



**EASTERN MEDICAID PHARMACY
ADMINISTRATORS ASSOCIATION**

HANDBOOK

UPDATED MARCH 2019



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Originally established as the Northern Medicaid Pharmacy Administrators Association in 1977 in Harrisburg, Pennsylvania, the organization was founded upon the following principles which still hold true today:

1. *To establish communication and professional relations between State Medicaid Pharmacy Programs in order to improve the quality and scope of medical care provided to recipients of Medical Assistance;*
2. *To adopt policies and principles which will serve for the guidance of the association in the establishment or improvement of their programs;*
3. *To work closely with appropriate bodies and committees of other local and/or national health care organizations interested in improving the quality and scope of medical care to recipients of Medical Assistance.*

EMPAA is represented by the following states: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia

Board of Directors

The EMPAA Board of Directors consists of individuals appointed to represent each state. Directors would typically be held by the state's pharmacy director unless otherwise designated. All other members of that state are non-voting. Officers of the Association include the Chairperson, Vice Chairperson, Treasurer, and Immediate Past Chair and comprise the Executive Committee. The Vice Chairperson and Treasurer are elected positions. Should an elected individual reside in a state already represented on the Board, votes cast by the Board that impact any state regulation will only have one vote cast per state, with the state representative vote prevailing. In the instance of any Association related business including, but not limited to budget, administration, or operations, all Directors and Officers will vote.

Chairperson

- A. Serve in accordance with applicable sections of the Bylaws, the Handbook, the Articles of Incorporation and other official governance instruments of the Association.
- B. Serve as the official spokesperson for the Board of Directors and the Association.
- C. Keep the Board of Directors informed about Association affairs.
- D. Appoint, with the approval of the Board of Directors, representatives of the Association to allied organizations, committee and task force members and chairs.

Vice Chairperson

- A. Serve in accordance with applicable sections of the Bylaws, the Handbook, the Articles of Incorporation and other official governance instruments of the Association.
- B. Serve as the Association Secretary and shall be the keeper of all records and minutes of the Association
- C. In the absence of the Chairperson, may act as an authorized signer for Association contracts, with provision outlined above.
- D. Keeper of the Corporate Seal, if applicable, and signatory on membership documents

Immediate Past Chairperson

The Immediate Past Chairperson provides advice and leadership to the Board of Directors regarding past practices and other matters to assist the Board in governing the Association. The Immediate Past Chairperson may also be assigned tasks as determined by the Chairperson

Treasurer

- A. Serve in accordance with applicable sections of the Bylaws, the Handbook, the Articles of Incorporation and other official governance instruments of the Association.
- B. Manage or oversee the management of the financial affairs of the organization, including reconciling bank statements and managing cash flow.
- C. Knowledgeable about who has access to the organization's funds and any outstanding bills or debts owed.
- D. Create and maintain systems for ensuring the organization's ongoing solvency and oversee the development of the organization's financial policies.
- E. Responsible for preparing, or facilitating the preparation of an annual budget, as well as regularly monitoring and comparing the actual revenues and expenses incurred against such budget. The budget should be reviewed and approved by the board, however, the Treasurer should be prepared to explain and justify the document
- F. Keep the Board apprised of key financial events, trends, and concerns, and assessments of the organization's fiscal health.
- G. Complete, or ensure the completion of, required financial reporting forms (including the IRS Form 990) in a timely manner and making these forms available for the Board's review.

Board of Directors

- A. Set policy and direction for the Association.
- B. Serve in accordance with applicable sections of the Bylaws, the Handbook, the Articles of Incorporation and other official governance instruments of the Association.
- C. Appoint an executive director of the EMPAA, if applicable.
- D. Continually reevaluate the goals and objectives of the Association and accept primary responsibility for progress toward these goals.
- E. Meet in sessions open to the membership. Members may observe but not participate. The Chairperson may call for a closed session for topics of a sensitive or confidential nature.

Executive Committee

The Executive Committee is a standing committee of the Board of Directors comprised of the Chairperson, Vice Chairperson, Treasurer, and Immediate Past Chairperson. The Executive Committee shall review all fiscal policies and procedures for the Association. Except as limited by law and by the EMPAA Bylaws, the Executive Committee shall exercise the powers and authority of the Board of Directors when the Board of Directors is not in session. All actions of the Executive Committee shall be reported to the Board of Directors at its succeeding meeting.

Nominations, Terms, and Elections.

The offices of Chairperson and Vice Chairperson are non-renewable positions, with the Vice Chair elections held every two years. The Vice Chair will immediately become Chairperson at the end of their two-year term.

