

CONSTITUTION AND BYLAWS OF  
**THE MARYLAND SOCIETY OF ORAL AND  
MAXILLOFACIAL SURGEONS**

ARTICLE I NAME

The name of this society shall be: The Maryland Society of Oral and Maxillofacial Surgeons hereinafter referred to as the "Society."

ARTICLE II PURPOSE

The purpose of this Society shall be:

1. To contribute to the public health and welfare of the State of Maryland by educating the people of the State regarding the qualifications and functions of dentists who have limited their practice to Oral and Maxillofacial Surgery.
2. To promote and encourage the advancement of the practice of oral and maxillofacial surgery.
3. To encourage the members to discharge their Civic and Professional responsibilities to the community.
4. To provide among its members, opportunities for social and professional community service.
5. To provide a means of self-government relating to professional standards, ethical behavior and responsibilities of its members

ARTICLE III ORGANIZATION

Section 1: Incorporation

The Society is a not-for-profit organization, chartered under the Laws of the State of Maryland. If this corporation is dissolved at any time, its funds or property shall be used to pay off any indebtedness of the corporation and the remaining funds distributed to the Educational Fund of the American Association of Oral and Maxillofacial Surgeons.

Section 2: Membership

A membership of this Society shall consist of members of the dental profession and shall have special qualifications as established in Chapter I of the Bylaws.

ARTICLE IV OFFICERS

Section 1: Elective Officers shall be: The President, President-Elect, Vice-President, Secretary, Treasurer, delegates and alternate delegates to the American Association of Oral and Maxillofacial Surgeons. The number of such delegates and alternate delegates shall be determined by the American Association of Oral and Maxillofacial Surgeons.

Section 2: The Executive Committee shall consist of the Executive Officers, delegates to the American Association of Oral and Maxillofacial Surgeons, three members elected at the Annual Business Meeting and the immediate Past President.

Section 3: The Nominating Committee shall consist of the immediate Past President and two active members-at-large appointed by the President with the concurrence of the Executive Committee. Those appointments will be made with consideration being given to adequate geographic balance within the committee.

Section 4: There shall be no appointive officers except in the case of a vacancy arising during a term of office. Should a vacancy on the MSOMS Executive Committee occur, the Committee will make a temporary appointment effective until the next membership meeting.

ARTICLE V AMENDMENTS

Section 1: The Constitution may be amended by a three-quarter vote of the members present at a stated or special meeting, provided that a quorum of voting members are present at the meeting. A quorum shall be constituted by 30% of the active membership.

Section 2: All proposed amendments must be presented to the membership at least thirty days prior to the date of a stated or special meeting. In the case of a special meeting, membership may be notified at least 10 days before the date of the meeting by certified mail.

Section 3: Meetings shall be conducted as provided in Chapter VI of the Bylaws.

#### ARTICLE VI CODE OF PROFESSIONAL CONDUCT

The Code of Professional conduct and Pledge of the Association of Oral and Maxillofacial Surgeons shall govern the professional conduct of all fellows and members.

BYLAWS  
CHAPTER I - Membership

Section 1: Classification

Members of the Society shall be classified as follows:

- (a) Provisional Member
- (b) Active Member
- (c) Associate Member
- (d) Retired Member
- (e) Honorary Member
- (f) Life Member
- (g) Affiliate Member
- (h) Resident Member

Section 2: Qualifications Rights and Privileges

I PROVISIONAL, ACTIVE, ASSOCIATE, AFFILIATE AND RESIDENT MEMBERS;

