

**BYLAWS  
THE AMERICAN BOARD OF APPLIED TOXICOLOGY**

**ARTICLE I  
NAME, ORGANIZATIONAL STRUCTURE, OFFICES**

**Section 1. Name.**

The name of the organization is the American Board of Applied Toxicology (hereinafter "ABAT").

**Section 2. Organization Structure.**

The American Academy of Clinical Toxicology (hereinafter "Academy"), a not-for-profit corporation, established the ABAT as a standing committee of the Academy to provide special recognition to practitioners of clinical toxicology who demonstrate exceptional knowledge, experience, and competence. The ABAT membership consists solely of all current Diplomates of the ABAT who elect a Board of Directors (hereinafter "Directors") from among its Diplomates.

All ABAT functions shall be undertaken in accordance with the bylaws of the Academy, these bylaws and the regulations and procedures promulgated by the ABAT. Revenues and expenses associated with the ABAT are approved, collected and accounted for by the Academy. No member of the ABAT shall receive or derive any profit from the operation of the ABAT and no part of the net income of the ABAT shall now or hereafter inure to the benefit of any individual member. This organization will not be involved in authorizing or designating any political lobby action.

**Section 3. Offices.**

The principal office of the ABAT will usually be established in the city of the residence of the President. The principal office may be changed by action of the Directors.

**ARTICLE II  
PURPOSE**

**Section 1. Purpose.**

The ABAT was created for the unique purpose of fostering the development of clinical toxicology among the non-physician, non-veterinarian members of the Academy by:

- a) Advancing the science, study and practice of clinical toxicology;
- b) Improving the quality of clinical toxicology consultation available to the public;
- c) Establishing and maintaining standards of excellence for non-physician practitioners by developing and administering examinations, as well as other criteria, for the certification and recertification of these practitioners in clinical toxicology;
- d) Granting certificates and other forms of recognition to professionals who demonstrate exceptional ability in clinical toxicology, and;
- e) Maintaining a public registry of ABAT Diplomates.

## **ARTICLE III MEMBERSHIP**

### **Section 1. Members.**

A member in good standing of the Academy who is also certified as an ABAT Diplomate is a member. All Diplomates in good standing shall be eligible to be Directors, Officers and Examiners.

### **Section 2. Membership categories.**

The ABAT shall have the following membership categories:

a) **Diplomate of ABAT (DABAT)**

Members in good standing who have been certified by credentials review, examination, and other criteria, as having exceptional knowledge, experience and competence in Clinical Toxicology. Diplomates hold all the rights, privileges and responsibilities of members. This individual continues professional licensure where required, maintains Certification Renewal as required by ABAT, may vote and serve on ABAT committees, may run for and be elected to the ABAT Board and ABAT offices and continues Active Member status in AACT.

b) **ABAT Inactive (ABAT-I)**

A member, who fails to submit appropriate and acceptable renewal documents, or is delinquent in dues to either the AACT or the ABAT, shall be considered an inactive member of the ABAT effective at the date of determination as ABAT-I by the ABAT Board. A member may also request to be placed in the category of ABAT-I. An ABAT-I may no longer use the abbreviation of DABAT after their name, the individual's membership status will be changed on all lists, documents, and other official notices, and all privileges, rights, and benefits of Active membership will be denied. These individuals will no longer be eligible for elected or appointed positions until all delinquent ABAT dues are paid, AACT status and dues are current, and ABAT Certification Renewal criteria have been fulfilled. An ABAT-I is no longer an active board certified Clinical Toxicologist and does not pay dues or renew certification. ABAT-I will continue to receive the ABAT newsletter until they elect not to do so.

c) **Emeritus (ABAT-E)**

Effective 1 September 2017, ABAT no longer awards ABAT Emeritus.

Those distinguished members who previously received Emeritus status by the ABAT will retain their ABAT Emeritus designated "ABAT-E".

