



AMERICAN COLLEGE OF SURGEONS
Inspiring Quality:
Highest Standards, Better Outcomes

CONNECTICUT CHAPTER
of the American College of Surgeons
Professional Association, Inc.



AGENDA

The Annual Meetings of

**The Connecticut Chapter of the American College of
Surgeons Professional Association, Inc.,**

The Connecticut Surgical Quality Collaborative, Inc., and

**The Connecticut Chapter of the American Society of
Metabolic and Bariatric Surgery, Inc.**

Farmington Marriott, Farmington, CT

Friday, October 28, 2016

Uniting Surgeons to Advance Patient Care in Connecticut

www.ctacs.org

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Agenda with Rooms Locations

The Stamford Hospital designates this educational activity for a maximum of 8.0 AMA PRA Category I Credit(s)™. Physicians should only claim credit commensurate with the extent of their participation in the activity. The purpose of this meeting is to provide attendees with a forum for the latest information regarding clinical practice and research in the field of surgery. Surgical Residents have a continued need to improve the research skills and a forum to present their research. Rural surgeons have a need to learn about emerging technologies. There is an on-going need to enhance patient safety and quality of patient care. Physicians MUST complete and return a meeting survey to receive CME credits.

7:15 Meeting Registration, Continental Breakfast and Exhibits Open – Grand Ballroom and Foyer

7:30 Committee Meetings

Committee on Trauma – **Boston** Commission on Cancer- **Springfield** Senior Surgeons – **Grand Ballroom**

8:00 Opening Remarks Hall of States

Michael Deren, MD, FACS, Chapter President & Jennifer Bishop, MD, FACS, Program Committee Chair

Concurrent Sessions

8:15 Social Media for Surgeons and Residents: What's in it for me? NH/VT/RI

The Skeptical Scalpel

Retired surgeon, department chairman and residency program director. Professional Blogger.

This session will help you become familiar with some of the more common social media platforms and what you can learn from participating. See some possible new ways that medical information and networking are being transformed.

CTACMBS Session – How I Do It! MA

Moderator: Geoffrey Nadzam, MD, FACS, FASMBS, Assistant Professor, Site Director, Bariatric Surgery, Yale School of Medicine, Saint Raphael Campus

This session will teach you new, unique and novel methods for treating patients.

9:15 Refreshment Break with Exhibitors Grand Ballroom

9:45 Resident Paper Competitions

Clinical Oncology/Bariatric/Quality, NSQIP and ERAS– Springfield (pool)

Oncology Moderator: Amanda Ayers, MD, FACS *Judge:* CT Commission on Cancer

Bariatric Moderator: Geoffrey Nadzam, MD, FACS, FASMBS *Judges:* Aziz Benbrahim, MD, FACS, FASMBS & Matthew Hubbard, MD, FACS

Quality Moderator: Philip Corvo, MD, MA, FACS *Judges:* Jonathan Blancaflor, MD, FACS & Alan Meinke, MD, FACS

General Surgery 1 – Boston (pool)

Moderator: Leah Bassin, MD *Judge:* Anthy Demestihias, MD FACS

General Surgery 2 – Providence (pool)

Moderator: Royd Fukumoto, MD, FACS *Judge:* Kathleen LaVorgna, MD, FACS

John D. MacArthur, MD, FACS Trauma Competition - Vermont

Moderator: Brendan Campbell, MD, FACS *Judge:* CT Committee on Trauma

Plastic & Reconstructive Surgery– New Hampshire

Moderator & Judge: Ibrahim Daoud, MD, FACS & The Skeptical Scalpel

Specialty Surgery – Rhode Island

Moderator: Kevin Pei, MD, FACS

Judge: Richard Weiss, MD, FACS

This session will present research on new topics and developments to update participants on clinical care.