- (a) Graduation from an accredited dental school.
- (b) Possession of license or permit in dentistry or medicine in the state and an oral and maxillofacial surgery specialty license.
- (c) Must limit their practice exclusively to the specialty of oral and maxillofacial surgery.
- (d) Must be members in the American Dental Association or other such evidence, which verifies that the individual is functioning within the professional, moral and ethical framework of the profession of dentistry.
- (e) Training: Completion of an advanced Oral and Maxillofacial surgery educational program accredited by the American Dental Association Commission of Dental Accreditation.
- (f) Federal Service Applicants: Federal dental service applicants shall furnish an affidavit certifying the occupational specialty of OMFS and limitation of practice to that specialty. Nothing herein shall act to preclude rendering emergency dental services for a limited period.
- (g) Ethical Conduct: The applicant must hold membership and comply with the American Association of Oral and Maxillofacial Surgeon's Code of Professional Conduct and Official Advisory Opinions.
- (h) To comply with the AAOMS bylaw regulations on office anesthesia evaluations, The MSOMS in conjunction with the Maryland State Board of Dental Examiners will continue with the practice of conduction initial office anesthesia evaluations. The Society will also require an onsite re-evaluation to be conducted every five years. These evaluations will be conducted either by the MSOMS or in conjunction with the Maryland State Board of Dental Examiners. The initial evaluation and subsequent

onsite re-evaluation will be based on the AAOMS office evaluation program

## II Definition

### (a) Provisional Members

A provisional member is an individual whose application has been provisionally approved by the Committee on Membership and Executive Committee and has met all eligibility requirements and submitted all supporting documents. A provisional member shall be announced to the membership as a provisional member in the year he is to be elected to membership. A provisional member shall enjoy the same privileges as a member. A potential member must remain in the provisional category no less than one year and no more than three years. The provisional status may be waived at the discretion of the Committee on Membership for applicants with proven competence, i.e., Board certification and at least three years as an OMFS following completion of training. A provisional member shall pay dues.

A provisional member must meet all requisites for active membership except the fulfillment of an office on-site anesthesia evaluation. The provisional member must have an active application for an onsite office anesthesia evaluation with his state regulatory agency or with his component OMS society, whichever is applicable and is not greater than two (2) years in duration. Provisional membership should only apply for a two-year period. If an on-site office anesthesia evaluation is not fulfilled within this two-year period, the provisional membership is concluded, and the individual must re-apply for candidate status unless an exemption is granted for special circumstances as defined by the Committee on Membership.

A provisional member shall enjoy all the privileges of the component society except the right to serve in the House of Delegates or to hold office.

Upon successful completion of the office on-site anesthesia evaluation, the provisional member shall automatically be transferred to the proper membership classification as determined by the AAOMS Committee on Membership.

### (b) Active Members

The requirement for active membership in this society shall be membership in the American Association of Oral and Maxillofacial Surgeons. An active member pays dues.

### (c) Associate Members

Associate membership may be extended to non-members of the American Association of OMFS indicating that they will not have the right to vote. An associate member must have completed the educational requirements for membership in AAOMS. Associate members shall pay dues.

(d) Retired Members

An active or associate member may apply for the classification of retired membership in the society when the member is completely retired from OMFS. Application for retired membership must be presented in writing to this Society. Those applying for retired status must remit dues through the year they apply for such status. Dues may be waived following consideration of the Committee on Membership and approval of the Executive Committee. If an active or associate member retains the retired status, he shall not pay dues, but shall have the same privileges as a member.

(e) Honorary Members

Honorary Membership may be granted to those holding no other class of membership in the Society and who have made distinguished contributions to the specialty of OMFS. Nomination to this status must bear the names of five active members of the Society. No more than one honorary member may be elected in any one year. Honorary members shall not pay dues. Honorary Members shall have no voting rights and may not hold elective office or serve on any committees. These members may attend all the meetings of the society.

(f) Life Members

A member or associate member may apply for the status of life membership upon completion of thirty (30) dues-paying years and reaching the age of 65 or upon completion of thirty-five (35) dues-paying years. Only in extenuating or unusual circumstances may exceptions be made and then only upon recommendation of the Executive Committee. Those applying for life status must remit dues through the year they apply for such status. Dues may be waived following consideration of the Committee on Membership and approval of the Executive Committee. A life member shall enjoy all privileges of membership category held before the election to life status. Life members shall not pay dues.

(g) Affiliate Members

An Affiliate member is an individual oral and maxillofacial surgeon from a surrounding jurisdiction, i.e. Washington, DC, Northern Virginia or Southern Pennsylvania, who has met all the membership requirements of The Maryland Society of Oral and Maxillofacial Surgeons, and has offices or residences that are geographically close enough to Maryland to benefit from the Maryland Society of Oral and Maxillofacial Surgeons.

