Business Meeting – October 31, 2018
1:30 – 2:15 p.m. - Agenda

- Committee Reports
- Report of the Committee on Bylaws/Resolutions Committee
  - First Reading of Resolutions
  - Presentation of Proposed Amendment of Bylaws
- Candidates Speeches for Open Officers and Member at Large Positions
Committee Reports

- Program
- Survey/Data/IT
- Membership
- Policy and Procedures
- Prescription Monitoring Program
- Education
- Finance
- Nominations
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<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Role/Committee</th>
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<tbody>
<tr>
<td>Barb Carter</td>
<td>Minnesota Board of Pharmacy</td>
<td>Chair</td>
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<tr>
<td>Christie Frick</td>
<td>South Carolina, Prescription Monitoring Program Committee</td>
<td>Co-Chair</td>
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<tr>
<td>Alan McGill</td>
<td>PA Office of the Attorney General</td>
<td>Chair</td>
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<tr>
<td>Machelle Neal</td>
<td>Iqvia</td>
<td>Chair/Committee</td>
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<tr>
<td>Janet Hart</td>
<td>Rite Aid</td>
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<td>Bonnie Barnard</td>
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<tr>
<td>Douglas Skvarla</td>
<td>Arizona Board of Pharmacy</td>
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<td>Mary Lou Schoonover</td>
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<td>David Bess</td>
<td>Tennessee Board of Pharmacy</td>
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<td>Paula York</td>
<td>Kentucky Office of the Inspector General</td>
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<td>Alice Mead</td>
<td>Greenwich BioSciences</td>
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<td>Marsha Stanton</td>
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<tr>
<td>Eric Griffin</td>
<td>Ohio Board of Pharmacy - Chair</td>
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<td>Nick Reuter</td>
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<td>Paula York</td>
<td>Kentucky Office of the Inspector General</td>
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<tr>
<td>Bill Ward</td>
<td>Webmaster</td>
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<tr>
<td>Kathy Zahn</td>
<td>North Dakota Board of Pharmacy, Prescription Monitoring Program</td>
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<td>John Gadea</td>
<td>NASCSA</td>
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Survey/Data/IT Committee Report

- **Two surveys:**
  - Conference evaluation 2017/developed 2018 evaluation
  - Survey of members on continuing education credits

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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Jessica Fiorilli</td>
<td>New Jersey Drug Control Unit, Division of Consumer Affairs - Chair</td>
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<tr>
<td>Bonnie Barnard</td>
<td>honorary member</td>
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<tr>
<td>Mary Lou Schoonover</td>
<td>Par Pharmaceuticals</td>
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<tr>
<td>Danna Droz</td>
<td>honorary member</td>
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<tr>
<td>Amanda Glover</td>
<td>Rite Aid</td>
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</table>
Barb Carter – Minnesota Board of Pharmacy – PMP - Chair

Joshua Vinciguerra – New York Bureau of Narcotic Enforcement, Department of Health

Dave Dryden – (honorary member)
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<tr>
<td>Christie Frick</td>
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<td>Kathy Zahn</td>
<td>North Dakota Board of Pharmacy, Prescription Monitoring Program – Co-Chair</td>
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<tr>
<td>Michelle Rico-Jonas</td>
<td>New Hampshire PMP</td>
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<td>Stephanie Mueller</td>
<td>Mississippi Board of Pharmacy</td>
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<td>Emily Varner</td>
<td>St Louis County PMP</td>
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<td>Sheila Pierce</td>
<td>Georgia PMP</td>
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<td>Katrina Howard</td>
<td>Minnesota Board of Pharmacy/PMP</td>
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<tr>
<td>Kate Jackson</td>
<td>Maryland Dept. of Health and Mental Hygiene</td>
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<tr>
<td>Kim Gaedeke</td>
<td>Michigan Dept. of Licensing and Regulatory Affairs, Bureau of Professional Licensing</td>
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<tr>
<td>Jason Slavoski</td>
<td>Delaware Division of Professional Regulation</td>
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<tr>
<td>Chad Garner</td>
<td>Ohio PDMP</td>
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<td>Kevin Borcher</td>
<td>Nebraska PDMP</td>
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<tr>
<td>Sheila Sullivan</td>
<td>Appriss Health</td>
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<td>Ronald Hatfield</td>
<td>RxDataSystems Corp.</td>
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# Education Committee