DABAT active members are encouraged to pursue AACT Emeritus upon retiring from active Clinical Toxicology practice. Any DABAT with the honor of FAACT who is retiring from active Clinical Toxicology practice can apply for Emeritus status as defined in the AACT Bylaws. ABAT Certification Renewals and maintenance of professional licensure are not required for Emeritus members. Emeritus members shall not be eligible to vote in elections or on any question put to the membership for a vote, shall not hold Office or Trusteeship or be elected as Board Member. Emeritus members may still participate on workgroups, committees and ad hoc projects. Emeritus members will remain on email lists and maintain access to the ABAT and AACT member sections of the AACT website. Emeritus members can purchase the journal Clinical Toxicology at the members discount and receive discounts on educational programs, NACCT registration, and other member benefits. There is no membership fee associated with Emeritus status.

### **Section 3. Officers and Directors.**

The affairs and business of the ABAT shall be conducted by the Directors. The Directors of the ABAT shall consist of the Officers, the immediate Past-President, and a maximum of six (6) Directors elected by the membership. The Officers of the ABAT shall consist of the President, President-Elect and Secretary-Treasurer.

Elections for Officers and Directors shall be by ballot of the voting Diplomates. At the annual meeting in the year prior to the beginning of a term, the Nominating Committee will present a slate of candidates for each Officer or Director position. Additional nominations may be made from the floor. Ballots shall be distributed by the Chairperson of Nominating Committee prior to the Annual Meeting at which the terms of the Officers or Directors begin. Elections for President-Elect and Secretary-Treasurer shall be held every two years in alternating years, and two directors shall be elected every year for three year terms. The President shall have power to fill the unexpired term of an Officer, subject to Directors approval, or to assign duties as needed to other Directors.

#### **Section 3.1. President.**

The President shall be the principal Officer of the ABAT and shall, in general, supervise the business and affairs of the ABAT. The term of the President shall be for a period of two (2) years. The President shall preside at all meetings of the ABAT and of the Directors, and shall be a Member of all standing committees of the ABAT. The President shall directly oversee the preparation of the annual examination of credentialed candidates in consultation and collaboration with the President-Elect

The President shall appoint ABAT committee chairpersons and members, except as proscribed in these bylaws. The President shall conduct correspondence; supervise the maintenance and use of all property of the ABAT; employ and discharge employees, if any; and present the budget to the Directors at its annual meeting or at any other meeting. The President shall have authority to appoint Examiners on an emergency basis. Upon completion of a two (2) year term the President shall assume the duties and title of Past-President.

#### **Section 3.2. President-Elect.**

The President-Elect shall serve a two (2) year term and, with the President, develop and prepare the annual examination of credentialed candidates. In the absence or disability of the President, the President-Elect shall perform the duties of the President, and when so acting, shall have all of the powers and authority of the President. He or she shall perform such other duties as may from time to time be assigned by the President or Directors. Upon completion of a two (2) year term the President-Elect shall assume the duties and title of President.

#### **Section 3.3. Past-President.**

He or she shall serve a two (2) year term to assist the President and President-Elect in the preparation of the examination of credentialed Candidates. The Past-President is a member of the Directors. The Past-President shall perform such other duties as may be assigned by the President or Directors.

### **Section 3.4 Secretary-Treasurer.**

The Secretary-Treasurer shall serve at least one (1) two (2) year term and not more than three (3) consecutive terms or a total of more than twelve (12) non-consecutive years unless such provisions(s) is waived by a two-thirds (2/3) vote of all Directors. The Secretary-Treasurer shall:

- a) Prepare minutes and record in books kept for the purpose, all votes and proceedings of the members and of the Directors at their meetings;
- b) Keep accurate records of existing members;
- c) Keep full and accurate accounts of receipts and disbursements;
- d) Deposit all funds and other valuable effects, in the name and to the credit of the ABAT through the accounting functions and agents of the Academy; in such depositories as shall be designated by the Academy;
- e) Disburse the funds of the ABAT as shall be ordered by the Directors, taking proper vouchers for such disbursements and processing such disbursements through the Academy and its fiscal agents;
- f) Maintain all official records.
- g) Promptly render such accounts, statements and reports, as may be, from time to time, required by the Directors or the President. In the absence of the President and the President-Elect, Secretary-Treasurer shall preside at meetings of the members or Directors.
- h) Perform other related duties as assigned by the President.

