

**THE AMERICAN BOARD OF
PEDIATRIC NEUROLOGICAL SURGERY, INC.**

Bylaws

PREAMBLE

PEDIATRIC NEUROLOGICAL SURGERY is a discipline of medicine and the specialty of neurosurgery which deals with the diagnosis, evaluation and treatment of disorders of the central, peripheral and autonomic nervous systems of children. Pediatric Neurological Surgery includes the evaluation and diagnosis, operative and non-operative treatment, critical care and rehabilitation of children with disorders of the nervous system.

The American Board of Pediatric Neurological Surgery, Inc. (ABPNS) has been established as an Ohio nonprofit corporation for the purpose of examining and identifying neurosurgeons who have met the Board's requirements for certification in pediatric neurological surgery. The broad aim of the AMERICAN BOARD OF PEDIATRIC NEUROLOGICAL SURGERY is to encourage the study, improve the practice and elevate the standards of pediatric neurological surgery, and thereby to advance the cause of public health.

ARTICLE I

Board of Directors

The ABPNS shall consist of no less than ten (10) Directors and no more than 12 directors.

No nominee shall become a Director of the ABPNS until elected by a majority of Directors of the ABPNS. In the event that no nominee of a nominating society, as designated below, is elected to membership from the names submitted, the Directors shall request the nominating society to submit additional nominees.

Directors shall be elected at an annual winter meeting of the Directors to serve for a term of five (5) years and until their successors are elected. Terms of Directors elected begin immediately following the conclusion of the meeting at which they are elected. Directors may not serve more than two (2) terms.

At the request of the Chairman or any three (3) other Directors, special meetings of Directors may be held. The Directors shall decide what notice, if any, and the length of time prior to such meeting such notice shall be given. Attendance at any meeting shall operate as a waiver of notice. Any meeting at which all Directors are present shall be a valid meeting, whether notice thereof was given or not, and any business may be transacted at such a meeting.

The Directors shall meet at least twice a year and at such place, either within or without the State of Ohio as may be fixed from time to time by said Directors.

A majority of the Board of Directors shall constitute a quorum for the transaction of business. The act of a majority of the Directors at a meeting at which a quorum is present shall be the act of the Directors.

If a position on the Board of Directors shall become vacant by reason of death, resignation, disqualification or removal of the incumbent thereof, or other cause, the Directors shall elect a new Director upon receiving nominees from the appropriate nominating society. In the case of the absence of any Director of ABPNS, or for any reason that the Directors may determine as sufficient, the Directors may delegate the powers and duties of such Director to any other Director, except where otherwise provided by these Regulations or the laws of Ohio.

Directors are authorized to fix, from time to time, their own compensation, if any, for attendance at meetings of the Directors. The Board of Directors shall be vested with the management and control of the property, business and affairs of the ABPNS.

ARTICLE II

Nominating Societies

The following organizations representing pediatric neurological surgeons shall be the Nominating Societies for members of the Board of Directors:

1. The American Society of Pediatric Neurosurgeons
2. The Joint Section of Pediatric Neurological Surgery of the American Association of Neurological Surgeons and the Congress of Neurological Surgeons
3. Pediatric Neurosurgery Section of the American Academy of Pediatrics.

The Nominating Societies shall provide two names to the Board of Directors by March 1st of each year. The Board of Directors shall use these names to select the new members of the Board. In the event that no nominee of the nominating societies is elected to membership from the names submitted, the Directors shall request the nominating societies to submit additional nominees.

ARTICLE III

Officers

The Officers of the ABPNS shall consist of a Chairman, a Vice Chairman, a Secretary - Treasurer and such other Officers as may be elected by the Board of Directors from time to time.

There shall be an Executive Committee of the Board of Directors consisting of the Chairman, Vice Chairman, Secretary - Treasurer of the Board of Directors.

The term of office for all Officers shall be not more than three (3) years. A Director must have completed three (3) years as a Director on the Board prior to becoming eligible for election as Chairman. The Officers may serve two (2) terms.

If an office shall become vacant by reason of the death, resignation, disqualification, or removal of the incumbent thereof, or other cause, the Directors may elect a successor to hold the office for the unexpired term in respect to which such vacancy occurred or was created. In case of the absence of any Officer of APBNS, or for any reason that the Directors may determine as sufficient, the Directors may delegate the powers and duties of such Officer to any other Officer, or to any Director, except where otherwise provided by these Regulations or by the laws of Ohio.