Applications must be made in writing for an affiliate membership. Affiliate members shall pay dues, shall have voting rights, may not hold elective offices or committee membership, and shall be granted the rights to attend all meetings.

(h) Resident Members

Resident members are defined as those residents in training in an American Dental Association's (ADA) Commission on Dental Accreditation (CODA) accredited training program in oral and maxillofacial surgery in the United States and Canada. Residents in their senior year shall be allowed to begin their application process in the component society prior to graduation.

Section 3: Application Certification and Appeals

- (a) Forms for application to Active and Associate membership are available upon request from the Credentials and Membership Committee.
- (b) The Secretary shall forward all applications for membership to the Membership Committee.  
All applications acted on by the Membership Committee shall be presented at the Annual Business Meeting.  
A three-fourths vote by members present shall be necessary to accept the applicant into membership.
- (c) Candidates rejected for Active and Associate Membership shall be permitted to reapply for membership after the clearance for the reason for rejection.
- (d) Definition of "In Good Standing"  
A member or associate member of the association whose dues and assessments for the current year have been paid by February 1 and who is not under discipline or suspension shall be in good standing.
- (e) If a candidate is denied component society membership, he may appeal but must do so within ninety (90) days. The component must notify the candidate of his right of appeal;
- (f) If the candidate appeals, the component will be required to set up a component peer review committee or an appropriate body within the component comprised of three component members (excluding those on the membership committee) to evaluate the candidate within six (6) months. In component societies where the membership is insufficient in number to appoint a peer review committee completely independent of the membership committee, this requirement may be waived, and the component society may appoint members at their discretion. A detailed and documented evaluation of allegations made against the candidate shall be conducted by the component society's peer review committee to determine validity of said allegations. All component society members will be notified to submit written concerns regarding the candidate to the

peer review committee during the six-month evaluation period. After evaluation, should allegations presented prove to be unsubstantiated, component membership shall be granted. After evaluation, if membership is again denied, the review committee is required to report (by way of the Component State Society Notice of Appeal Form) on the candidate denied membership to the AAOMS Committee on Membership. The component must notify the candidate at that time of his right to appeal to the AAOMS (Candidate Notice of Appeal Form).

- (g) A candidate denied membership after an appeal to a component society has the right to appeal that decision to a national review committee. The candidate has ninety (90) days to file a written appeal to the AAOMS Committee on Membership (through Candidate Notice of Appeal *Form*).

Within six (6) months, the AAOMS Committee on Membership will establish a four-member Review Committee composed of the Chairman of the AAOMS Committee of Membership as moderator, and the three (3) voting members; one from the AAOMS Membership Committee, one from the component society Membership Committee and a third voting member as a neutral arbitrator, i.e., a retired judge or one from an organization such as the American Arbitration Association. The candidate may have an advisor present to assist and speak on his/her behalf. The proceedings shall be non-adversarial and not subject to cross-examination. A verbatim transcript shall be made of the national review committee meeting, the cost to be borne by AAOMS. Copies of the transcript will be provided to the respondent upon request at his/her expense. All costs associated with component Society and candidate representation during the appeals process will be borne by the component society and the candidate respectively. For state societies where the membership is insufficient in number and where there is no dues structure in place, funds for representation during the appeals process may be requested from the AAOMS, subject to approval by the Board of Trustees. This AAOMS/Component Review Committee will interview and evaluate the candidate, make the determination of the individual's eligibility with the decision of the Review Committee binding on both the AAOMS and the respective component society.

#### Section 4: Termination of Membership

- (a) A member may resign from the Society at any time by writing the Secretary.
- (b) A member shall be disqualified by failure to limit practice exclusively to oral and maxillofacial surgery. If exclusive practice is resumed, a former member may reapply and be readmitted without initiation fee, provided evidence is presented to show limitation of practice for a period of three years. Note - Honorary Members excepted.



