

43 prior Bylaws Committees determined that attempts to carve out specific seats for each type of
44 profession regulated by a board may become problematic, and the Bylaws Committee agreed with
45 the prior conclusions. The Bylaws Committee also cited potential disenfranchisement of boards
46 and professions that do not have profession specific state medical board seats enshrined in state
47 law.

48
49 The Bylaws Committee discussed the role of Staff Fellows on the Board of Directors. The Bylaws
50 Committee restated that Staff Fellows and Officers should be considered equals, whether physician
51 or non-physician. The Bylaws Committee reviewed the structure and function of the Board and
52 found that the process of selection, which includes calls for nominations from each board and from
53 affiliated organizations, as well as recent changes to the Bylaws that permit Staff Fellows to serve
54 on the Executive Committee. The Bylaws Committee concluded that these changes have fostered
55 equality among board members and no additional changes are necessary at this time.

56
57 In light of these conversations, the Bylaws Committee determined that the current Bylaws are
58 drafted in a manner that facilitates diversity. The Bylaws Committee identified the relevance of
59 existing Board of Directors policy on appointments in ensuring representation of diverse
60 perspectives. The Bylaws Committee also identified the critical role and commitment the
61 Nominating Committee has in identifying candidates who reflect all forms of diversity. The
62 Bylaws Committee approved a Committee communication to the Board of Directors and to the
63 Nominating Committee expressing the following:

64
65 *Diversity of backgrounds and viewpoints is an essential component of Board governance and*
66 *contributes to the ability of the FSMB to work with its member boards, affiliated organizations,*
67 *and other stakeholders towards regulatory excellence in healthcare. Diversity of professional*
68 *background, personal characteristics, and opinion should be sufficiently represented among the*
69 *individuals who are selected for roles in FSMB governance, those who are appointed to serve on*
70 *FSMB committees, or those individuals who are selected to represent the FSMB on positions with*
71 *other organizations. Recognizing the evolution of healthcare and regulation in furtherance of a*
72 *goal of public protection, the Board of Directors and the Nominating Committee should continue*
73 *to stress the importance of diversity at all levels and work to engage and recruit individuals with*
74 *varied perspectives for service on the Board of Directors, the Nominating Committee, and other*
75 *committees and workgroups established by the organization.*

76
77 After thorough review of the Bylaws and consideration of all questions, comments and proposed
78 amendments, the Bylaws Committee presents the following proposed amendment for
79 consideration. In accordance with the Bylaws, this proposal is to be approved by the House of
80 Delegates by *two-thirds* of those present and voting. Any action that amends the Articles of
81 Incorporation requires an affirmative vote of at least three-fourths of the Delegates present and
82 voting.

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84

85 **PROPOSED AMENDMENT #1**

86

87 The FSMB publishes the *Journal of Medical Regulation (JMR)*. *JMR* is a peer-reviewed,
88 editorially independent journal published by the Federation of State Medical Boards since 1913.
89 *JMR*'s scholarly content examines interdisciplinary trends and topics of interest to the international
90 community of medical regulators who protect the public's health and safety through the licensing
91 and disciplining of physicians and other health care professionals. By publishing evidence-based
92 scholarship, *JMR* helps foster an environment in which the link between regulatory policies and
93 health and social outcomes is better understood, and new knowledge is created upon which to base
94 regulatory decision making. While the readership of the *JMR* was once limited, the FSMB Board
95 of Directors and FSMB staff, in collaboration with the Editorial Committee, have worked to
96 increase the distribution of the publication and the quality of submissions. A key component to
97 this effort is to have the *JMR* listed as an "indexed" journal.

98

99 Indexing is vital to the reputation of the journal and the impact of its articles on matters of public
100 health and regulation. Because indexing is a marker of journal quality, scholars prioritize
101 referencing and submitting to journals that are included in leading indexes. Academic indexes
102 include sites such as Google Scholar, PubMed, MathSciNet, and the Directory of Open Access
103 Journals. All indexes require journals to follow certain core publishing and governance principles.
104 Publishing principles include such elements as an established publishing schedule, basic article-
105 level metadata, and a copyright policy. Each indexing site has different inclusion requirements,
106 publication scope, professionalism, and archiving. Index sites also require an Editorial Board and
107 policies that exemplify independence and integrity. Review of the various criteria for indexing and
108 current FSMB governance policies indicated that changes were necessary to assert the
109 independence of the *JMR* and the FSMB Editorial Committee for purposes of indexing.

