent to that date;

B. These Bylaws may be amended by a two-third (2/3) majority vote of the Board of Directors subject to ratification by the members at the first annual meeting of the members 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 VII, Section 2 of the Bylaws.

Section 3: Publications

A. The Bylaws of UMHCA will be published in their entirety every four years, beginning with their promulgation (Date). All amendments adopted by UMHCA will be printed and distributed to membership upon adoption.

B. The Bylaws of UMHCA have used AMHCA's Bylaws as a standard in order to ensure UMHCA's standards mirror the standards of AMHCA as required by AMHCA standards. In no way is the duplication of the written Bylaws used in AMHCA meant to infringe upon copyrights or an attempt to plagiarize by taking credit for AMHCA work, insofar as AMCHA has any conflict or concern with anything contained in this document, UMHCA will change the wording or delete portions of the concerning publication;

C. The Bylaws of UMHCA have been compiled using sections of the bylaws from other states' Mental Health Professional bylaws including Florida, Pennsylvania, Texas, and Arkansas. The intention of UMHCA in using compilations of these states was intended to be a guide for the official UMHCA Bylaws. Insofar as any section is closely worded to those of the aforementioned state UMHCA gives recognition to those states for the creation and credit for those sections in the Bylaws of UMHCA;

D. UMHCA neither takes credit from; received compensation for the production of; or has paid for the production of the sections which have been used to create the UMHCA Bylaws.

Section 4: Continuity

A. The Secretary of UMHCA will be responsible for maintaining an official copy of the Bylaws and amendments thereto and for passing the same to their successor.

Article 9. Ethics and Non-Discrimination Policy

Section 1: Applicable Standards

A. The Ethical Standards published by the American Mental Health Professionals Association (AMHCA) as they may from time to time be revised, are adopted as the ethical standards of UMHCA. In any instance where Utah State and/or federal law referenced ethical stands of AMHCA conflict, the higher

Article 10. Rules of Order

Section 1: Adoption of Bylaws

A. The parliamentary authority for meetings of the association will be the most current available addition of Roberts Rules.
B. Bylaws originally adopted.

C. Amended: May 2018,

D. Amended: April 2022 to reduce the term of presidential service from 2 years to 1 year and eliminate the Public Partnership Committee.
E. Amended: August 2023 to add MACC committee and reduce the number of membership options from 5 to 3.
F. Amended: November 2023 changed the Committee Chair term of service to 1 year with no term limits.
G. Amended: February 9, 2024 changed the MACC committee name to JEDI following a board vote.
H. Amended: 4/13/2024 added in accordance with DOPL guidance as outlined in R156-60 Mental Health Professional Practice Act Rule. We also added & in the JED&I committee.