Board of Directors Code of Conduct

As the official representative from my state serving on the Board of EMPAAI pledge to do my utmost to adhere to the following Code of Conduct.

- I understand that membership on the Board is not a right I have earned, but a privilege to serve my state and our mission.
- I understand that I have a fiduciary responsibility to the Association to oversee the finances of the EMPAA. I pledge that I will make myself aware of association non-profit accounting principles, read and understand the association's financial reports, and obtain any information I need to fulfill this obligation.
- I understand that funds contributed to EMPAA through the dues of members and by other donors are done so to further the mission and good works of EMPAA, not to personally benefit members of the Board.
- I understand that the expenditure of funds on luxuries for Board Members for travel, meals, accommodations, gifts and other special perks takes funding from the purposes which the donors intended, and that such misuse of funds is as serious as misappropriation of funds. I pledge to adhere to all expense policies adopted by the Board of Directors.
- I understand that the most important principle of leadership is to set the example, and that the other volunteers will establish their own work ethic and fiscal responsibility based on what they see of my conduct. I pledge to always be an example of dedication, probity and frugality for staff and other volunteers.
- I understand that the true measure of a leader is one who knows and looks out for the welfare of his or her followers. I pledge to know and lookout for the welfare of the Association's members and State Medicaid Pharmacy Programs.
- I understand there may be issues discussed at Board meetings that could damage individuals or the Association if discussed outside the Boardroom, and I pledge to maintain confidentiality of such items. But I also understand that the members are the owners of the Association and have a right to know how their association is operating. I pledge to support operating in as open and transparent a manner as is possible, while keeping in mind that some issues must be kept confidential.
- I understand that I have a responsibility to fully and fairly share my opinions at board meetings, but that I also have a responsibility to support Board decisions outside the Boardroom. I pledge to do so.
- I understand that to fulfill my fiduciary responsibility to the membership, I must be fully knowledgeable about the Association. I pledge that I will read and understand the bylaws, policies, financial reports, committee reports and other documents pertaining to the operations of EMPAA, and that I will devote the time necessary to stay current and to participate in Board meetings and conference calls.
- I understand that I have a responsibility to apprise the Board any conflicts of interest that I may have, and to recuse myself from voting where a conflict exists. I pledge to avoid both the appearance and the actuality of any conflict of interest.

- I understand that it is a violation of my fiduciary responsibility to the membership to appropriate to myself opportunities that rightfully belong to the association, or to usurp opportunities and appointments for myself that should be open to the membership. I pledge not to do so.
- I understand that antitrust violations could cause great harm to the association and to individual Board members. I pledge that I will not participate in any action, meeting or discussion that I believe could give even the appearance of being a potential antitrust violation.
- I understand that my authority as a member of the Board is only in the Boardroom, and that I have no management authority or responsibility for the association outside of my participation in Board decisions. It is the Board's collective responsibility to set the strategic direction for the EMPAA, to establish policies relating to ends, means and executive limits, to allocate resources and monitor financial performance.
- I understand that no one else can fulfill these Board responsibilities. I pledge I will devote myself to helping the Board fulfill these strategic responsibilities.
- I understand that perception is reality. I pledge to conduct myself in all things relating to the Association in such a manner that I would not be embarrassed to have my conduct fully reported as the lead story in the association's publications.
- I understand that members will look to me for their cues about the EMPAA. I pledge I will be an enthusiastic cheerleader and booster of the EMPAA
- I understand that much of the success of EMPAA will depend on Board dynamics. I pledge I will welcome diverse points of view, I will feel free to disagree without being disagreeable, I will not personalize disagreement, I will discuss issues, not personalities, and I will avoid ad hominem attacks on board members or other volunteers.
- I understand that Board service is my opportunity to make a lasting contribution to my Association, to the profession it represents and to the membership. I pledge I will work to leave the Association better, stronger and more fiscally sound than I found it at the start of my Board service.

CONFLICT OF INTEREST & CONFIDENTIALITY POLICY

Members of the Board of Directors must reflect the highest standards of ethical behavior, integrity and public responsibility.

EMPAA recognizes the inherent right of members of the Board of Directors to pursue outside interests. However, these outside interests may affect a transaction in which EMPAA is involved or diminish EMPAA's ability to conduct objective and unbiased decision-making. If an actual or perceived conflict of interest exists, it is EMPAA's policy to require disclosure, and, whenever feasible, avoidance of actual or potential conflicts of interest.