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<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Alan McGill</td>
<td>PA Office of the Attorney General</td>
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<tr>
<td>Shannon Whitman</td>
<td>Minnesota Board of Pharmacy/PMP</td>
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<tr>
<td>Kari Shanard-Koenders</td>
<td>South Dakota Board of Pharmacy</td>
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<td>Marsha Stanton</td>
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<td>Kara Schweigel</td>
<td>ScriptPro</td>
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<tr>
<td>Chris von Zwehl</td>
<td>Scripps Safe</td>
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<td>Tom Knight</td>
<td>Invistics</td>
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## Finance

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<th>Name</th>
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<tbody>
<tr>
<td>Larry Pinson</td>
<td>Nevada Board of Pharmacy, Chair</td>
</tr>
<tr>
<td>Shannon Whitman</td>
<td>MN Board of Pharmacy/PMP</td>
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<tr>
<td>vacant</td>
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Nominations

Ralph Orr - Virginia Department of Health Professions/VPMP
## Resolutions/Bylaws Committee

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Association</th>
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<tbody>
<tr>
<td>Joe Fontenot</td>
<td>Louisiana Board of Pharmacy – Chair</td>
</tr>
<tr>
<td>Matthew Wetzel</td>
<td>NJ Professional Board Operations</td>
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<tr>
<td>Larry Houck</td>
<td>Hyman, Phelps &amp; McNamara</td>
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<tr>
<td>Terry Woodworth</td>
<td>Drug and Chemical Advisory Group</td>
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<tr>
<td>David Bess</td>
<td>Tennessee Board of Pharmacy</td>
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<tr>
<td>Ralph Orr</td>
<td>Virginia Department of Health Professions/VPMP</td>
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<tr>
<td>Kevin Nicholson</td>
<td>NACDS</td>
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<tr>
<td>Dave Dryden</td>
<td>(honorary member)</td>
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Discussion and Vote on Resolutions

- 2018-01 - A Resolution Encouraging State Controlled Substance Authorities and Boards of Pharmacy to Strengthen and Enhance the Physical Security Controls Required for Schedule I and II Controlled Substances in Pharmacies.
- 2018-02 – A Resolution Encouraging State Controlled Substance Authorities to Require Licensees and Registrants to Inventory and Reconcile Controlled Substances on a Regular Basis
- 2018-03 - A Resolution Extending Membership to Medical Marijuana Regulators
- 2018-04 - A Resolution to Encourage the Clinical Utilization of Opioid Analgesic Drug Products with Formulations that Include FDA-Approved Abuse-Deterrent Characteristics
- 2018-06 – A Resolution Encouraging State Controlled Substance Authorities and Boards of Pharmacy to Review and Assess State Controlled Substance Laws and Regulations Relating to Injectable/Implantable Buprenorphine Dispensing
- 2018-07 - A Resolution Encouraging Prescription Monitoring Program (PMP) Administrators to Notify All PMP System Account Holders of Their Responsibility to Protect Their Credentials to Access PMP Systems
A Resolution Encouraging State Controlled Substance Authorities and Boards of Pharmacy to Strengthen and Enhance the Physical Security Controls Required for Schedule I and II Controlled Substances in Pharmacies.

WHEREAS, the federal Controlled Substances Act ("CSA") is the statute that regulates the manufacture, importation, exportation, distribution and dispensing of substances of abuse and listed chemicals; and.

WHEREAS, the CSA was enacted in 1970; and

WHEREAS, Title 21 of the Code of Federal Regulations ("CFR"), §§ 1301.71-.76 implement the security requirements for controlled substances under the CSA; and

WHEREAS, 21 C.F.R. § 1301.71(a) requires that "[a]ll applicants and registrants shall provide effective controls and procedures to guard against theft and diversion of controlled substances"; and

WHEREAS, 21 C.F.R. § 1301.75(a) and (b) requires practitioners (i.e., pharmacies, hospitals/clinics, and physicians) to store Schedule I and II controlled substances in a securely locked, substantially constructed cabinet, but allows pharmacies and institutional practitioners to disperse Schedule II-V controlled substances throughout their stock of noncontrolled substances to obstruct their theft or diversion; and