ARTICLE IV

Indemnification of Officers and Directors

The ABPNS shall indemnify each Director and Officer, each former Director and Officer, and each person who is serving or has served at its request as a Director or Officer of another enterprise and may indemnify any employee or agent, any former employee or agent, and any person who is serving or has served at its request as an employee or agent of any other enterprise to the fullest extent from time to time permitted by the laws of the State of Ohio in the event any of such persons shall be made or be threatened to be made, a party to any action, suit or proceeding whether civil, criminal, administrative, or investigative. As used herein, the terms Officer, Director, employee and agent shall include their heirs and personal representatives.

ARTICLE V

Committees

STANDING COMMITTEES

Credentials Committee

There shall be a Credentials Committee consisting of such number of Directors and Diplomats as the Directors may determine from time to time. With the assistance of the Secretary-Treasurer, such Committee shall have the necessary power and authority to assess an applicant's eligibility for examination and to report to the Directors as to applicant's eligibility for certification, all in accordance with these Rules and Regulations.

Bylaws Committee

There shall be a Bylaws Committee, which shall review the Bylaws of the ABPNS from time to time for the purpose of proposing changes to be presented to the Directors as provided in Article VIII.

Nominating Committee

There shall be a nominating committee, consisting of three individuals, the current chairperson, the immediate past chairperson, and a departing board member selected by these two individuals. The immediate past chairperson shall be the chairperson. The function of the committee is to: 1) Recommend a slate of individuals for the election of officers (chairman, vice-chairman, secretary-treasurer) Other nominations shall be considered from the floor at the time of election by the full board; 2) Recommend individuals for election as new directors from the slates provided by the nominating societies. The election, however, shall be by the entire board.

During the nominating process, the committee will take into consideration the appointment of directors whose qualifying certification is from the Royal College of Physicians and Surgeons of Canada.

Finance Committee

There shall be a Finance Committee, which shall review reports of the income and expenses of the ABPNS as received from the Secretary-Treasurer, and, at the regular meeting of the Directors, shall present and make recommendation regarding acceptance of such reports. The finance committee will be composed of the Executive Committee of the Board of Directors

augmented by one director to be appointed by the Chairman of the Board. The Finance Committee shall advise the Directors regarding all financial matters, including fees for examination and other assessments and/or dues of Diplomats.

AD HOC COMMITTEES

Written Examination Committee

There shall be a Committee charged with preparing the Examination in written form. This Committee shall consist of such number of Directors and Diplomats, as the Directors shall determine from time to time. Such Committee shall be vested with all necessary power and authority to create and administer the Examination given on behalf of the ABPNS as may be delegated to it by the Directors from time to time.

With the approval of the Directors, the Committee on the Written Examination may from time to time appoint and hire non-directors of the ABPNS to assist with examinations. Each examination shall be administered and graded by the same standard for every examinee.

ARTICLE VI

Standards for Certification and Recertification

The ABPNS shall issue Certificates from time to time to candidates who have fulfilled the following Standards for Certification. This certification will have a duration of ten years. Thereafter, certification will be maintained by following the recertification process outlined below.

A. Candidates for **INITIAL CERTIFICATION** by the American Board of Pediatric Neurological Surgery must comply with the following standards:

1. Completion of a post-residency fellowship in Pediatric Neurological Surgery accredited by the Accreditation Council for Pediatric Neurosurgical Fellowships, Inc.
2. Certification by the American Board of Neurological Surgery or the Royal College of Physicians and Surgeons of Canada.
3. Submission of a complete surgical case log for the 12 months preceding application which demonstrates the following:
 - a. A minimum of 85 operative cases, and
 - b. That seventy-five percent of all operative cases were in patients under age 22 years or that 125 operative cases were in patients under age 13 years.

- c. The case log submitted must represent all locations of the practice of the applicant at the time certification is requested.
4. Provide evidence of an unencumbered state or provincial license to practice medicine.
5. Provide evidence that the candidate has unencumbered staff privileges in each hospital at which the candidate practices at the time of certification.
6. Pay a certification fee deemed appropriate by the ABPNS.
7. Attain a passing grade on a written examination given by the APBNS.

No individual will be permitted to take this written examination without having complied with all standards for certification as noted above. If unsuccessful in passing the written examination, the applicant must re-take the examination at the next scheduled test date. The candidate must complete the reexamination process within one year of the initial failure. If the candidate is unable to complete this reexamination process successfully, he or she must reapply for certification, and submit a current operative case log and evidence of current professional standing, as outlined above.