Examples include:

- Serving as a paid or non-paid consultant to EMPAA or a vendor to EMPAA or one of its subsidiaries or affiliates;
- Serving in a fiduciary role for another organization that competes with EMPAA or takes public positions adverse to those of EMPAA;
- Investing significantly in an entity that deals with EMPAA in a commercial capacity; or
- Having family members or business associates with these relationships.

ADVANCE DISCLOSURE REQUIREMENT AND REPORTING PROCEDURE

Each EMPAA director will disclose each issue, subject, person or entity in which s/he has a financial or other interest where there is the potential that the EMPAA Board of Directors may make decisions that affect that issue, subject, person or entity. To ensure accurate, up to date information, each EMPAA director will review his or her disclosure statement during on-site meetings and update as necessary. Each director will describe clearly his or her interest in each such issue, subject, person or entity on this form supplied by, and returned to, EMPAA's Records Keeper. The information on this form will be reviewed by EMPAA's Chairperson, and shared with EMPAA's Board of Directors if relevant to the discussion at hand. Board members are asked to sign this policy prior to the beginning of their board term. Thereafter, they update it annually or when a change occurs, completing a fresh form each January thereafter for any conflicts.

IMMEDIATE DISCLOSURE REQUIREMENT AND REPORTING PROCEDURE

When the EMPAA Board of Directors addresses an issue, subject, person or entity in which an EMPAA director has a financial or other interest that that director did not list on the annual disclosure form (whether because the director did not anticipate the matter arising or otherwise), s/he will immediately disclose the potential conflict. If the director discovers the matter prior to the beginning of a Board of Directors meeting or call (e.g., upon reading the board agenda), the director will provide the necessary disclosure to EMPAA's records keeper. If the matter is discovered during a Board of Directors meeting or call, the director will immediately stop the conversation and inform the board of the potential for a conflict of interest. If the director feels that the issue requires confidential treatment, the director may instead inform the Chairperson (or, if the Chairperson is the one with the potential conflict, the vice-Chairperson) who will decide if the board needs to be informed of the matter.

PROCEDURE FOR DEALING WITH POTENTIAL CONFLICTS OF INTEREST

The Board of Directors will determine whether each issue raised on an annual form or on an ad hoc basis requires that the director's participation be altered. The board may require that the director:

- Remove him or herself from voting on the issue,
- Not participate in either the discussion of the issue or the vote on it,
- Leave the room during discussion and voting on the issue, or
- Merely explain his or her interest in the matter more fully so the board may weigh that director's participation with complete understanding of the interest.

Information suggesting an actual or potential conflict of interest should be communicated to the Chairperson, Board of Directors or executive director. If warranted, the information will be reviewed by the Chairperson for evaluation and possible recommendation to the Board of Directors. The board, not the volunteer making the disclosure, has the exclusive authority and responsibility to decide an appropriate reaction to the disclosure. This may be:

1. **Disclosure.** The disclosure of a volunteer's other interest is worthy of the board's attention. The disclosure itself, and the board's awareness of the disclosure, is considered sufficient to correct for any bias it might entail. So the board is likely to decide although the volunteer clearly has some other interest, the board and/or committee will simply take the information into account as the volunteer participates in decision-making.
2. **Recusal.** The other interest that has been disclosed affects an important policy or program for the association. To assure the EMPAA and its constituency that board decision-making is without bias, it is best for the volunteer to recuse him/herself when the board/committee takes reports, debates or makes decisions, about that policy or program. The volunteer is asked to leave the room for any discussion on the topic.
3. **Resignation.** The other interest relates to a continuing, pervasive, and important board or committee function, one that cannot easily be isolated on an agenda so as to permit recusal. In this case, the volunteer may be asked to resign his/her position, if this is the only way to ensure the other interest does not intrude upon and skew board decision-making. This is an extreme and rare result of a volunteer's disclosure, but it is conceivable.

CONFIDENTIAL INFORMATION

Confidential information disclosed to members of the EMPAA board or executive staff will be treated as confidential. They may not use or disclose confidential information except as authorized by EMPAA, and they should make their best efforts to prevent unauthorized disclosure. "Confidential information" includes that which is marked "Confidential" or which reasonably should be understood as expected to be kept in confidence, as well as deliberations, discussions and debates on those matters, unless the information is available through public sources. Unauthorized disclosure of confidential information could cause irreparable harm and significant injury to EMPAA and its members. Upon request, any confidential information will be returned to EMPAA.