- (c) Delinquent Members: A member who fails to pay his dues within three months from the due date shall be subject to expulsion for nonpayment of dues. Upon expulsion, he ceases to be a member and shall have no claims against the Society on account of dues paid in.
  - 1. Before a member may be dropped for nonpayment of dues, he shall receive notice by registered mail, at least fifteen (15) days prior to the next stated meeting, informing him that his/her name will be recommended to the Society for expulsion for nonpayment of dues. At said meeting, a three-quarters vote of the members present shall be required to expel him/her.
  - 1. Members dropped for nonpayment of dues may be invited to rejoin, and if accepted shall pay their delinquent dues, plus annual dues and application fee.
- (a) A member may be expelled from the Society based on written charges showing action by the member, of detriment to the interests or honor of the Society. Such charges shall be investigated by the Committee on Ethics and shall have the concurrence of the Executive Committee; however, expulsion shall be solely a two-thirds affirmative vote of those present at any regular meeting of the Society. The right of a member to a hearing shall always be preserved.
- (b) Any member shall be automatically disqualified upon loss of membership in the American Association of Oral and Maxillofacial Surgeons if he is an active member of our organization.

Section 5: Changing of Practice Location: AAOMS fellows and members changing the location of their primary practice to another state shall apply for membership in the new component society and must complete all requirements, including the office anesthesia evaluation, within two years of the relocation of their primary practice. Following the two-year period, those who have applied for membership in the component society but have not completed their office anesthesia evaluation program, shall be transferred to provisional member status.

## CHAPTER II – Elected Officers

- Section 1: Elected Officers shall be:  
A President  
A President-Elect  
A Vice-President  
A Secretary  
A Treasurer  
AAOMS Delegate(s)  
AAOMS Alternate Delegate(s)
- Section 2: Nominations  
(a) Composition of Nominating Committee  
The Nominating Committee shall consist of the immediate Past President and two active members at large appointed by the President with the concurrence of the Executive Committee. Those appointments will be made with consideration being given to adequate geographic balance within the committee.  
(b) The duties of the Nominating Committee shall be to nominate a slate of candidates to fill positions in Chapter II, Section I of the Bylaws.
- Section 3: The election of the President, President-Elect, Vice-President, Secretary, Treasurer, Executive Committee, Nominating Committee, Delegate(s) and alternate delegates shall be held at the Annual Business Meeting. Election shall be by a majority vote of the attending membership.
- Section 4: There shall be no voting by Proxy, nor mailed ballot.
- Section 5: Tenure: The term of office for elected officers shall be one year.
- Section 6: Installation: The elected officers and other members of the Executive Committee and Nominating Committee shall be installed at the Annual Business Meeting and take office immediately.
- Section 7: Vacancies: In the event of a vacancy in any elective office, the President and the Executive Committee shall appoint a successor to this office for the unexpired term.
- Section 8: Alternate Delegate: shall act in the capacity of Delegate if a Delegate is unable to be present at the House Delegate meeting and the Annual AAOMS Meeting.:

- President: The President shall preside at all meetings of the Society. He shall Act as an ex-officio member of all committees. He shall appoint the regular standing committees of the Society and such other committees as the Society shall authorize. He shall perform such other duties as usually pertain to his office. In case of his death, resignation or removal from office, the Vice-President and Secretary-Treasurer shall be the order of succession to act in the capacity of the President until the election at the next annual meeting.
- President-Elect: The President-Elect shall acquaint himself with the duties of the President in order that he may perform the duties the following year.
- Vice-President: The Vice-President shall act in capacity of President in his absence.
- Secretary: The Secretary shall keep records of Minutes and shall carry on the official correspondence of the Society.
- Treasurer: The Treasurer shall receive all monies of the Society and deposit it for the Society in a reputable bank designated by the Executive Committee. All disbursements for the Society shall be made with the signature of the Treasurer only. He shall submit a written report of the financial status of the Society at every stated meeting and an annual report at the annual business meeting.
- Delegate: The Delegates will represent the membership of the Society in all related business at the annual meeting of the AAOMS. Furthermore, he/she may be specifically instructed by a simple majority of members present to vote on a given issue(s). If in such case the delegate fails to carry out the instruction(s) of the majority on the first ballot, he/she will be subject to recall by a two-thirds vote of the active membership.