110

111 While the work of the Editorial Committee and the articles published in the *JMR* have been free
112 of undue influence from the FSMB, Proposal #1 seeks to show greater clarity of this independence
113 for outside parties while maintaining the role of the FSMB in the publication. Under the proposed
114 structure, the existing Editorial Committee is modified into an Oversight Committee. FSMB
115 leadership is in a minority of this committee, ensuring independence. This Committee is
116 responsible for the selection of members of an Editorial Board and ensuring that the *JMR* has the
117 resources necessary to function. The Editorial Board has responsibilities over the "day-to-day"
118 work of the journal and is created in a manner that allows flexibility in management and process.
119 A similar structure is used for oversight and management of the USMLE. Also of note, the
120 flexibility of the proposed structure may allow for increased participation by FSMB Fellows and
121 the inclusion of outside experts.

122

123 *Fiscal Impact: No additional fiscal impact on the organization*

124

125

126

127 **Bylaws Proposal #1**

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129 *ARTICLE VIII. STANDING AND SPECIAL COMMITTEES*

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131 **SECTION D. EDITORIAL COMMITTEE**

132
133 ~~1. An Editorial Committee, not to exceed twelve Fellows and three non-Fellows, at~~
134 ~~least two of whom shall be subject matter experts, shall advise the Editor-in-Chief~~
135 ~~on editorial policy for the FSMB's official publication, and shall serve as the~~
136 ~~editorial board of that publication and otherwise assist the Editor-in-Chief in the~~
137 ~~performance of duties as appropriate and necessary. No officer or member of the~~
138 ~~Board of Directors shall serve on this Committee.~~

139
140 ~~2. Service on the Editorial Committee is by nomination and appointment by the FSMB~~
141 ~~Chair, subject to approval of the Board of Directors, immediately following the~~
142 ~~Annual Meeting of the House of Delegates. Candidates are allowed to express their~~
143 ~~interest in serving on the Committee through self-nomination. Committee members~~
144 ~~shall serve staggered three-year terms and shall be limited to two full terms.~~

145
146 ~~3. The Editor-in-Chief shall be elected by the Editorial Committee to a three-year term~~
147 ~~beginning on the date of the annual Editorial Committee meeting, with the Editor-~~
148 ~~in-Chief's term on the Editorial Committee being automatically extended to allow~~
149 ~~the Editor-in-chief to serve for three years. A member of the Editorial Committee~~
150 ~~whose term is expiring shall continue to serve until the member's replacement meets~~
151 ~~at the next annual Editorial Committee meeting.~~

152
153 ~~4. The Editorial Committee will elect its Chair, who will serve as the Editor-in-Chief of~~
154 ~~the *Journal of Medical Regulation*. The Editor-in-Chief will serve without~~
155 ~~compensation and will coordinate decisions on the *Journal* content, among other~~
156 ~~duties to be determined by the Bylaws Committee.~~

157
158 **SECTION D. JOURNAL OF MEDICAL REGULATION**

159
160 1. The Board of Directors shall provide for the publication of the *Journal of Medical*
161 *Regulation* to further scholarship on issues of medical regulation and public
162 protection.

163
164 2. A Journal Oversight Committee consisting of three (3) members of the Board of
165 Directors and four (4) Fellows shall be appointed by the Board of Directors.
166 Directors shall serve for a term determined by policies of the Board of Directors.
167 Committee members who are not Directors shall serve staggered three-year terms
168 and be limited to two full terms. The Journal Oversight Committee shall develop

169 the annual budget for the *Journal of Medical Regulation* and ensure the editorial
170 independence of the *Journal of Medical Regulation*.

171
172 3. An Editorial Board, not to exceed four (4) Fellows and five (5) non-Fellows, shall be
173 responsible for subject matter and editorial content of the *Journal of Medical*
174 *Regulation*. Members shall be selected and serve terms set forth in a process
175 approved by the Journal Oversight Committee. No officer or member of the Board
176 of Directors shall serve on the Editorial Board.