EASTERN MEDICAID PHARMACY ADMINISTRATORS ASSOCIATION DISCLOSURE STATEMENT

Financial Disclosure(s) Please indicate any relevant financial interests below, including source of income, amount and impact.

Non-financial Disclosure(s) Specify any relevant interests of a non-financial nature here.

I have read EMPAA's Conflict of Interest & Confidentiality Policy and agree to abide by its terms.

Signature

Print Name

Date

WHISTLEBLOWER POLICY

SCOPE:

This policy applies to all Eastern Medicaid Pharmacy Administrators Association (EMPAA) volunteers, employees, including part time, temporary and contract employees.

PURPOSE:

Eastern Medicaid Pharmacy Administrators Association is committed to the highest possible standards of ethical, moral and legal business conduct. In line with this commitment and EMPAA's commitment to open communication, this policy aims to provide an avenue for volunteers or employees to raise concerns and reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith.

POLICY:

The whistleblowing policy is intended to cover serious concerns that could have a large impact on EMPAA, such as actions that:

- May lead to incorrect financial reporting;
- Are unlawful;
- Are not in line with Association policy, including the Code of Conduct; or
- Otherwise amount to serious improper conduct.

SAFEGUARDS

Harassment or Victimization

Harassment or victimization of the complainant will not be tolerated.

Confidentiality

Every effort will be made to protect the complainant's identity.

Anonymous Allegations

The policy encourages volunteers or employees to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be investigated, but consideration will be given to:

- The seriousness of the issue raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

Malicious Allegations

Malicious allegations may result in disciplinary action.

PROCEDURE:

Process for Raising a Concern Reporting

The whistleblowing procedure is intended to be used for serious and sensitive issues. Serious concerns relating to financial reporting, unethical or illegal conduct, should be reported in written form through Association mailing address.

How The Complaint Will Be Handled

The action taken will depend on the nature of the concern. The EMPAA Board of Directors receives each complaint.

Initial Inquiries

Initial inquiries will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved by agreed action without the need for investigation.

Report to Complainant

The complainant will be given the opportunity to receive follow-up on their concern within 14 business days:

- Acknowledging that the concern was received;
- Indicating how the matter will be dealt with;
- Giving an estimate of the time that it will take for a final response;
- Telling them whether initial inquiries have been made;
- Telling them whether further investigations will follow, and if not, why not.

Further Information

The amount of contact between the complainant and the body investigating the concern will depend on the nature of the issue and the clarity of information provided. Further information may be sought from the complainant.

Information

Subject to legal constraints the complainant will receive information about the outcome of any investigations.

Record Retention and Document Destruction Policy

PURPOSE:

It is the Eastern Medicaid Pharmacy Administrators Association (“EMPAA”) policy to maintain complete, accurate and high quality records. Records are to be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual, legal or regulatory requirements or for other purposes as may be set forth herein. Records that are no longer required, or have satisfied their required periods of retention, shall be destroyed. No officer, director, employee, volunteer, or agent of EMPAA shall knowingly destroy a document with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any government department or agency or in relation to or contemplation of any such matter or case. This policy covers all records and documents of EMPAA. EMPAA reserves the right to amend, alter and terminate this policy at any time and for any reason. Electronic documents will be retained as if they were paper documents.

SCOPE:

The Vice Chairperson/Secretary, or EMPAA staff designee (“Administrator”), shall be responsible for administering this policy. As part of this role shall ensure that EMPAA documents and records retained by officers, directors, employees, volunteers, or agents are stored or destroyed in a manner consistent with this policy. Destruction of documents will be accomplished by shredding.

Appendix A is a Record Retention Schedule that is approved as the initial maintenance, retention and disposal schedule for physical records of the EMPAA.

GENERAL POLICY:

This Policy applies to all physical records generated in EMPAA’s operation, including both original documents and reproductions.

Appendix A

FILE	RECORD TYPE	RETENTION PERIOD	OFFICER
Corporate Records			
	Articles of Incorporation	Permanent	Electronic Storage (Responsibility of Vice Chairperson to ensure)
	Bylaws (and Amendments thereto)	Permanent	Electronic Storage (Responsibility of Vice Chairperson to ensure)
	Handbook (and Amendments thereto)	Permanent	Electronic Storage (Responsibility of Vice Chairperson to ensure)
	Board Meeting Minutes and Reports	Permanent	Electronic Storage (Responsibility of Vice Chairperson to ensure)
	Board of Directors Forms (Code of Conduct and Conflict of Interest)	Board Member Terms	Electronic Storage (Responsibility of Vice Chairperson to ensure)
Finance and Administration			
	Financial statements (end-of-year)	Permanent	Electronic Storage (Responsibility of Treasurer to ensure)
	Financial statements (audited)	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
	Check register and checks	7 years	Electronic Storage (Responsibility of Treasurer to ensure)