**11:15 Awards Ceremony Hall of States
Legislature of the Year Award Presentation**

The Honorable Nancy Wyman, Lt. Governor, State of Connecticut

Distinguished Service Award Presentation

Scott Ellner, DO, MPH, MHCM, FACS Englewood, CO

Business Meeting

11:45 James Foster Memorial Lecture: The Hartford Consensus Hall of States

Speaker: Lenworth Jacobs, MD, FACS, Vice President, Academic Affairs, Hartford Hospital; Director, Hartford Hospital Trauma Institute

Dr. Jacobs will discuss the protocols for a national policy to enhance survivability from active shooter and intentional mass casualty events. These protocols were developed by a multi-disciplinary ACS Committee led by Dr. Jacobs after the Sandy Hook tragedy and will better prepare surgeons to deal with these types of events and help them learn how to train the general public to do the same.

12:45 Fellowship Luncheon with exhibitors Grand Ballroom

1:45 Afternoon Lecture: Enhancing our Cultural Dexterity: The Next Step in Reducing Disparities & Providing Patient-Centered Surgical Care VT/NH/RI

Speaker: Adil Haider, MD, MPH, Kessler Director, Center for Surgery and Public Health, Brigham and Women's Hospital, Boston, MA

In 2015, the ACS & NIH partnered to create a national agenda to eradicate disparities in outcomes after surgery. Dr. Haider will discuss this partnership and explain the persistence of racial and other disparities in surgical care and outcomes as a means to train surgeons to improve their ability to provide truly patient-centered care and improve outcomes for all patients.

2:00 Connecticut Surgical Quality Collaborative (CtSQC) Quarterly Workshop -Massachusetts

2:45 Resident Program: How to Choose a Fellowship, Legislative Advocacy for Residents, QI Programs & Resident Research, Planning for 2017 – Vermont/Rhode Island

Moderator: Swathi Reddy, MD, MA, BA, Yale School of Medicine

Speakers to include: Philip Corvo, MD, MA, FACS, Kathleen LaVorgna, MD, FACS and surgical fellows from various specialties

In this sessions surgical residents learn the ins and outs of selecting a Fellowship, how to serve as legislative advocates and how to incorporate QI into research.