WHEREAS, 21 C.F.R. § 1301.75 (a) and (b) have not been revised to strengthen or enhance security since they were originally implemented; and

WHEREAS, by contrast, 21 C.F.R. § 1301.72(a) and (b) require nonpractitioners, including manufacturers and distributors, to store Schedule I and II substances, where small quantities permit, in a safe or steel cabinet or vault; and

WHEREAS, legitimate controlled substances pose a greater potential danger to the public health since these specific regulations were implemented; and

WHEREAS, a number of states have authorized substances that remain federally-controlled as Schedule I substances for medicinal and other purposes that pharmacies and others now handle, store, dispense and must secure; and
WHEREAS, between 2014 and 2015, the incidence of controlled substance theft including customer theft, employee theft, and nighttime break-ins increased in 28 states; and

WHEREAS, according to the DEA, employee pilferage accounts for roughly 48% of pharmacy thefts; and

WHEREAS, the total estimated impact of Controlled Prescription Drug ("CPD") diversion and abuse costs were estimated at $78.5 billion in 2013; and

WHEREAS, every theft and internal diversion from pharmacies and other registrants, can potentially flood our communities with legal, though abused controlled substances, contributing to the nationwide opioid epidemic and subsequent deaths; and

WHEREAS, lax, outdated, physical security controls required for pharmacies contribute to crime and creates a public health threat in today’s environment; and

WHEREAS, the physical security controls outlined in Title 21 C.F.R. § 1301.75 (a) and (b), in today’s current environment, are inconsistent with C.F.R. §1301.71 (a); and

WHEREAS, controlled substance authorities and national statistics demonstrate that securing controlled substances consistent with DEA’s non-practitioner requirements mandated by 21 C.F.R. § 1301.72 (a) can potentially reduce crime by 75-85%; and

THEREFORE BE IT RESOLVED, that the National Association of State Controlled Substance Authorities ("NASCSA") encourages state controlled substance authorities and boards of pharmacy to strengthen and enhance the Schedule I and II physical security requirements for pharmacies consistent with the security requirements of 21 C.F.R. § 1301.72 (a).

ATTEST: ________________________
President

Date: ___________________________


https://www.dea.gov & Pharmacist Mutual White Paper - The Impact of the Opioid Crisis, 2018


NASCSA Resolution 2018-02
October 2018
Scottsdale, Arizona

A Resolution Encouraging State Controlled Substance Authorities to Require Licensees and Registrants to Inventory and Reconcile Controlled Substances on a Regular Basis

WHEREAS, the opioid abuse crisis has reached epidemic proportions in the United States;

WHEREAS, long-term, undetected internal employee diversion of controlled substances constitutes a contributing factor to this crisis;

WHEREAS, employees have diverted large quantities of controlled substances undetected from pharmacies and hospitals over extended periods of time unbeknownst to the Pharmacist-In-Charge or consultant pharmacist;

WHEREAS, some states require pharmacists to physically inventory and reconcile their pharmacy’s Schedule II controlled substances on a quarterly or more frequent basis, as well as other controlled substances;

WHEREAS, the federal Controlled Substances Act and its implementing regulations only require registrants to inventory all controlled substances once every two years without requiring reconciliation or accountability of the controlled substances they have handled;

WHEREAS, by requiring physical inventories and reconciliation, pharmacists will detect employee drug diversion earlier leading to the prevention of excessive drug losses and diversion;

WHEREAS, several states have requirements for pharmacists to report theft, self-use or diversion by a licensee within specific timeframes;

THEREFORE, BE IT RESOLVED, that NASCSA encourages state controlled substance authorities to require pharmacies, to inventory and reconcile schedule II controlled substances or all controlled substances, on a quarterly or more frequent basis;

BE IT FURTHER RESOLVED, that NASCSA encourages state controlled substance authorities to require licensees to report thefts and losses within specific timeframes.