B. Candidates for **RECERTIFICATION** by the American Board of Pediatric Neurological Surgery must comply with the following standards for recertification.

1. Be currently certified by the ABPNS.
2. Demonstrate an unencumbered certification by the American Board of Neurological Surgery or the Royal College of Physicians and Surgeons of Canada.
3. Submit a surgical case log for 12 consecutive months immediately prior to application, meeting criteria outlined in section A 3. For candidates attempting to qualify for recertification on the premise that 75% of all operative cases are in pediatric patients, the majority of operative cases meeting this criterion must be in patients under 22 years of age. For operative cases in patients 22 years of age or older to be counted as “pediatric type” for purposes of recertification, initial surgery must have been performed under 22 years of age for hydrocephalus, Chiari malformation, craniosynostosis or spinal dysraphism and repeat surgeries must be performed for the same conditions at a later age. All other conditions are not accepted.
4. Provide evidence of continuing medical learning by the acquisition of at least 90 hours of CME in the 36 months immediately prior to application for recertification.
5. Provide evidence of an unencumbered state or provincial license to practice medicine.
6. Provide evidence that the candidate has unencumbered staff privileges in each hospital at which the candidate practices at the time of recertification.

7. Have paid all annual assessments as well as the application fee required for recertification.
8. Attain a passing grade on a written examination given by the APBNS.

No individual will be permitted to take this written examination without having complied with all standards for certification as noted above. If unsuccessful in passing the written examination, the applicant must re-take the examination at the next scheduled test date. If the reexamination is failed, the applicant must reapply for certification, and submit a current operative case log and evidence of current professional standing, as outlined above

Diplomates of the ABPNS who fail to obtain recertification in accordance with the rules and regulations outlined above will have their names removed from the roster of active diplomates of the Board and will be requested to return their Board Certificate to the Board.

C. Alternative Pathway For Non-fellowship Trained Pediatric Neurosurgeons

The Board of Directors may, at its own discretion, offer certification to neurological surgeons who have been in practice ten years following the completion of their residency. They must fulfill the criteria for certification as outlined above in Section A, items 2 through 7. A surgical case log must be submitted for each of the last 5 years immediately prior to application, Their case log submission must demonstrate an emphasis in pediatric neurosurgery. For candidates attempting to qualify for alternate pathway certification on the premise that 75% of all operative cases in each of the last 5 years are in pediatric patients, the majority of operative cases meeting this criterion must be in patients under 22 years of age. For operative cases in patients 22 years of age or older to be counted as “pediatric type” for purposes of alternate pathway certification, initial surgery must have been performed under 22 years of age for hydrocephalus, Chiari malformation, craniosynostosis or spinal dysraphism and repeat surgeries must be performed for the same conditions at a later age. All other conditions are not accepted.

Following a favorable review of the applicant’s credentials by the Credentials Committee and the Board of Directors, the prospective candidate will be invited to take the written examination given by the APBNS. Any reexaminations, if necessary, will follow the protocol as established in item A-7 above.

ARTICLE VII

Revocation of Certificates

Pursuant to the Standards established by it, the Directors shall maintain ownership of any certificate issued by the ABPNS, and have the authority to revoke such Certificate if:

(a) The certificate was issued contrary to, or in violation of, any Standard of the ABPNS;

(b) The certificate was issued to one not eligible to receive it or who has since become ineligible to continue to hold such;

(c) The certificate was issued based upon any misstatement of fact to the ABPNS in his or her application or otherwise;

(d) The person whom the Certificate was issued is convicted of a felony;

(e) The license to practice medicine of the person to whom the Certificate was issued is revoked, or her or she is expelled from any of the Societies which nominate candidates to serve for the ABPNS, or from a county medical society, a state medical association, the American Association of Neurological Surgery or The Congress of Neurological Surgeons; or

(f) The person, in the opinion of the Board of Directors, has engaged in serious professional misconduct (or other serious misconduct adversely reflecting on professional competence or integrity).

(g) The person to whom the certificate was issued fails to pay yearly assessment dues for three consecutive years.

ARTICLE VIII

Amendments

These bylaws may be amended by the affirmative vote of two-thirds (2/3) of the entire Board of Directors at any annual, regular or special meeting provided that written notice of the proposed amendment shall have been given to all Directors at least twenty (20) days in advance of the meeting.