

American College of Healthcare Executives
Board of Governors Issue Briefing

Date: September 4, 2003

Subject: Council of Regents Representation

Issue: The final implementation issue from the Task Force report is to begin the process of reconfiguring the Council of Regents. To begin this process, the Board of Governors must adopt changes to Article V of the ACHE Bylaws. These changes will set the parameters for determining the representation of geographical jurisdictions on the Council of Regents. These parameters will also be used to guide ACHE through the transition period while attrition is used to achieve the desired configuration. In addition, any reconfiguration should be considered in the context of changes to the role of the Regent and the Regent's Advisory Council.

Discussion Points and Implications: The following is a discussion of the issue.

The Role of the Regent and Regent's Advisory Council.

Attachment 1 describes the expected changes in the role of the Regent and the Regent's Advisory Council. As can be seen from this chart, the significant changes occur in the Regent's area of responsibility pertaining to Service to Affiliates and Chapter Development. The specific demands placed on a Regent are largely determined by the local conditions. The key conditions expected to affect the Regent/RAC's role are the degree of reciprocity and the performance level of the local chapter. Reciprocity (the extent to which the ACHE Affiliates and the chapter membership overlap) will affect the Regent/RAC role because, with increasing reciprocity, the populations become increasingly the same – thereby increasing the degree to which the chapter's service offerings are available to both ACHE Affiliates and chapter members. Local chapter performance affects the Regent/RAC role because the higher performing chapters will be more reliable and effective in the delivery of benefits to both populations. Clearly, these two dimensions work together to create the local conditions that affect the Regent/RAC role and the demands placed on the Regent.

Under the best of conditions (i.e., high reciprocity and high performance), the Regent/RAC role would be more oriented toward recognition and support of chapters rather than the maintenance of a separate service delivery vehicle. Under the worst of conditions (i.e., low reciprocity and low performance), the Regent/RAC would need to be more active in building chapter performance and maintaining a level of service delivery to fulfill our implicit promise to ACHE Affiliates. An effective Regent/RAC role, under the latter conditions, would be an active change-agent while continuing current services to Affiliates.

While the best of these conditions is clearly our long-term goal, we anticipate that a significant period of ambiguity would exist in which the Regent/RAC role would be less defined and would entail more time commitment. This period of ambiguity may take longer to "work through" in some areas and it will be difficult to describe, with precision, the Regent/RAC role on a consistent basis. Early in the transition period, the presence of more Regents may be helpful. At the end of the transition period, fewer Regents will be able to handle the workload.

Another factor to consider is the number of chapter organizations within a Regent jurisdiction. Chapters are expected to maintain a working relationship with all Regents with who the chapter territory and the Regent jurisdiction overlap. In multi-chapter Regent jurisdictions, the Regent will maintain liaison relationships with multiple groups – necessitating close coordination to avoid inter-chapter competition and ensure service to ACHE Affiliates.

With these trends in mind, we can turn our attention to the methodology for determining representation on the Council of Regents.

Representation on the Council of Regents

Section 1 of Article V of the ACHE Bylaws describes the process for determining the representation on the Council of Regents. The process is essentially a two-step methodology. First, one determines which geographical jurisdictions (state, commonwealth, territory and possession of the United States and the District of Columbia and each province or territory of Canada) and which branches of the uniformed services and the Department of Veteran’s Affairs will be represented on the Council of Regents. Then, one determines how many Regents will represent each of these jurisdictions. Currently, the representation of jurisdictions on the Council of Regents is frozen through 2004 based on 1998 levels of representation. An exception to this was made in 2003 to add Regent representation for Affiliates employed by the Department of Veteran’s Affairs.

Represented jurisdictions. The current Bylaws provide that each geographical jurisdiction or branch of the uniformed services/Veterans Affairs that meets two minimum requirements for the number of certain categories of ACHE Affiliates residing in the jurisdiction will be represented on the Council of Regents. Currently, the jurisdiction must have, at least, three Diplomates and Fellows **and** ten Members, Diplomates, Fellows, Life Diplomates, and Life Fellows to be represented. Currently, fifty-nine (59) jurisdictions are eligible to be represented on the Council of Regents.

Should the minimum number of Affiliates required to be residing in a jurisdiction for the jurisdiction to be represented be increased?

Using Affiliate census data from mid-August 2003 and the current methodology, the number of represented jurisdictions would increase to 60 by the addition of 1 Canadian province to the current 3. ACHE staff calculated three alternative sets of minimum parameters for determining the number of represented jurisdictions. The results of these calculations are shown in Table I below.