	Deposit slips and cancelled check	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
	General ledgers and journals (includes bank reconciliations)	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
	Contracts and agreements	7 years (after expiration or termination)	Electronic Storage (Responsibility of Treasurer to ensure)
	Grant records and awards	7 years (after completion of grant period)	Electronic Storage (Responsibility of Treasurer to ensure)
	Bank Statements	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
Insurance Records			
	Policies with certificates	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
	Claims and Settlements Made	Permanent	Electronic Storage (Responsibility of Treasurer to ensure)
Tax			Electronic Storage (Responsibility of Treasurer to ensure)
	IRS exemption determination and related correspondence	Permanent	Electronic Storage (Responsibility of Treasurer to ensure)
	State and Federal tax numbers	Permanent	Electronic Storage (Responsibility of Treasurer to ensure)

	IRS Forms 990	7 years	Electronic Storage (Responsibility of Treasurer to ensure)
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Decision Making Policy

One goal of the EMPAA is to foster ethical thinking and behavior in the pharmacy community, which includes EMPAA members and their organizations, consultants and industry partners. This ethical decision-making model is intended to advance that goal by providing a tool that can assist in the process of making sound ethical decisions. The model consists of several parts, which are intended to be used together.

The components are:

- A written description of the model;
- the list of “Sources” attached as Appendix B; and
- a “Glossary of Terms” attached as Appendix C

It is intended that the “Glossary of Terms” and the list of “Sources” will be “living documents” that will be updated from time to time. When faced with a situation that requires sound ethical decision making, this model provides a step-by-step process to help decision makers determine an appropriate course of action that is fair, respects and upholds public laws, emphasizes honesty, respects confidentiality, fosters an ethical culture, and encourages responsibility for one’s own conduct.

Following are the general steps that could be utilized when evaluating whether or not the organization has an ethical issue and ways to effectively evaluate options for addressing it.

1. Gather the facts
 - a. Who-what-when-where-why
 - b. Assess credibility or validity of “facts” that are relayed by other people (memory, individual perspectives)
2. Determine and define the problem or concern to be addressed.
 - a. Proceed thoughtfully and calmly; don’t rush to make a decision.
 - b. Ask: Is there a problem that requires action?
 - c. Ask: is there a legal question at issue? Legality is the bare minimum of behavioral standards. If the action is legal, is an ethical dilemma also present? What makes it an ethical problem?
 - d. Is there any conflict of interest that needs to be considered before proceeding? Have you checked your organization’s conflict of interest policy for its applicability to this situation? If you have a conflict of interest, and it would prevent you from making (or being perceived to make) a fair and unbiased decision, move aside or delegate responsibility to someone without a conflict of interest.
3. Identify existing codes or standards that may be relevant to the situation, and apply any appropriate codes or standards.
 - a. Your Association’s code of conduct
 - b. Your Association’s bylaws
 - c. Other professional or industry related codes
4. Brainstorm on options.
 - a. Research for applicable precedents and outcomes.

- b. Seek out the advice and wisdom of others as and when appropriate, such as colleagues, supervisors, experts and advisors.
5. Evaluate options.
 - a. Use tests such as:
 - i. Outcome: Is it harmful? Will this decision have a more beneficial outcome than any other alternatives?
 - ii. Transparency: Would you or the association be concerned if this decision appeared as the top story in the news?
 - iii. Rationality: Could I present a rational explanation of the decision to others? Could I explain to my colleagues or my supervisor?
 - iv. Switching places: Would I think this was a good choice if I was the subject of the decision?
 - v. Values: Is the decision consistent with the organization's values and mission?
 - vi. Authority: what does/would the Association's ethics officer or legal counsel say about this decision?
 - b. Project the consequences.
 - i. What are the political and financial consequences of this choice?
 - ii. Would this impact the Association's governance?
 - iii. Who would be affected?
 - iv. Would those affected be internal to the association or external to it? How would they be affected?
 - v. Would the impact be felt in the near term and/or at some point in the future?
6. Choose an option, from those available. If none are acceptable, return to step 4.
7. Implement the choice relative to the specific situation. In some organizations, there may be enforcement (of a code, etc.) and/or imposition of sanctions.
8. Monitor outcome; identify what lesson(s) have been learned for the future. Also consider what, if anything, could be done differently the next time a similar situation arises. Ask: Is there a way to implement this so that it has the effect of making this problem less likely to occur in the future? If so, action could include a bylaws amendment, policies and procedures change, or a Board resolution that generally addresses a similar situation if it should take place in the future.
9. Document as appropriate in the association recordkeeping structure/minutes for future reference.