4:15 8th Annual Surgical Skills Competition – Grand Ballroom

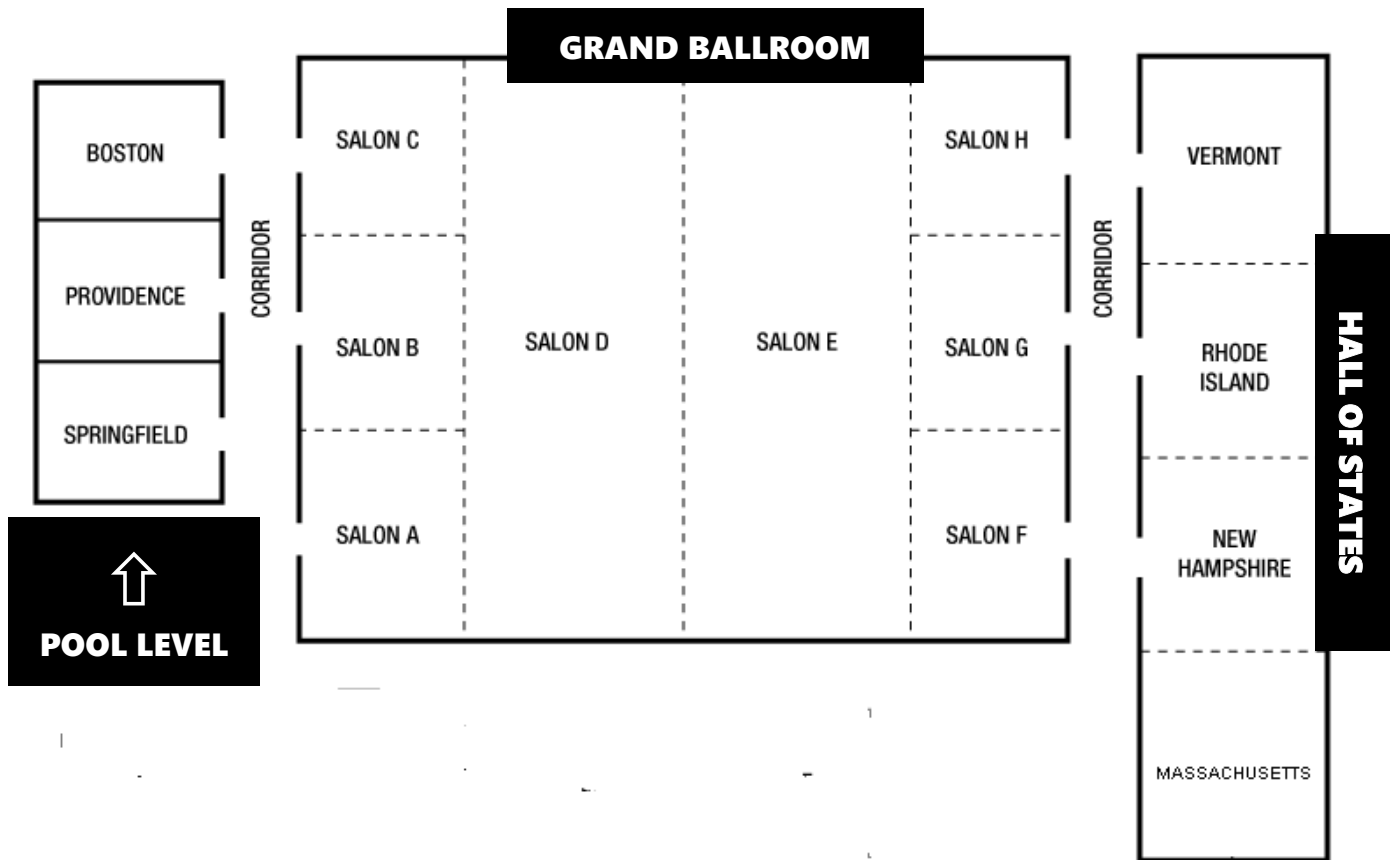
Co-Hosted by Jennifer Bishop, MD, FACS, and Kevin Pei, MD, FACS

Participants will improve their surgical skills by participating and observing hand-on exercises designed to test skills learned in training.

6:45 Resident Awards – Grand Ballroom

Presentation of the award for best resident papers and the Skills Competition Championship for 2015!

Map of the Farmington Marriott



Pool Level*

General Surgery 1: Boston
 General Surgery 2: Providence
 Bariatric/Cancer/Quality: Springfield

Main Floor

Trauma: Vermont
 Plastic: New Hampshire
 Specialty Surgery: Rhode Island

Continental Breakfast, the AM break and lunch will be served in the Grand Ballroom

Directions to Meeting Rooms

Main Floor Rooms - Grand Ballroom, Hall of States, MA, NH, RI, and VT are in Main Building off of the Lobby.

***Pool Level Rooms** (Boston, Providence and Springfield) From Ballroom area head to Lobby and make a Right – go to the End of the Hallway and take a Left to the end where you will see an elevator – Take the elevator down 1 Level to “P” . Go straight down the Hallway to your right – Meeting Rooms are on your right.

Exhibitors

Scientific Exhibitors

as of 15 October 2016

We gratefully acknowledge the support of our Exhibitors

Acelity
Alliqua Biomedical
Baxter BioSurgery
CONMED
CT State Medical Society
CSL Behring Biotherapies
Farmers Ins./Robert Layer

Halyard Healthcare
Hitachi Aloka Medical
LifeCell
Mallinckrodt Pharmaceuticals
Merck Pharmaceuticals
Myriad Genetics
Shire

We gratefully acknowledge the support provided by:

Wolters Kluwer

We gratefully acknowledge the support of our Skills Competition Exhibitors

Cheetah Medical
Bard Davol
Domain Surgical
Edwards Lifesciences
Ethicon
Gore Medical

Intuitive Surgical
Medtronic
Olympus America
Pacira Pharmaceuticals
Phillips HealthCare

James Foster, MD, FACS Memorial Lecture



The Hartford Consensus

Presented by: Lenworth Jacobs, MD, FACS, Vice President, Academic Affairs, Hartford Hospital; Director, Hartford Hospital Trauma Institute



**James H. Foster, M.D.
(1930-2003)**

On June 17, 2003, Dr. James H. Foster, Professor of Surgery Emeritus at the University of Connecticut School of Medicine died at his home in Avon, Connecticut after a one-year struggle with pancreatic cancer.