TABLE I – Alternatives to the Step One Methodology

Alternative	Parameter 1 – Minimum Number of Diplomates & Fellows	Parameter 2 – Minimum Number of Members, Diplomates, Fellows, Life Diplomates and Fellows	Number of represented jurisdictions
Current	3	10	59
Current Bylaws (unfrozen)	3	10	60
A	10	25	57
B	20	50	55
C	20	75	53

Alternative A would reduce the number of Canadian provinces represented on the Council of Regents to one from the current three. All US states and the District of Columbia would be represented, as well as Puerto Rico. The three uniformed service branches and the Department of Veteran’s Affairs would be represented.

Alternative B would further reduce the number of represented jurisdictions by eliminating representation from Wyoming.

Alternative C would further reduce the number of represented jurisdictions by eliminating representation from North Dakota, Vermont, and Puerto Rico.

Level of Regent representation. The current Bylaws provide a formula for determining how many Regents will represent each of the represented jurisdictions on the Council of Regents. Currently, represented jurisdictions with 500 or fewer Affiliates are represented by one Regent. The formula provides an additional Regent for every 250 Affiliates above the initial 500. The current Bylaws also provide for one Regent-at-Large in each of nine Districts. In addition, the current Bylaws provide for the subdivision of represented jurisdictions to form voting jurisdictions – one for each Regent from the represented jurisdiction. In 2004, the Council of Regents will seat 110 Regents – 101 from voting jurisdictions and 9 Regents-at-Large.

Should the formula for determining the level of Regent representation be changed to reduce the number of Regents representing voting jurisdictions and should the position of Regent-at-Large be maintained?

Using Affiliate census data from mid-August 2003 and the current methodology, the number of Regents seated on the Council of Regents would be reduced to 99 from the current 110. Eleven represented jurisdictions would have a reduced level of representation and one represented jurisdiction would increase in representation. Fifteen jurisdictions would have more than one Regent.

The 2000 Governance Task Force recommended a subtle, but important change in the formula for calculating the level of Regent representation. This change has some effect on the level of representation for some jurisdictions and, overall, serves to reduce the

total level of representation. The differing language in the current ACHE Bylaws and in the Task Force report is compared in Table II.

TABLE II – Comparison of Formula Language

Current ACHE Bylaws	2000 Governance Task Force
<p>...each geographical jurisdiction and each branch of the uniformed services/Veterans Affairs shall be represented by Regents according to the following formula: 500 or fewer Represented Affiliates—one Regent; 501 to 750 Represented Affiliates—two Regents; 751 to 1,000 Represented Affiliates—three Regents; and one additional Regent for each additional group of 250 (or fraction thereof) Represented Affiliates¹</p>	<p>...include one Regent for each state, branch of the uniformed services, the District of Columbia, Puerto Rico, and Canada with an additional Regent added for each additional 500 [Affiliates] above a 500 Affiliate census (i.e., up to 999 [Affiliates] in a jurisdiction would qualify for one Regent; 1,000 to 1,499 [Affiliates] in a jurisdiction would qualify for two Regents; 1,500 to 1,999 [Affiliates] in a jurisdiction would qualify for three Regents, etc.).²</p>

The basic difference in the two calculations has to do with whether the jurisdiction needs to exceed the cut point to qualify for an added Regent (Task Force method) or whether the jurisdiction needs to exceed only the base point and subsequent cut points to qualify for an added Regent (ACHE Bylaws method). In addition, the 2000 Governance Task Force recommended the elimination of the Regent-at-Large positions “in light of the growing diversity among ACHE’s elected leaders and among HEG leaders...”

To illustrate the impact of potential changes to this methodology, ACHE staff modeled the existing formula and compared it to several alternatives. The results are shown in Table III. Affiliate census data from mid-August 2003 was used. Alternative A from Table I was used to determine the number of represented jurisdictions except the two Current calculations. The recommendation of the 2000 Governance Task Force is included in the alternatives. The methodology recommended by the Task Force has been used in the calculations of the Task Force recommendation and Alternatives A & B. The method in the ACHE bylaws was used for the Current (unfrozen) alternative.

¹ Article V, section 1(b), ACHE Bylaws.

² “Final Report to the Board of Governors and Council of Regents”, 2000 Governance Task Force, March 2001, page 11.