### **Section 3.5. Directors.**

Directors shall be elected by the Members of the ABAT at a meeting called for such purpose, at a special meeting to fill vacancies, or by balloting in lieu of such a meeting. Directors shall serve three (3) year terms. No Director shall serve more than two (2) consecutive terms or a total of more than twelve (12) non-consecutive years unless such provisions(s) is waived by a two-thirds (2/3) vote of all Directors. The Directors shall conduct the business and manage the affairs of the ABAT. The Directors shall set membership dues and fees for credentialing, examination, and recertification. The Directors shall actively assist the President in the preparation of the examination. The Directors shall have the power to fill vacancies of the unexpired term of office of a Director with a majority vote of the remaining Directors.

### **Section 4. Membership Tenure.**

Except as otherwise provided by law, the bylaws of the Academy, these bylaws, or the regulations and procedures adopted by the ABAT, a Diplomate shall be a Member of the ABAT until:

- a) he or she dies;
- b) resigns;
- c) fails to meet Diplomate renewal criteria;
- d) is removed by lawful action of the Directors; or
- e) otherwise becomes disqualified for membership. See Article III - Section 2 b & c.

### **Section 5. Resignation and Removal.**

Any Member may resign by mail or delivering in person written notice of his or her intent to resign to the President. Such notice shall be deemed delivered upon receipt by the President and the resignation shall be effective upon the date designated within the notice-of-resignation or within ten (10) days of receipt, if the date is unspecified.

A Member may be removed from membership upon recommendation of the Directors, and by a vote of two-thirds of the members. A member may be removed for cause, from ABAT membership only after reasonable notice in person or by certified mail of removal and an opportunity to be heard by the Directors proposing to remove such member. Due process will also include the right to appeal the action of the Directors to the President of the Academy.

The President of the Academy will impanel an ad hoc committee to review the specific appeal. The ad hoc committee shall consist of three (3) ABAT Diplomates who are not currently Directors. These will be selected in the following manner: One (1) member shall be selected from a list of not more than three (3) candidates submitted by the President of the ABAT. One (1) member shall be selected from a list of not more than three (3) candidates submitted by the appealing Member and one (1) member shall be selected by the President of the Academy from among all eligible ABAT Diplomates. The ad hoc committee will review all relevant information and evidence and present its findings to the President of the Academy within 60 days of receiving the information and evidence. The majority vote of the committee is binding to the President.

An Officer or Director may be removed from office by a vote of two-thirds of the Directors or by a vote of two-thirds of the voting Members of the ABAT. A Director must receive reasonable notice of the proposed removal from office and shall have an opportunity to be heard by the body voting on the proposal and with the same appeal process.

## **ARTICLE IV COMMITTEES**

### **Section 1. Standing Committees**

There shall be the following standing committees:

- a) **Examination Preparation Committee.** The President of the ABAT shall be the chairperson of the Examination Preparation Committee. This committee consists of all Directors of the ABAT. The President may also appoint additional Diplomates to serve on the examination preparation committee. This committee shall be responsible for the preparation of the annual examination of credentialed candidates. Additionally, this Committee, in conjunction with the Directors and Officers, shall determine acceptable performance on the examination to achieve Diplomat status.
- b) **Credentialing Committee.** An Officer or Director, having served at least one year as a Director, shall be selected by the President to serve a 1-2 year term as Chairperson of the Credentialing Committee. The Chairperson shall appoint at least two other members with approval of the President. The Credentialing committee shall review the application of candidates for ABAT certification and shall determine the adequacy of the applicant's credentials to sit for the examination. The Chairman of this committee shall make recommendations to the President regarding the acceptability of applicants to sit for the examination. As needed, the President or Directors may request the Credentialing Committee to review or develop new application criteria or evaluation procedures.