Jim Foster was born in Hamden, CT on June 24, 1930. His father was Lewis C. Foster, M.D., a respected surgeon in New Haven and Clinical Professor on the Yale Faculty, his mother, Alice, a former operating room nurse. As a youth Jim attended Hopkins Grammar School and was a ranked junior tennis player in the state. He continued his love for tennis throughout his life and was a fierce competitor still at the game in the year before his death. He graduated from Haverford College in 1950 and from Columbia University College of Physicians and Surgeons in 1954. He served a surgical internship at Barnes Hospital in St. Louis followed by two years in the U.S. Air Force. Jim received his surgical training at the University of Oregon School of Medicine under the tutelage, and the admiring eye, of the revered surgeon and medical humanist, J. Englebert Dunphy. After completing his residency he remained on the faculty in Portland for five years chiefly at the Veterans Administration Hospital.

In 1966, Hartford Hospital recruited Dr. Foster to be its first full-time Chief of Surgery. Prior to that the department of surgery had been conducting a well-regarded residency for twenty years under the leadership of voluntary practitioner chiefs. John Reed, the first graduate of the program in 1950, would be the fourth Hartford Hospital surgeon to be President of the New England Surgical Society in 1980. As with many high-volume community hospital programs of the time, the emphasis was on clinical care, surgical judgment and guidance based more on anecdotal evidence and experience than on science. Jim soon changed that emphasis by

inserting a quest for evidence-based decision making while respecting and relying upon the skills, knowledge and mentoring gifts of the surgeons to teach his residents.

Within a few weeks of his arrival he started a weekly Morbidity and Mortality Conference, replacing a desultory complications conference. It continues to this day essentially unchanged after nearly forty years. As his first chief resident, I can attest that this was a fearsome undertaking: presenting each case, accounting for wound infections, IV site phlebitis, urinary retentions, anastomotic failures, and, of course, every death on all services. Jim sat at the front of the room presiding, but never allowing an adversarial environment to be created. Insertions of comment were welcomed from all participants. His favorite line at the conclusion of each presentation was, "How could we have done this differently?" And when the discussion became mired in anecdotal commentary, Jim would always ask, "Does anyone have any FACTS on this subject?"

Every resident knew he had a chief who was on educational and oversight mode 24 hours a day. Every attending surgeon knew he had a chief to whom he would be accountable for his patient care and for his role in education. Medicare was just a year old. The elderly poor who had constituted much of the patient population on the resident teaching service were now in the care of private surgeons. Jim Foster would not have his residents' training dependent upon a thinned out "ward" service. Every patient would be a teaching patient and the surgeons who adapted to this philosophy became the vital core of his teaching program, and would bring credit to him, to themselves, and to the institution throughout his twelve-year tenure as chief.

With the advent of organ transplantation, Jim encouraged one of his graduating residents, Robert Schweizer, to go and train with Dr. Belzer and return to establish the

transplantation program at Hartford Hospital in 1972. With burgeoning possibilities in cardiac surgery, he supported and encouraged Henry Low and Thomas Donovan to develop that program. A semi-dormant research laboratory was expanded. Residents became engaged in basic and clinical research, presentations at regional and national meetings became commonplace, and publications appeared more frequently in the literature.