TABLE III – Level of Regent Representation

Alternative	Parameters:	Number of Regents	Represented Affiliates per Regent³ Median = Range =
Current⁴ (includes 9 Regents-at-Large)	Up to 500 = 1 501 – 750 = 2 751 – 1000 = 3 250 increments thereafter adds 1	110	Median = 243 Range = 46-473
Current Bylaws (unfrozen) (includes 9 Regents-at-Large)	Up to 500 = 1 501 – 750 = 2 751 – 1000 = 3 250 increments thereafter adds 1	99	Median = 291 Range = 46-583
2000 Governance Task Force Recommendation (includes no Regents-at-Large)	Up to 999 = 1 1000 – 1499 = 2 1500 – 1999 = 3 500 increments thereafter adds 1	65	Median = 334 Range = 46-867
A - (includes 9 Regents-at-Large)	Up to 999 = 1 1000 – 1499 = 2 1500 – 1999 = 3 500 increments thereafter adds 1	74	Median = 334 Range = 46-867
B - (includes no Regents-at-Large)	Up to 1499 = 1 1500 – 1999 = 2 2000 – 2499 = 3 500 increments thereafter adds 1	63	Median = 334 Range = 46-1199

The recommendation of the 2000 Governance Task Force would result in reduced representation from 21 jurisdictions, no increases, and 7 jurisdictions would have multiple Regents. The states with multiple Regents would include California (2), Florida (2), Illinois (2), New York (2), Ohio (2), Pennsylvania (2), and Texas (3). There would be no Regents-at-Large.

Alternative A would yield the same results except there would be 9 Regents-at-Large.

Alternative B would result in reduced representation from 21 jurisdictions, no increases, and 5 jurisdictions with multiple representatives. Ohio and Pennsylvania would not have multiple Regents.

Action to Date: In March 2001, The 2000 Governance Task Force recommended that ACHE maintain a Council of Regents with decreased numbers and revised roles. The task force recommended a method to reconfigure the Council of Regents in a way that would result in fewer Regents. In addition, the Task Force recommended changes to

³ Calculated only for the Regents with jurisdictions and does not include the Regents-at-Large.

⁴ Includes the authorized Regents (2) for the Department of Veteran's Affairs.

the role of the Regents and the Regent's Advisory Councils. The Task Force recommended that changes in the size of the Council of Regents be implemented by attrition.

In 2002, the Council of Regents adopted changes to the ACHE bylaws that reduced the term of office from four years to three. In 2003, the Council of Regents adopted changes to the ACHE bylaws that significantly changed the role of the Regent by transferring many of the powers of the Council to the Board of Governors. During 2003 and into 2004, ACHE has embarked on the "Partners for Success" project to designate and charter ACHE chapters throughout the United States.

Staff Recommendations:

The ACHE staff recommends that the Governance Implementation Task Force recommend the following:

1. The ACHE Bylaws Committee should consider and draft amendments to the ACHE Bylaws to implement the following changes:
 - a. Extend the current level of Regent representation through 2005.
 - b. Change the minimum parameters for determining the represented jurisdictions to require geographical jurisdictions and each branch of the uniformed services/Veterans Affairs to have a minimum of 10 active Diplomates and Fellows and a minimum of 25 Members, Diplomates, Fellows, Life Diplomates, and Life Fellows residing in the jurisdiction/branch to be represented on the Council of Regents.
 - c. Change the parameters for determining the level of Regent representation to the following:
 - Up to 999 = 1 Regent
 - 1000 – 1499 = 2 Regents
 - 1500 – 1999 = 3 Regents
 - 500 increments thereafter adds 1 Regent
2. The ACHE Board of Governors should consider the recommended changes to the Bylaws and forward their recommendation to the Council of Regents for review and comment in the March 2004 Regents Leadership Conference.
3. Upon receipt of the Regents' comments and suggestions, the Board of Governors should adopt changes to the ACHE Bylaws as soon thereafter as practicable.
4. The ACHE Board of Governors should direct the ACHE staff to use the December 31, 2005 membership census report to determine the level of Regent representation. Such determination should be effective until 2010 at which time the level of Regent representation shall be recalculated.
5. In accordance with the current Bylaws provisions, reductions in the level of Regent representation should be implemented through consolidation/elimination of vacated (either through completion of term or resignation) Regent positions/jurisdictions with the goal of rapidly reaching the target level of Regent representation as determined in 2005.