- c) **Certification Renewal Committee.** An Officer or Director shall be selected by the President to serve a 1-2 year term as Chairperson of the Certification Renewal Committee. The Chairperson shall appoint at least two other members with approval of the President. This committee shall develop policy, criteria, and evaluation procedures for certification renewal of Diplomates which shall be presented to the Directors for approval.
- d) **Nominating Committee.** An Officer or Director shall be selected by the President to serve a 1-2 year term as Chairperson of the Nominating Committee. The Chairperson shall appoint at least two other members with approval of the President. The Nominating Committee shall prepare a slate of candidates, greater than the number of positions available, for election to the Directors. Nominees should be contacted and agree to their nominations. Such nominations shall be given to the President or Secretary in sufficient time to permit notice of the nominations to all Diplomates. The Chairperson of the Nominating Committee shall be responsible for conducting the process of balloting for the election of Directors and Officers and reporting the results to the Directors.
- e) **Scientific Affairs Committee.** An Officer or Director shall be selected by the President to serve a 1-2 year term as Chairperson of the Scientific Affairs Committee. The Chairperson shall appoint at least two other members with approval of the President. This committee is responsible for the annual ABAT Symposium and educational / outreach activities as charged by the President. This committee shall identify scientific and clinical toxicology practice issues that concern the members of ABAT and establish a mechanism or process to address these issues, such as a symposium, position statement or public commentary, review requirements and options to collaborate with other bodies on matters of interest in scientific and clinical toxicology practice issues, and other activities as identified by the President. Any statements or programs for public dissemination shall be presented to the Directors and Academy Board of Trustees for approval prior to distribution or implementation.

## **Section 2. Creation of Ad Hoc Committees.**

The President, with the advice and counsel of the Directors, shall create such committees as are necessary to conduct the business of the ABAT. Committees so created shall act under the supervision of the Directors and make reports to the Directors. No action of a committee shall be final or binding on the ABAT until approved by the Directors.

## **Section 3. Term of Committee Leadership and Members**

The President shall appoint the Chairperson and the members of the committees from among the Diplomates without restriction, except as provided in these bylaws. All appointments to committee leadership and members shall expire with the term of the President making such appointments, except that any chairperson or member may be replaced at the will of the President. The President shall notify, in writing, all members of their appointment or discharge from committee duty. An ad hoc committee can be decommissioned at the will of the President.

## **ARTICLE V MEETINGS**

### **Section 1. Meetings of the Membership.**

An annual meeting of the Diplomates shall be held at the time and place fixed by the Directors. Diplomates shall receive at least thirty (30) days advance notice of the date chosen for the annual meeting and any special meeting by written notification or published in an official publication of the Academy. The meeting notice shall state the purpose or purposes of the meeting, the time, and the location and whether issues requiring a vote will be presented.

Special meetings or meetings in lieu of annual meetings may be called at any time by the President. A special meeting may be called by written requests submitted by 25% of the voting membership.

### **Section 2. Meeting of the Directors.**

Regular meetings of the Directors may be held at such times and places as shall from time to time be fixed by resolution of the Directors, and no notice need be given of regular meetings held at times and places so fixed.

Fifty (50%) percent or more of the Directors shall constitute a quorum for the transaction of business at any meeting of the Directors, provided that less than such quorum shall have power to adjourn the meeting from time to time. The action of a majority of the Directors present at a meeting of the Directors at which a quorum is present shall constitute the action of the Directors, except where a different vote is required by law, the bylaws of the Academy, or these bylaws. No proxies shall be permitted.

Any action to be taken by the Directors may be taken without a meeting if all the Directors entitled to vote on the matter consent to the action by a ballot filed with the records of the meetings of Directors. Such consent shall be treated for all purposes as a vote at a meeting.

### **Section 3. Virtual Meetings**

Virtual meetings may be called by any ABAT officer with the approval of a two-thirds (2/3) majority of the Directors, whereby a question is put forth by mail or electronic means to the Diplomates of the ABAT eligible to vote. In such case, the Directors must submit by mail or electronic means any question or action to the Diplomates of ABAT, including amendment of these By-Laws and election of Directors and Officers, but not including any question of dissolution to be taken at a physical meeting. Such submission shall be made by ballot sent to each Diplomat, setting forth the action proposed, and in the case of election of Directors or Officers, the names of the persons nominated. A deadline must be set by the Secretary-Treasurer for the return of ballots; the deadline for the return of ballots for an election of Directors and Officers will be set by the Chairperson of the Nominating Committee.