ATTEST: __________________
   President

DATE: ________________
A Resolution Extending Membership to Medical Marijuana Regulators

WHEREAS, many states have passed laws or are considering passing laws, that remove state restriction on the use of medical marijuana and its derivatives, and have developed or are currently developing medical marijuana programs; and

WHEREAS, medical marijuana program regulators do not have an established forum for the discussion and exchange of information, ideas, and views on legal and regulatory issues related to medical marijuana; and

WHEREAS, the National Association of State Controlled Substance Authorities (NASCSA) membership includes the agency or agencies for each state, commonwealth, district, or territory of the United States of America with controlled substance responsibilities; and

WHEREAS, marijuana is a controlled substance under state and federal law;

THEREFORE, BE IT RESOLVED, that NASCSA’s Executive Committee consider the addition of medical marijuana program regulators to membership as well as programming related to medical marijuana when planning the next annual conference.

ATTEST:  ______________
         President

DATE:    ______________
A Resolution to Encourage the Clinical Utilization of Opioid Analgesic Drug Products with Formulations that Include FDA-Approved Abuse-Deterrent Characteristics

WHEREAS, the purpose of the National Association of State Controlled Substances Authorities (NASCSA) is to provide a continuing mechanism through which states, federal agencies, and others can work to increase the effectiveness and efficiency of state and national efforts to prevent prescription drug misuse, abuse and diversion; and

WHEREAS, the Food and Drug Administration (FDA) released a draft Guidance for Industry on Assessment of Abuse Potential of Drugs in January 2010; and

WHEREAS, the FDA also released General Principles for Evaluating the Deterrence of Generic Solid Oral Opioid Drug Products in November of 2017; and

WHEREAS, there are only ten (10) opioid analgesic formulations with FDA-approved labeling referring to abuse-deterrent properties; and

WHEREAS, there are over 30 opioid analgesic drugs intended to embody abuse-deterrent characteristics in development by at least a dozen innovator or generic pharmaceutical manufacturers; and

WHEREAS, the vast majority of opioid analgesics prescribed nationally are highly-abusable generic formulations without any abuse deterrent technology.

NOW, THEREFORE BE IT RESOLVED that NASCSA encourages FDA to consider mandating all schedule II opioid analgesics contain abuse deterrent characteristics within the next five years.; and

BE IT FURTHER RESOLVED that NASCSA encourages innovator and generic drug manufacturers to develop opioid analgesics in a manner than comports with Guidances from FDA; and

BE IT FURTHER RESOLVED that NASCSA encourages public and private payors to avoid disadvantaging opioid drug products with FDA-approved abuse-deterrent characteristics by use of differential copayments, formulary tier placement, prior authorization, or other means so as to preferentially increase clinical utilization of opioids with approved abuse-deterrent characteristics in an effort to reduce misuse, abuse and diversion of opioid analgesics and eventually ensure that only opioid analgesics with abuse-deterrent characteristics are in clinical use.
A Resolution in Support of the Integrity of Prescription Data in State Prescription Monitoring Programs (PMP)

WHEREAS, prescribers and dispensers utilize Prescription Monitoring Program (PMP) data as a healthcare tool to inform prescribing or dispensing decisions when providing patient care;

WHEREAS, PMPs are more effective healthcare tools when dispensers report prescriptions free of missing or invalid data fields; and

WHEREAS, challenges may be incurred by dispensers when reporting the method of payment to PMPs due to the software’s interpretation of discount cards and some third-party payers.

THEREFORE BE IT RESOLVED, that the National Association of State Controlled Substance Authorities (NASCSA), supports the reporting of clean, complete and accurate prescription and dispensing data to PMPs as well as the adoption of the Recommendations for the Integrity of Data in Prescription Drug Monitoring Programs (insert hyperlink to document).

BE IT FURTHER RESOLVED, NASCSA supports a joint effort of stakeholders to improve upon the reporting of the method of payment and other required data to PMPs.

ATTEST: __________________________
President

DATE: ________________
A Resolution Encouraging State Controlled Substance Authorities and Boards of Pharmacy to Review and Assess State Controlled Substance Laws and Regulations Relating to Injectable/Implantable Buprenorphine Dispensing

WHEREAS, the federal Controlled Substances Act ("CSA") is the statute that regulates the manufacture, importation, exportation, distribution and dispensing of substances of abuse and listed chemicals; and

WHEREAS, the CSA was enacted in 1970; and

WHEREAS, new, long-acting injectable/implantable buprenorphine formulations have been developed and approved by the Food and Drug Administration ("FDA") subject to restrictive distribution programs; and

WHEREAS, mandated restricted distribution programs typically require a specialty pharmacy to dispense these buprenorphine medications to authorized health care professionals for direct administration to patients; and