### CHAPTER III - Executive Committee

- Section 1:      Composition:  
The Executive Committee will be composed of the President, President-Elect, Immediate Past President, Vice-President, Secretary, Treasurer, delegates(s) to the AAOMS, and three members of the organization elected at large.
- Section 2:      Term of Office of Members at Large:  
One member At Large shall be elected annually for the term of three years.
- Section 3:      Installation:  
The Executive Committee shall be installed into office at the annual business session.
- Section 4:      Powers:  
(a) The Executive Committee shall be the managing body of the Society, vested with full power to conduct all business of the Society subject to the laws of the State of Maryland, the Articles of Incorporation, and the Constitution and Bylaws.  
(b) It shall have the power to establish Rules and Regulations consistent with the Bylaws, to govern this organization's procedure and conduct.  
(c) It shall conduct all business of the Society during the interval between meetings.
- Section 5:      Duties:  
(a) To report annually to the Society, the year's activities of the Executive Committee.  
(b) To approve appointments to all committees.  
(c) To review the annual written reports of all committees and to make recommendations concerning such reports to all members of the Society.  
(d) To create or abolish committees other than those set forth in the Bylaws.  
(e) To perform such other duties as may be prescribed in these Bylaws.  
(f) To approve all awards, honors, or other special commendations given in the name of Society.
- Section 6:      Sessions:  
(a) The Executive Committee shall meet at least two times per year, and a majority of the committee shall constitute a quorum  
(b) Special Sessions: The President may call Special Sessions at any time. He shall call such sessions on request of any three members of the Executive Committee, provided due notice of any such session is given to each member of the Executive Committee at least ten days in advance of the time scheduled for the session.

- Section 7: Officers:
- (a) The President and Secretary of the Society shall act as Chairman and Secretary of the Executive Committee.
  - (b) Duties:
    - 1. Chairman: The Chairman shall preside at all meetings of the Executive Committee. He shall have the right to vote only when his vote is the deciding vote.
    - 2. Secretary: The Secretary shall serve as the recording officer of the board and as custodian of its records. A factual record of the proceedings shall be preserved in the archives of the Society.

#### CHAPTER IV – Committees

- Section 1: Standing committees of the Society will be:
- A. Committee on Membership
  - B. Committee on Professional Conduct
  - C. Committee on Educational Programs
  - D. Committee on Constitution and Bylaws
  - E. Committee on Governmental Affairs
  - F. Committee on Health Service Planning and Insurance
  - G. Committee on Public Information
  - H. Committee on Peer Review
  - I. Committee on Anesthesia

- Section 2: Composition and Term of Appointments
- All standing committees, except as otherwise provided in these Bylaws, shall be appointed for a one – one to four-year term. The Chairman of the standing committee is to have serviced the previous year on that committee. Appointments shall be by the President-Elect, subject to majority approval of the Executive Committee. Vacancies: To be filled by the President for the vacated unexpired term only, subject to majority approval by the executive committee.

- Section 3: Duties Common to All Committees
- Annual Report: Each active committee shall submit an annual written report to the Executive Committee. The report shall embody such resolutions as are deemed proper by the committee. This report shall be submitted thirty days before the spring meeting.

- Section 4: The duties of the standing committees shall be as follows:
- A. Committee on Membership: The committee shall investigate the professional and ethical qualifications of each applicant for all

classifications of membership as outlined in Chapter 1. At the committee's discretion, or if an applicant's or provisional member's credentials do not meet the requirements for membership as established in Chapter 1 of the Bylaws, the committee shall, if deemed necessary, conduct an examination or interview. The committee shall meet at least 30 days before the executive committee meeting to review the credentials of all current applicants for membership. The committee shall report its findings with recommendations to the Executive Committee on all categories of membership.