## **ARTICLE VI REFERENDA AND AMENDMENTS**

### **Section 1. Referenda.**

The Directors, on their own initiative or on demand by petition bearing the signature of not less than 20% of the Diplomates may conduct referenda to determine the will of the membership.

### **Section 2. Amendments.**

These bylaws may be amended or repealed and new bylaws adopted by two-thirds of the Diplomates, provided a notice of a proposed amendment is stated in the notice of the annual meeting or by ballot.

## **ARTICLE VII VOTING**

### **Section 1. Quorum, Voting and Action.**

Fifty percent (50%) of the ABAT Diplomates in attendance shall constitute a quorum for the transaction of business at any meeting of the ABAT. All business will be conducted in accordance with Robert's Rules of Order. A meeting can be adjourned upon majority vote of Diplomates in attendance whether or not a quorum exists. Each member in good standing shall have one vote. The election of Directors shall be by ballot.

Except where required by law, the bylaws of the Academy, or these bylaws, the action of a majority of the Diplomates in a duly constituted meeting, wherein a quorum is present, shall constitute the action of the ABAT. The Secretary-Treasurer shall record the vote and the matter decided in the records of the ABAT.

## **ARTICLE VIII DUES AND FEES**

### **Section 1. Fees.**

The Directors shall set the fees for the credentialing application and process, and the examination.

### **Section 2. Membership Dues.**

The Directors may set a system of annual dues for membership in the ABAT in addition to the required active-member dues of the Academy. Diplomates must approve dues or an increase in dues by majority vote at a properly constituted meeting of the ABAT or by ballot. Such dues shall be used for the general purposes of the ABAT. An individual will be considered delinquent with regard to dues if payment has not been made by the time of the annual meeting.

### **Section 3. Assessments.**

Special one-time assessments with the approval of the Directors and a majority approval of the members may be levied on the recommendation of the President. Individual dues may be waived at the discretion of the Directors.

## **ARTICLE IX REMUNERATION**

### **Section 1. Remuneration.**

Officers and Directors shall serve without remuneration.

### **Section 2. Reimbursement.**

Officers and Directors shall be entitled to reimbursement for expenses incurred in the conduct of the affairs of the ABAT as determined by the Officers. The President shall prescribe the form in which the Director's statements for reimbursements shall be presented. Reimbursement of expenses must be approved by the President and Secretary-Treasurer who are accountable to the Directors and Members.



**ARTICLE X  
CERTIFICATION OF CANDIDATES IN APPLIED TOXICOLOGY**

The Directors shall establish policies and procedures governing the requirements for certification in clinical toxicology which may include:

- a) qualifications of candidates applying for certification
- b) the method, scope and administration of the certifying examination, and
- c) certification renewal of Diplomates.

Such policies and procedures shall be recorded by the Secretary-Treasurer and shall be published from time to time in appropriate publications. These policies and procedures may from time to time be modified, amended or repealed by the Directors. All questions of interpretation and application of the policies and procedures shall be determined by the President unless the candidate expressly requests a determination by the Directors, in which case, the President shall present his or her recommendation for determination to the Directors.

The Directors shall establish: (a) the dates, times, places and frequency of the certifying examinations to be administered to candidates for certification during the ensuing year; (b) the content of and questions for the certifying examination; and, (c) the number and identity of the Examiners who shall give the certifying examination. The times and places of the certifying examinations shall then be adequately publicized in an official journal of the Academy and its other publications, so that candidates for certification may have reasonable notice thereof.

Names of the candidates who have passed the certifying examination shall be presented to the Board of Trustees of the Academy by the President of the ABAT as newly designated Diplomates of ABAT. Every newly designated Diplomat will receive an official certificate bearing the signatures of the Presidents of the Academy and ABAT, the ABAT logo, and designation of the individual as a Diplomat in the specialty of applied clinical toxicology.

Certification as a Diplomat by the ABAT is a recognition of competence in the discipline of clinical toxicology, but does not confer on any person a legal qualification, privilege, or license to practice clinical toxicology.

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