



**The Interstate Commission of Nurse
Licensure Compact Administrators
By-Laws**

Adopted August 3, 2017, Amended August 15, 2017

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The Interstate Commission of Nurse Licensure Compact Administrators Bylaws
(Final Adopted August 3, 2017)

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Article I
Commission Purpose, Function and Bylaws

Section 1. Purpose.

Pursuant to the terms of the Nurse Licensure Compact, (the "Compact"), the Interstate Commission of Nurse Licensure Compact Administrators (the "Commission") is established as a quasi-governmental and joint public entity of the Party States to fulfill the Compact objectives through a means of joint cooperative action among the Party States. This is accomplished by developing a comprehensive process that facilitates the exchange of information in the areas of licensure and investigative authority of state boards of nursing and providing for mutual recognition of nursing licenses by all Party States, thereby enhancing the portability and mobility of a nursing license and promoting public protection.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Party States. The Commission's activities shall include, but are not limited to, the following: the promulgation of rules; enforcement of Commission Rules and Bylaws; provision of dispute resolution; coordination of training and education; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact. The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes and policies of the Compact.

Section 3. Bylaws.

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

Article II
Membership

The Commission membership shall be comprised as provided by the Compact. Each Party State shall have and be limited to one voting Compact Administrator. The Compact Administrator shall be the Commissioner of the Party State. Each Party State shall forward the name of its Commissioner to the Chair of the Commission or designee. A Commissioner may designate a person to serve in place of the Commissioner as the Commissioner's designee with respect to Commission business, including attending Commission meetings and voting. A Commissioner must notify the Chair of the Commission or designee of the scope and duration of the designation, prior to the

meeting. The Chair of the Commission shall promptly advise the Party State of the need to appoint a new Commissioner whenever a vacancy occurs.

Article III Executive Committee

Section 1.

The Commission shall establish an Executive Committee, which shall be empowered to act on behalf of the Commission between Commission meetings, except for rulemaking or amendment of the Compact. The Commission shall determine the procedures, duties and budget of the Executive Committee. The power of the Executive Committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Bylaws, Compact or the Commission.

The Executive Committee shall consist of the Chair, Vice Chair, and Treasurer of the Commission and three additional members of the Commission.

Section 2: Election and Succession.

Following formation of the Commission, nominations for candidates for the initial Executive Committee shall be submitted to the Director of the Compact by Party States, which are eligible to vote. The initial and subsequent Executive Committees shall be elected by the Commission by mail or electronic ballot. For all subsequent elections, an Elections Committee shall send a call for nominations at least 50 days prior to the election, shall announce a slate of candidates to the Commission at least 30 days prior to the election, shall announce voting by mail or electronic ballot at least 10 days prior to the election and shall verify and report the results of the election to the Commission on October 1.

Any election resulting in a tie vote will be decided by lot. No Commissioner shall be nominated or eligible to serve on the Executive Committee if from a Party State in default of its obligations under the Compact.

After the election of the initial Executive Committee, members of the Executive Committee shall serve a term of two years or until a successor is elected. No person shall serve more than two full consecutive terms in the same office. Any candidate for the Executive Committee shall be a Commissioner who has, except for the initial election, previously participated in the meetings of the Commission.

The election of the Executive Committee shall be as follows:

1. Chair: After the election of the initial chair, the subsequent chair shall be elected in odd years;

2. Vice Chair: After the election of the initial vice chair, subsequent vice chair shall be elected in even years;
3. Treasurer: After the election of the initial treasurer, subsequent treasurers shall be elected in even years;
4. Members-at-Large (3 positions): After the election of the initial members-at-large, subsequent members-at-large shall be one member elected in even years; two members elected in odd years.

Section 3. Duties.

The Commission's officers shall perform all duties of their respective offices as the compact and these Bylaws provide. Their duties shall include, but are not limited to the following:

1. Chair: The Chair shall call and preside at Commission and Executive Committee meetings; prepare agendas for the meetings; act on Commission's behalf between Commission meetings.
2. Vice Chair: The Vice Chair shall perform the Chair duties in their absence or at the Chair's direction. In the event of a vacancy in the Chair's office, the Vice Chair shall serve until the Commission elects a new Chair.
3. Treasurer: The Treasurer, with the assistance of the Director of the Compact, shall monitor the Commission's fiscal policies and procedures. If the Commission does not have a Director of the Compact, the Treasurer will also serve as secretary and perform the duties of secretary described in Article IV Section 1 (1).

The Executive Committee shall:

1. Administer the affairs of the Commission in a manner consistent with the Bylaws and purpose of the Commission;
2. Propose budgets, provide fiscal oversight and provide for an annual fiscal review;
3. Propose policies and procedures for consideration by the Commission;
4. Contract for services and monitor contract compliance;
5. Monitor and enforce member compliance with the Compact;
6. Propose standing and ad hoc committees.
7. Approve and maintain its minutes;
8. Perform such other functions as are necessary or appropriate to carry out the purpose of the Commission.

Section 4. Removal of Executive Committee Members.

Any Executive Committee member may be removed from office for good cause by a two-third (2/3rd) majority vote of the Commission.

Section 5. Vacancies

Upon the resignation, removal, or death of a member of the Executive Committee, such vacancy shall be announced to the Commission by the Chair or designee.

An Elections Committee shall send a call for nominations 30 days prior to the election, shall announce a slate of candidates to the Commission 20 days prior to the election, shall announce voting by mail or electronic ballot 10 days prior to the election and shall verify and report the results of the election to the Commission.

Any election resulting in a tie vote will be decided by lot. No Commissioner shall be nominated or eligible to serve on the Executive Committee if from a Party State in default of its obligations under the Compact.

**Article IV
Commission Personnel**

Section 1. Duties of the Director.