Then in 1974 Dr. Foster set for himself the task of enhancing the knowledge about solid liver tumors with the goals of guiding better surgical treatment and improving patient care. Since the numbers of patients with these lesions in any one institution were small, he decided to gather material from the support of his hospital and the cooperation of his many friends throughout the country, Jim personally visited 98 hospitals in 48 cities in 28 states collecting 650 abstracts of liver tumor patients. Pathological material on each case was reviewed by his pathologist-collaborator at Hartford Hospital, Dr. Martin Berman. The product of this tour de force was monograph #22 in the W.B Saunders series Major Problems in Clinical Surgery entitled Solid Liver Tumors by Foster and Berman published in 1977. Jim's half of the dedication was to Dr. Dunphy. Even after 25 years, the monograph continues to be referenced in papers and discussions on the subject. Jim Foster became an international authority on the management of liver tumors, lending his expertise to the care of patients in Connecticut, and appearing on panels and in the literature until his retirement from surgery in 1993.

As Chief of Surgery during the seventies, Dr. Foster was a strong proponent of close ties between Hartford Hospital and the fledgling University of Connecticut School of Medicine in nearby Farmington. To encourage the process, Jim decided to relinquish his position at Hartford Hospital in 1978 to become Professor and Chairman of Surgery

at the medical school. He brought strength, integrity and energy to the surgical program and to the institution. At the state level he was a leader of the Connecticut Society of American Board Surgeons. At its yearly joint meetings with the Connecticut Chapter of the American College of Surgeons, the highlight of the proceedings was the panel moderated by Jim Foster. Ever-vigilant in recognizing pseudo-science and self-serving hyperbole, and with his typical command of the English language (and his audience), he led discussions of peptic ulcer surgery, pancreatitis, pancreatic cancer, breast cancer and other surgical subjects with memorable skill and common sense.

On the national scene, Dr. Foster was a member of the American Surgical Association. During his tenure on the American Board of Surgery a number of his Connecticut surgical colleagues were given the honor of serving as guest examiners of candidates for the certifying exam.

Jim Foster's talents, wisdom and work ethic were recognized at the regional level where he served on the executive council of the New England Surgical Society for over fifteen years, first as the Connecticut representative, then five years as recorder, four as secretary, president elect, and president in 1989.

During those years Jim and his wife "Sally" set aside time for travel. One of his favorites was trekking in Nepal in the "foothills" of the Himalayas. It was there that he became somewhat taken by the Eastern philosophies and simpler way of life. It was counterpoint to what he observed as a data-driven, computer-oriented emphasis on technology and materialism in western

thought and in western medicine. He felt that in the rush to embrace technology the human element of medicine was being pushed aside. He campaigned in his public pronouncements to encourage a correction in the course medicine was taking, advocating meaningful time spent with the patient and a return to a thorough history and physical examination before the fancy tests. As a man well-grounded in poetry and literature, Jim later became a medical parodist rewording some classic poems to express his concerns. An example was his parody of The Shooting of Dan McGrew by Robert W. Service refashioned to depict a man presenting with

a simple sebaceous cyst in which the following revised stanza appeared:

After multiple tests there followed the stress of the long wait for news to return.

A whole week went by before the doctor replied with a voice now full of concern:

"Your potassium's low, which means we must know if your adrenal has a tumor inside. A scan known as CAT will help tell us that and will let us your future decide."

The most vivid profile of the multitalented James Foster was portrayed in his presidential address to the New England Surgical Society at Bretton Woods, New Hampshire, September 23, 1989. Entitled, Some Eastern Thoughts for Northeastern Surgeons, it expounded further on Jim's concern with scientific materialism and some lessons taught in the Far East. It is an appropriate primer for those embarking upon a surgical career, but must reading for those in the middle- at the peak of such a career. Pithy ideas are found there, such as:

"We must not let the amorality of the marketplace be an excuse for dispensing with the selfless ethic that Medicine has followed for millennia. It is that ethic rather than our science and technology that commands the respect of our patients and the public. That ethic and those values have no measurable price and never will."

"The fundamental difference between East and West that I would like to stress is that the Easterner believes that values and attitudes are more important than measurements and prices. Quality is more important than quantity, and principles are more important than facts and data."