WHEREAS, the CSA (and possibly State laws and regulations) requires pharmacies to dispense controlled substance medication pursuant to prescriptions to the "ultimate user," the patient or members of their household; and

WHEREAS, on October 2, 2018, Congress passed the “Support for Patients and Communities Act of 2018” (H.R. 6), modifying the CSA to permit pharmacies to dispense buprenorphine injectable/implantable formulations to practitioners; and

WHEREAS, there is uncertainty about the interpretation and implementation of these new specific buprenorphine dispensing laws and their impact on State laws and regulations; and,

WHEREAS, the uncertainties discussed above may unintentionally restrict access to needed medication for opioid use disorder at the time of an ongoing national opioid crisis.

THEREFORE BE IT RESOLVED, that the National Association of State Controlled Substance Authorities ("NASCSA") encourages state controlled substance authorities and boards of pharmacy to immediately review and assess their State laws and regulations to incorporate, as necessary, the recent changes to the CSA regarding the delivery of buprenorphine injectable/implantable products approved by FDA for the treatment of opioid use disorder.

ATTEST: ______________________
President

Date: ______________________
A Resolution Encouraging Prescription Monitoring Program (PMP) Administrators to Notify All PMP System Account Holders of Their Responsibility to Protect Their Credentials to Access PMP Systems.

WHEREAS, each PMP Administrator assigns unique PMP system credentials to individuals or entities with direct access to their jurisdiction’s PMP system; and

WHEREAS, those credentials are used to access protected health information, regarding an individual’s controlled substance prescription history, contained in PMP databases;

WHEREAS, secure and controlled access to the data is of the utmost importance in keeping protected health information safe and secure;

WHEREAS, there are third party data analytic solution providers, who are not under contract with the PMP, which may require a permissible user to provide their PMP credentials to the solution provider to facilitate the retrieval of data; and

WHEREAS, the data which is retrieved may be “screen scraped” and used by the third-party solution to perform data analysis for their client;

THEREFORE, BE IT RESOLVED, that the members of the National Association of State Controlled Substances Authorities (NASCSA) strongly encourage all Prescription Monitoring Program Administrators to notify their PMP system account holders of their responsibility to protect their credentials for access to any and all PMP systems;

BE IT FURTHER RESOLVED, that the members of NASCSA encourage all Prescription Monitoring Program Administrators to monitor their data for aberrant querying behaviors and when permissible suspend access to the PMP system until the account holder can be educated on their responsibilities for protecting their PMP credentials; and

BE IT FURTHER RESOLVED, that NASCSA provide a copy of this resolution to each Prescription Monitoring Program throughout the nation.
ARTICLE VI

Officers

(1) The officers of the Association shall consist of a President, a Vice-President, and a Secretary-Treasurer. Only representatives of regular members shall be eligible to be officers.

(2) The President shall preside at all meetings of the Association and shall carry out the instructions of the Executive Committee with regard to the affairs of the Association. The President shall sign all certificates and other instruments for the Association, except that he/she may delegate the signing of financial instruments to the Secretary-Treasurer and/or Executive Director.

(3) The Vice-President shall perform such duties as may be assigned to him or her by the President or Executive. Committee, and Committee and shall serve as chair of the Resolutions and/or Bylaws Committee. The Vice-President shall, in case of resignation, death, disability, or the absence of the President, perform and be vested with all of the President’s duties and authority.

(4) The Secretary-Treasurer shall keep account of all monies of the Association received or disbursed and shall keep a deposit thereof in such bank or depository as approved by the Executive Committee. The Secretary-Treasurer shall have the responsibility for keeping the minutes of all meetings and for maintaining other records deemed necessary by the Executive Committee. The Secretary-Treasurer may delegate duties and responsibilities to the Executive Director, as approved by the Executive Committee. The Secretary-Treasurer shall, in case of resignation, death, disability, or the absence of the Vice President, perform and be vested with all of the Vice President’s duties and authority.

(5) The officers of the Association shall be elected to serve for a term of one-two years, or until the next election is held, and may serve no more than two successive terms.
Bylaws – Article XIII

ARTICLE VIII
Committees

(1) The President may appoint committees deemed necessary to carry out the business of the Association.