The Commission, through its Executive Committee, may contract for a Director of the Compact. As the Commission's principal administrator, the Director shall also perform such other duties as may be delegated by the Commission or required by the Compact and the Bylaws, including, but not limited to, the following:

1. Serve at its discretion and act as Secretary to the Commission, but shall not be a Member of the Commission;
2. Hire and supervise such other staff as may be authorized by the Commission;
3. Establish and manage the Commission's office or offices as determined by the Commission;
4. Recommend general policies and program initiatives for the Commission's consideration;
5. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
6. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;

7. Prepare draft annual budgets for the Commission's consideration;
8. Monitor the Commission's financial performance for compliance with approved budgets and policies, and maintain accurate records of the Commission's financial account(s);
9. Execute contracts on behalf of the Commission as directed;
10. Receive service of process on behalf of the Commission;
11. Prepare and disseminate all required reports and notices directed by the Commission;
12. Assist the members of the Executive Committee in the performance of its duties;
13. Speak on behalf and represent the Commission;
14. In collaboration with legal counsel, ensure the legal integrity of the Commission and
15. Report about policy, regulatory, political, legal or other developments of relevance to the Commission's operation.

Article V Meetings of the Commission

Section 1. Meetings and Notice.

The Commission shall meet face-to-face at least twice a year at a time and place as determined by the Commissioners. Members may participate in meetings by telephone or other means of telecommunication. Special meetings may be scheduled at the discretion of the Chair, or shall be called upon the request of a majority of Commissioners.

All Commissioners shall be given notice of Commission meetings at least thirty (30) days prior to the scheduled date. Agendas shall be provided to all Commissioners no later than seven (7) days prior to any meeting of the Commission. If an amendment to an agenda is made after an agenda has been noticed, but forty-eight (48) hours prior to a regular meeting, or twenty-four (24) hours prior to a special meeting, then the agenda is amended upon the posting of the amended agenda.

All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be as follows: publication of notice of each meeting will be posted at least seven (7) days prior to the

meeting on the Commission's website or another website designated by the Commission and distribution by e-mail to interested parties who have requested in writing to receive such meeting notices. A meeting may be closed to the public if the Commission determines by a majority vote of the Commissioners that there exists at least one of the conditions for closing a meeting, as provided by the Compact or authorized Rules.

Section 2. Quorum.

A majority of Commissioners shall constitute a quorum for the transaction of business, except as otherwise required in these Bylaws. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Party State is entitled to one vote. A Commissioner shall vote on such member's own behalf and shall not delegate the vote to another Commissioner, except as permitted by a designation allowed under Article II. Any question submitted for a vote of the Commission shall be determined by a simple majority, except as otherwise required by the Compact or the Bylaws.

Section 4. Procedure.

The rules contained in the then current edition of Robert's Rules of Order Newly Revised shall govern the parliamentary procedures of the commission and its committees in all cases not provided for in these Bylaws or in any policies and procedures or any special rules of order which are duly adopted by the Commission.

Section 5. Public Participation in Meetings.

Upon prior written request to the Commission, any person who desires to present a statement on a matter on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The Chair may, depending on the circumstances, allow any person who desires an opportunity to present a statement on a matter that is on the agenda even in the absence of a prior written request to the Commission. The Chair may limit the time and manner of public statements at any open meeting.

**Article VI
Committees**

Section 1. Committees.

The Commission shall establish committees, as it deems necessary, to carry out its objectives which shall include, but not be limited, to:

1. Rules Committee

A Rules Committee shall be established as a standing committee to develop uniform Compact rules for consideration by the Commission and subsequent implementation by the states and to review existing rules and recommend necessary changes to the Commission for consideration.

2. Compliance Committee

A Compliance Committee shall be established as a standing committee to monitor a Party State's compliance with the terms of the Compact and its authorized rules.

3. Elections Committee

An Election Committee shall be established as a standing committee to:

- a. Inform the Commissioners on the responsibilities of the office;
- b. Encourage participation by the Commissioners in the elections process;
- c. Announce nominations deadline and anticipated vacancies of the Executive Committee of the Commission;
- d. Communicate with incumbents to determine if they wish to run for re-election;
- e. Accept qualified nominees and prepare a slate of candidates for the election of the officers or members at large of the Executive Committee;
- f. Present a list of candidates to the Commission including the terms of office expiration dates; and
- g. Tally/verify the election results and report to the Commission.

The composition, procedures, duties, budget and tenure of all committees shall be determined through policies approved by the Commission. The Commission may dissolve any committee it determines is no longer needed.

Article VII Finance

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on October 1 and end on September 30. Membership fees in an amount to be determined by the Commission, are payable by October 1 of each year.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the Director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds. The receipts and disbursements of Commission funds are to be audited annually by an independent certified or licensed accountant. The independent audit report shall be made available to the public.

Section 4. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commissioners and Executive Committee shall be reimbursed as allowed by state policy for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

**Article VIII
Adoption and Amendment of Bylaws**

Any Bylaw may be adopted, amended or repealed by a majority vote of the Commissioners, provided that written notice and the full text of the proposed action is provided to all Commissioners at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rd) majority vote of the Commissioners shall be required for such action.

**Article IX
Dissolution of the Commission**

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Party State, which reduces membership in the Compact to one Party State as provided by the Compact.

Upon dissolution, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law.

Article X

Affiliation with National Council State Boards of Nursing

The Commission shall be affiliated with and supported by the National Council of State Boards of Nursing, Inc. (NCSBN). The Commission shall negotiate payment for secretariat services by the NCSBN. Payment for the secretariat services shall be made from the funds collected by NCSBN on behalf of the Commission. Funds contributed by Party States shall be held by NCSBN and disbursed for the benefit of the Commission as decided by the Commission.