Appendix B: Sources Consulted

Following are sources that were referenced when creating this framework.

A Practitioner's Guide to Ethical Decision Making, Holly Forester-Miller, Ph.D., Thomas Davis, Ph.D., American Counseling Association, 1996. http://www.counseling.org/docs/ethics/practitioners_guide.pdf?sfvrsn=2 An Ethical Decision-Making Model, School of Education, Syracuse University http://soe.syr.edu/academic/counseling_and_human_services/modules/Common_Ethical_Issues/ethical_decision_making_model.aspx CFA Institute Ethical Decision-Making Framework, Chartered Financial Analyst (CFA) Institute, http://www.cfainstitute.org/ethics/integrity/training/Pages/decision_framework.aspx Framework for Moral Reasoning, Center for Study of Ethics in the Professions, Illinois Institute of Technology, 2003. <http://ethics.iit.edu/teaching/framework-moral-reasoning> Making Ethical Decisions, by Michael Josephson, Josephson Institute of Ethics, <http://josephsoninstitute.org/MED/> The PLUS Decision Making Model, Ethics Resource Center, May 29, 2009. <http://www.ethics.org/?q=resource/plus-decision-making-model>

Appendix C: Glossary of Terms and Definitions

Bylaws: The set of rules adopted by an organization chiefly for the government of its members and the regulation of its affairs. Bylaws can be considered the backbone of governance for associations.

Conflict of Interest: At some point in resolving an ethical issue, the concept of conflict of interest must be considered. A conflict of interest arises when a person in a position of authority may benefit (financially or otherwise) from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. For example, a conflict is typically present where the decision relates to a matter that would result in a direct pecuniary benefit to you or a family member, or where a decision could be perceived to be about the propriety of your own actions or choices. In some jurisdictions or professions there are rules that attempt to define and prescribe matters of conflict of interest and how they should be dealt with, while in other professions it is more a "best practice" or preferred approach. This ethics model framework is not intended to discuss the issue of conflicts of interest in-depth; however, the question of whether or not a conflict of interest exists and how it should be handled is an integral part of dealing with ethical dilemmas. In considering whether a conflict exists, keep in mind that there are "real" and "perceived" conflicts. You may decide that there is no real conflict of interest; however, there may be a perception by others that an individual lacks the necessary objectivity to resolve the matter fairly. In all cases of real or perceived conflict of interest, it would best if the person declared the conflict and recused themselves from further involvement. Bear in mind that in reality, this may not always be possible. Having a written conflict of interest policy in place before questions arise would be advisable. In fact, the IRS Form 990, which is the annual tax return to be filed by organizations exempt from income tax, asks whether the organization had a written conflict of interest policy in place during the tax year.

Ethics: The Merriam Webster Dictionary defines ethics as "an area of study that deals with ideas about what is good and bad behavior: a branch of philosophy dealing with what is morally right or wrong." Additional definitions are: "the principles of conduct governing an individual or a group" and "a guiding philosophy." When we speak of "ethical" behavior, we are referring to behavior relating to ethics, or "conforming to accepted standards of conduct."

Outside Support Policy

The following principles will underlie all financial (and gift in-kind) interactions between the EMPAA and commercial, non-profit, and charitable organizations and are designed to minimize real or perceived conflicts of interest with external supporters:

- The EMPAA acknowledges its role in facilitating prudent interactions between its members and commercial, non-profit, and charitable entities.
- The EMPAA will engage with all parties (external supporters, member organizations, and others) with the same level of professionalism and integrity.
- The EMPAA is accountable primarily to its member organizations, and that relationship takes precedence in resolving conflict with a commercial, non-profit, or charitable supporter.
- The EMPAA seeks external support for projects, programs, and collaborative partnerships that align with its Strategic Priorities.
- The EMPAA evaluates each prospective external supporter according to its mission alignment, funding interests, and related criteria before accepting that support. The EMPAA maintains the right to decline external funding from any source.
- When sponsoring educational programs, the EMPAA will comply strictly with the regulations of the accrediting body.
- The EMPAA does not endorse commercial, non-profit, or charitable organizations. While the EMPAA always will disclose financial support from these organizations, that does not imply endorsement.
- The EMPAA reserves the right to restrict attendance at EMPAA meetings.