(2) The President shall appoint a Nominating Committee that will be responsible for presenting a slate of nominees at the annual conference. The Chair of the Executive Committee shall chair the Nominating Committee.

(3) The President shall appoint a Resolutions and Bylaws Committee, which will be responsible for presenting proposed bylaw changes and/or resolutions to the membership during the business meeting of the Association. The Vice President shall chair the Resolutions and Bylaws Committee.

(4) The President shall appoint a Finance Committee, which will be responsible for reviewing the financial instruments and records of the Association at least annually and reporting its findings at the annual conference. The Secretary/Treasurer shall chair the Finance Committee.

(5) The President shall appoint a Prescription Monitoring Program Committee (PMP) that will serve as a resource to the Executive Committee and the entire membership. The committee shall be responsible for providing both the expertise and support in providing guidance and recommendations in the development of programmatic needs and development of policy statements as needed that further the establishment, enhancement and operation of Prescription Monitoring Programs. The President shall appoint a chair each year who shall be a state PMP administrator.

(6) The President, in consultation with any Committee chairperson may remove a nonparticipating and/or non-attending committee member.
Bylaws – Article XI

ARTICLE XI
Voting

(1) Each state, commonwealth, district, or territory with a regular membership may cast only one (1) vote. A voting member shall be the member from the Controlled Substance Authority or in their absence, another member may be the voting delegate.

(2) An affirmative vote by the majority of the states, commonwealths, districts, or territories present and voting, a quorum having been established in accordance with Article VIII, is required for the passage of any motion.

(3) A two-thirds (2/3) vote of the states, commonwealths, districts, or territories present and voting shall be required to amend the By-Laws. Proposed changes to the Bylaws must be submitted to the chair of the Resolutions and Bylaws and Resolutions Committee not less than 90 days prior to any business meeting as called by the Executive Committee at which the amendments will be considered. A written notice of any proposed changes to the By-Laws shall be sent to the members at least 60 days prior to any business meeting as called by the Executive Committee at which the amendments will be considered.

(4) In accordance with Article XI, a two-thirds (2/3) vote of the states, commonwealths, districts, or territories present and voting shall be required to consider a resolution that is submitted to the Executive Committee less than 45 days prior to a meeting.

(5) An affirmative vote by the majority of the states, commonwealths, districts, or territories present and voting shall be required for the passage of a resolution.

(6) In the event that a quorum is not established in accordance with Article VIII, the Executive Committee may employ alternate methods for the sole purposes of conducting voting on a motion to change the bylaws or elect an officer or Executive Committee member. An affirmative vote by the majority of regular members shall be required for election of officers and Executive Committee members and two thirds (2/3) affirmative vote of regular members shall be required for the passage of a change to the bylaws.
ARTICLE XII
Resolutions

(1) Any member may propose a resolution to be considered by the regular members at any business meeting of the Association. The resolution must be submitted in writing to the Resolutions and Bylaws Committee Executive Committee not less than 45 days prior to the meeting at which it will be considered. Voting shall be in accordance with Article XI, requiring a simple majority for passage.

(2) A written notice of resolutions received in accordance with item (1) of this article shall be sent to the members at least 30 days prior to any business meeting as called by the Executive Committee at which the resolution(s) will be considered.

(23) If a resolution is received by the Executive Resolutions and Bylaws Committee less than 45 days prior to any business meeting of the Association at which it would be considered, it may be considered if two-thirds (2/3) of the regular members present and voting approve its consideration. If approved for consideration, the resolution shall require an affirmative majority vote, in accordance with Article XI.

(34) A resolution approved by the members at the meeting shall be sent to all members within 90 days following a vote at a business meeting of the Association and forwarded to the Executive Committee for implementation as required.

(45) A resolution requiring an expenditure in excess of $100 must include a provision for a maximum expenditure not to exceed the Association’s existing balance in order to be implemented.
2018-2019 Election Slate
Are there Nominations from the Floor?

Officers
- President
  - Barbara Carter (Minnesota) - (1 yr)
- Vice President
  - Joe Fontenot (Louisiana) -(1 yr)
- Secretary/Treasurer
  - Joshua Vinciguerra (New York)-(1 yr)

Member at Large– 2 Open
- Yenh Long (Nevada) – (2 yr)
- ?