- B. Committee on Professional Conduct: The committee may hold hearings on alleged violations of the Code of Professional Conduct and shall consider and make findings on complaints of conduct of members alleged to be contrary to the Code and shall impose appropriate discipline on members who have been found to have acted contrary to the Code. The committee shall answer inquiries from members concerning questions of professional conduct.
- C. Committee on Educational Programs: The committee shall arrange educational programs on topics of interest to the Society for the members of the Society. These educational programs are in addition to, and not to take the place of, the two-yearly regular meetings.
- D. Committee on Constitution and Bylaws: This committee considers the wording of all proposed amendments to the Bylaws and, when necessary, drafts suitable wording for any amendment which may be proposed.
- E. Committee on Governmental Affairs: The committee shall monitor and investigate local and state legislative matters.
- F. Committee on Health Service Planning and Insurance: The committee will monitor and investigate changes in insurance benefits for those procedures that may affect the specialty of oral and maxillofacial surgery in the state of Maryland. The committee will submit grievances to the state Insurance Commissioner.
- G. Committee on Public Information: The committee shall investigate and recommend programs to disseminate information about oral and maxillofacial surgery to the general public and health professions.
- H. Committee on Peer Review: The committee shall investigate and resolve questions regarding fees, quality of service, and other non-contractual matters.
- I. Committee on Anesthesia: The committee shall review issues relative to anesthesia and, when appropriate, recommend action by the Society on matters pertaining to pain and anxiety control in dentistry and oral and maxillofacial surgery. To comply with the American Association of Oral and Maxillofacial Surgeons bylaw regulations on office anesthesia evaluations, The Maryland Society of Oral and Maxillofacial Surgeons in conjunction with the Maryland State Board of Dental Examiners will continue with the practice of conducting initial office anesthesia evaluations. The Society will also require an onsite re-evaluation to be conducted every five years. These evaluations will be conducted either by

the Maryland Society of Oral and Maxillofacial Surgeons or in conjunction with the Maryland State Board of Dental Examiners. The initial evaluation and subsequent onsite re-evaluation will be based upon the AAOMS office evaluation program.

#### CHAPTER V – Finance

Section 1: Fiscal Year: The fiscal year shall begin on January 1 of each calendar year and shall end on December 31. Annual membership dues shall be increased by \$100.00. Effective January 2006, annual membership dues for active members will be \$350.00. Dues of membership shall be paid in January for the ensuing year. The amount of annual dues shall be fixed by the executive council and approved by the majority of the membership present at the annual meeting. Retired, Life, and Honorary members shall pay no dues.

The amount of annual dues or assessments shall be recommended by the Board of Trustees and shall be fixed by a two-thirds (2/3) affirmative vote of the members present and voting. Life, Retired, and Honorary Members shall pay no dues.

Section 2: Delinquency: Members shall be classified as not in good standing when dues and assessments are not paid on or before February 1.

#### CHAPTER VI - Annual Meeting

Section 1: Time and Place:  
The Executive Committee shall determine the time and place of the Annual Meeting.

Section 2: Quorum:  
A quorum shall be constituted by 30% of the total active membership.

#### CHAPTER VII - Parliamentary Authority

The Sturgis Standard Code of Parliamentary Procedure, as most recently revised, shall be Parliamentary authority for all activities of the Society, not otherwise governed by the Rules, Bylaws, or Procedures of the Society.

#### CHAPTER VIII - Code of Ethics

Members of the Maryland Society of Oral and Maxillofacial Surgeons shall be governed in ethical matters by the Code of Ethics of the American

Dental Association and the Pledge of the American Association of Oral and Maxillofacial Surgeons.

#### CHAPTER IX - Amendments

- Section 1: Amendments to the Constitution and Bylaws must be submitted to the Constitution and Bylaws Committee at a regular or special meeting of the Society.
- Section 2: All proposed Amendments will be sent via electronic communication to the membership thirty days before the stated or special meeting.
- Section 3: The Bylaws may be amended by a majority vote of the members, provided a quorum of voting members is present at the meeting. A quorum shall be constituted by 30% of the active membership.

#### CHAPTER X - Definitions

Dentistry is defined as the evaluation, diagnosis, prevention and/or treatment (non surgical, surgical or related procedures) of diseases, disorders and/or conditions of the oral cavity, maxillofacial area and/or the adjacent and associated structures and their impact on the human body; provided by a dentist, within the scope of his/her education, training, and experience, in accordance with the ethics of the profession and applicable law. (Adopted by the ADA House of Delegates in 1997).

Oral and maxillofacial surgery is the specialty of dentistry, which includes the diagnosis, surgical and adjunctive treatment of diseases, injuries and the defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial region. (Adopted by the ADA House of Delegates in 1953 with the last amendment adopted by the ADA House in October 1990).