Travel Policy

PURPOSE:

Stated herein are Eastern Medicaid Pharmacy Administrators Association (EMPAA) policy and necessary rules and regulations for payment of expenses related to travel. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on official business at EMPAA's expense. It is the purpose of these regulations to provide a reasonable and systematic means by which the cost of travel may be estimated for budget preparation and controlled for purposes of economy.

SCOPE:

The policy and procedures contained in this document will apply to all EMPAA volunteers and/or employees.

DEFINITIONS:

1. Authorized Signature - Those individuals with the authority to permit travel on EMPAA business. On official travel forms, authorized signatures include the Treasurer and/or Chairperson
2. Authorized Trips - Travel on EMPAA business which has been approved by the Chairperson in the budget process.
3. Traveler - The individual representing EMPAA on an authorized trip.
4. Travel Expense Report - The form prepared by the traveler upon conclusion of the authorized trip for reimbursement of travel expenses.

GENERAL POLICY:

1. Travel on EMPAA business includes trips to conferences, workshops, seminars, educational and training courses, forums, and other EMPAA related business meetings.
2. All travel authorization advances, and reimbursements shall be made only with the authorization of the Chairperson. However, the approving authority will never be the person requesting the travel. The Chairperson will obtain approval from the EMPAA from the Treasurer.
3. Board Members of the Association shall be eligible for reimbursement of the following expenses:
 - a. Transportation/travel, lodging, and registration for conferences. EMPAA will cover the cost of one piece of standard luggage, excess weight charges will not be reimbursed. Any expenses incurred as a result in changes in itinerary must be approved in advance of the change for reimbursement consideration.
 - b. It is the responsibility of the traveler to prepare the Travel Expense Report for reimbursement of expenses incurred. It is also the traveler's responsibility to submit the Travel Expense Report to the Treasurer no later than 30 days from the date of return from the trip. If reimbursement is claimed later than 30 days, it may be disallowed, unless previous authorization has been given by the Treasurer. Any expense considered excessive or not within budgeted line items will be disallowed.
4. Travelers who receive reimbursement by means of a false claim will be liable for the amount of the overpayment and will repay the fund from which the claim was originally paid (and will be subject to disciplinary action in accordance with the Bylaws and Code of Conduct). The volunteer is responsible for the legality and accuracy of his/her claims.

5. The Chairperson may make any necessary exceptions to this policy in the event that circumstances fail to address or ineffectively address the given situation.

TRAVEL EXPENSES:

1. **Transportation.** All travel must be by the usually traveled or most direct route. Persons traveling by an indirect route for their own convenience must bear any extra costs, and reimbursement for expenses will be based only on the charges that would normally have occurred. The approving authority will determine the most economical method of travel for each trip. In general, EMPAA will reimburse for travel the coach airfare when available or the current mileage rate, not to exceed the cost of coach airfares. Airfare must be booked 21 days or more from the departure date.
2. **Mode of Transportation**
 - a. Private Automobile or Rental Car
 - i. If other means of transportation are not feasible, then the use of an individual's private automobile or rental car may be authorized.
 - ii. For the use of his/her private car, the traveler will be reimbursed at the current IRS approved mileage rate plus parking and toll fees if documented with receipts.
 - iii. Rental car insurance is not reimbursable, nor any additional costs including, but not limited to, GPS devices, traffic violations, damages, or accidents.
 - b. Air Travel
 - i. The fare for commercial air transportation should not exceed the regular coach fare.
 - ii. All air travel should be approved in advance by an EMPAA officer and submitted with an airfare quote from an online travel search engine.
 - iii. The travel agency should bill the EMPAA Office or use EMPAA's corporate credit card whenever possible.
 - c. Other Public Conveyance
 - i. Rail, bus, or travel by other conveyance will be allowed if travel by such means is necessary and the cost does not exceed other means of travel.
3. **Meals**
 - a. Meals for individuals of EMPAA are to be reimbursed on a per diem basis, following the GSA per diem rates. <https://www.gsa.gov/travel/plan-book/per-diem-rates>
 - b. Itemized receipts are required to obtain reimbursement
4. **Tips**
 - a. Tips paid to individual shuttle drivers, bellhops, or housekeeping staff are a normal part of business travel and will be reimbursed up to \$20 per trip.
 - b. An EMPAA officer will be responsible for any group tips.
5. **Non-Reimbursable Items**
 - a. Personal expenses such as haircuts, valet, laundry, and spas
 - b. Self-entertainment activities such as internet, in-room movies, night clubs, sporting events and activities, health clubs, dinner theaters, alcoholic beverages, or other social activities
 - c. The cost of travelers checks or money orders
 - d. Loss of funds or personal belongings while traveling is the responsibility of the individual

