

AMENDATORY RESOLUTION A1 - 26

SUBJECT: Amending ETHICS 108

Refer to AHA Bylaws, Chapter 2, Article V, Section 3, Paragraph a, (ii) & (iii) for rules

Required to review:	Action Taken:	
	Approve	Disapprove
Board of Directors		
National Council		

REASON FOR PROPOSED CHANGE:

In order to be fiscally responsible and bring our hearing process up to date with other organizations, we want to move from an in-person format. This saves substantial money to fly up to nine EPRB members to Colorado for a hearing. With the move to our new building, we no longer have the space to conduct an in-person hearing and would need to hold it at another site such as a hotel conference room, further adding to the cost.

Additionally, we are requesting an update of the "Notice" procedure, bringing this in line with current communication standards and pointing to the new procedure outlined in the AHA Bylaws.

RESOLUTION BEING AMENDED: Use bold/italic for new wording, strikethrough to indicate deletion

Resolved, That AHA ETHICS 108 regarding the Rules and Procedures be amended by striking out, inserting and re-lettering as follows:

- 7. Attendance at the EPRB Hearing.
  - a. ***The hearing may be conducted by teleconference or videoconference at the discretion of the EPRB. Under special circumstances, the complainant or respondent may request an in-person hearing. This request will be considered by the EPRB Chair and may be granted depending on the circumstances involved.***
  - b. The complainant or a duly authorized representative must attend the hearing ~~in person~~ ***personally*** or submit a written notarized presentation. Failure to do so shall be grounds for dismissal of the complaint. It is strongly recommended that the complainant ***personally*** attend the hearing ~~in person~~.
  - c. The charged party or a duly authorized representative shall have the right to ***personally*** appear at the hearing ~~in person~~ or submit a written notarized presentation. It is strongly recommended that the charged party ***personally*** attend the hearing ~~in person~~.
  - d. Each party shall provide to AHA at least ten days prior to the hearing a list of the witnesses who they intend to have either attend the hearing and testify in person or submit sworn statements on their behalf. A list of all witnesses provided will be promptly sent to all parties. The failure of a party to provide a list of witnesses or to include a witness on the list, within the specified time, may preclude any unlisted witnesses from testifying at the hearing or submitting sworn statements.
  - e. Legal counsel for the EPRB and the parties shall be entitled to attend the hearings. The EPRB shall have the authority to permit or refuse to allow any other person to attend the hearing.
- 10.
  - d. The EPRB may also, before, during, or after the hearing, designate one or more persons to make an inspection or investigation in connection with a hearing and continue the hearing in order to complete the inspection or investigation.
    - 1. Each party must be notified of the inspection or investigation and shall have the right to ***personally*** attend ~~in person~~ or through a representative.
- 15. Notice. All notices required or permitted under these rules may be given by ~~personal service or by mail to AHA or~~ ***electronic communication, courier/parcel delivery or by mail to*** a party's last known ***email or physical*** address according to the AHA's records. All such notices must be sent ~~first-class mail, postage prepaid, and by either registered or certified mail, return receipt requested~~ ***by trackable or read receipt***. For the purposes of determining times of notification and response, notice shall be deemed given when personally ~~delivered served~~ or emailed.

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50 16. Amendment. These rules and procedures may be amended from time to time by the AHA Board of Directors, subject to review  
51 **as set forth in Article V, Section 3, Paragraph a, (ii) & (iii)** and ratification by the Delegates at the next Annual Convention of  
52 AHA-

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54 Effective: **(to be completed when adopted)**  
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57 FINANCIAL OR IT IMPACT **(Required)**:  
58 Outlined in the "Reason for Proposed Change" above. Requires no IT intervention.  
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60 AHA IMPACT STATEMENT: **(To be completed by AHA Staff)**  
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62 Contact Person:  
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64 SUBMITTED BY: Ethical Practice Review Board Region Number:  
65  Member Organization  Committee  Commission  Board  National Council  Region **(check one )**

66 Who voted:  Members  Board  National Council **(check voting body)**

67 Total Number Eligible to Vote: 9 Number of Yes votes: 9 Number of No votes: 0

68 How vote was taken:  mail  email/other electronic means  phone  meeting **(check one) (Must have Quorum**  
69 **with majority of yes votes)**

70 Where documentation of this vote is recorded: With the AHA office

71 Date vote taken: January 29, 2026

72 Contact Person: Van Jacobsen

73 Phone: (507) 261-0339 Email: vpjacobsen@aol.com