- e. Individuals will not be reimbursed for any fines or traffic violations, parking tickets, or costs incurred because of accidents or personal neglect
- f. Additional costs incurred due to the individual being accompanied by a spouse or other guest not involved in EMPAA business are not allowable costs. Such costs would include the additional expense of a double room, extra meal costs, etc.
- g. No additional allowance will be permitted for meals included in registration and conference fees. If lodging is included, it cannot be claimed twice.
- h. Travelers will not be allowed either mileage or transportation expense when they are transported gratuitously by another person or when they are transported by another traveler who is entitled to mileage or transportation expense.

Membership

Members will be limited to Pharmacy Consultants or Administrators actively engaged in the direct administration or management of a Medicaid Pharmacy Program in each State. The representative to the Board, “voting member”, from each state is the Pharmacy Director of the Medicaid program. In the event the Pharmacy Director is unable to serve, a designee can be selected to serve, but must meet the criteria for membership as listed above. State Program dues are set by the Association on an annual basis.

From time to time, the Board may recognize a community member that does not meet the criteria of membership either as a supporter of the association and its mission, or a former pharmacy consultant or administrator. To those individuals, Honorary Membership may be offered at the discretion of the Board. Honorary Members are non-voting members, but may be invited to attend or present at Annual Meetings. There are no dues for Honorary Members.

Meetings

Nomination for Additional State Representation

States located outside of the EMPAA region may request more than one representative be considered for attendance at the meeting through the submission of a “free for request” to any EMPAA officer. The free form request should include the gained benefit through multiple state attendees.

Alumni Registration

1. Former EMPAA state members may have their registration fees waived if they are not currently working for a for-profit organization.
2. Registration fees for alumni from states located outside of the EMPAA region may be waived if the registrant had a minimum of five-year tenure with their state’s regional organization or the national association.
3. All registration requests are subject to approval by the EMPAA Chairperson.

Meeting Attendance

1. EMPAA will cover the cost for two representatives from each state within the EMPAA region to attend the annual EMPAA meeting.
2. If attendance by more than two state representatives is requested, a formal request must be submitted to the EMPAA Board of Directors for review and approval.
3. Officers of EMPAA, AMPAA, or presenters at the meeting are not considered representatives of their respective states.

Vendor and Industry Registration

Representatives from Vendors and Industry are invited to register and attend the meeting. The number of attendees permitted to attend from one particular organization may be limited at the discretion of the Chairperson.

Non-EMPAA Meeting

EMPAA members are encouraged to attend other pharmacy or Medicaid conferences at the expense of the Association.

1. To attend ancillary meetings, the individual should submit a detailed budget to the EMPAA Board of Directors to include known costs for travel, lodging, registration, and meals in accordance with the policies in this handbook.
2. At the conclusion of the meeting, the individual agrees to submit a meeting synopsis with their expense report which should include the details of the attended conference including speakers and topics of interest to EMPAA members.

Association Contracts

In line with the timeline of the Association, contract with hotel, convention centers, and restaurants will be entered. The Chairperson of the Association is given authority to sign contracts on behalf of the Association under the following guidelines

1. Approval by the Board of Directors following review of the financial obligations of the contract in line with the approved annual budget
2. Assurance that EMPAA approved language is contained therein

Within the authority to sign venue contracts on behalf of the Association, the Chairperson is not authorized to enter in to additional meeting related contracts or make purchases for the meeting without the authorization of the Board in line with the approved annual meeting budget.

MODEL FORCE MAJEURE CLAUSE FOR ASSOCIATION HOTEL CONTRACT

The performance of this Agreement by either party is subject to acts of God, war, terrorism, government regulation, disaster, fire, strikes, civil disorder, curtailment of transportation facilities preventing or unreasonably delaying at least 25% of meeting/convention attendees and guests from appearing at Association's meeting/convention, or other similar cause beyond the control of the parties making it inadvisable, illegal or impossible to hold the meeting/convention or provide the facility. This Agreement may be terminated, and/or specific nonperformance or underperformance may be excused, without penalty or payment, for any one or more of such reasons by written notice from one party to the other. If for any reason beyond the control of Association the facility shall not be available, or shall not be in acceptable condition, this Agreement may be terminated without penalty by written notice from Association to Hotel.