"Eastern culture is also noted for its reverence-reverence for all forms of life, for quiet, for nature, for the mountains, for old age, even for death. You may not have noticed, but reverence is gone from our contemporary American culture."

A few years later, in 1993, Jim Foster retired to Emeritus Professor status but remained involved in medical student education, curriculum development and in a senior advisory role helping the New England Surgical Society adapt its annual meetings to

the 21st century. An accomplished artist himself, he encouraged Sally in their travels to take up watercolors and capture the landscapes at home and away. She became so skilled in her own right that one-person shows of her work were held with Jim as proud behind the scenes supporter, framer, transporter and friendly official greeter. Not surprisingly, for those who know Sally, proceeds from the sale of her work went to a Save the Children Fund in Afghanistan. Never idle in retirement, Jim Foster nurtured his innate humanism by reading the works of Shakespeare, seeking out medical references in the plays and sonnets. From this pursuit came a book, A Doctor's Shakespeare, fully illustrated with drawings by the author with quotes pertaining to physicians, health, and medicine from Elizabethan times. In the final section we find again Jim the poet/parodist rewording Shakespeare to deliver his message of never forgetting the basics in the care of patients under the pen name Rattlesword. Dedicated to "those several hundreds of patients who taught me something of the human side of medicine", it was published in 2001, a year before he learned of the dread malignancy that would take his life.

Viewing his life in its entirety one sees an individual whose multi-talents were extraordinary in variety and depth: an accomplished athlete, surgeon, physician, editor, writer, poet, artist, traveler, philosopher, leader, friend and sponsor of the efforts of so many others, yet habitually embarrassed when any accolades came his way. He made an indelible mark on family, friends and colleagues and he will be missed. The sincere condolences of this society are warmly extended to Sally, his three children, and five stepsons. I think he would approve of a conclusion to this memorial statement drawn from the final lines of his presidential address. He said, "When you walk in the quiet of the Himalayas, each person you pass on the trail nods his head, clasps his hands, and says, Namaste. The word is both a hello and goodbye, have a nice day and God be with you." Namaste, Jim, and thanks for the honor.

—H. David Crombie

In Memorium

Arthur C. Pinto, MD BS FACS

Congratulations New Fellows!

Marissa A De Freese, MD, FACS

Ronen Elefant, MD, FACS

Elise K. Gates, MD, FACS

Akhilesh Kumar Jain, MBBS, FACS

Vijay Jayaraman, MD, FACS

Michael P. Johnson, DMD, FACS

Sajid A. Khan, MD, FACS

Yu Liang, MD, FACS

Vanessa Malit, MD, FACS

William T. Marshall, DO, FACS

Jonathan E. Martin, MD, FACS

Saral Mehra, MD MBA, FACS

Doruk Erman Ozgediz, MD, FACS

Kenneth M. Schwartz, MD, FACS

Dan-Arin Silasi, MD, FACS

Kristy Tyler Thurston, MD, FACS

Welcome New Chapter Members!

Stephen M. Bauer, MD FACS

Robert David Becher, MD

Aziz Benbrahim, MD, FACS

Joseph S. Cheng, MD FACS

Gloria Chu, MD

Patrick Doherty, MD, FACS

Andrea Douglas, MD FACS

Christine Finck, MD, FACS

Gary Friedlaender, MD FACS

Stefano Fusi, MD FACS

Lee J. Goldstein, MD FACS

Jonathan Hammond, MD FACS

Matthew Hubbard, MD

Marsel Huribal, MD FACS

Jaromir Kohout, MD FACS

Camelia Lawrence, MD FACS

Meghna Misra, MD

Bart E. Muhs, MD FACS

Pavlos Papasavas, MD FACS

James Michael Parker, MD, FACS

John Pietropaoli, Jr., MD, FACS, RPVI

Mary Pronovost, MD FACS

Jaime Kerankova, MD, FACS

Belachew Tessema, MD, FACS

Scott C. Thornton, MD FACS

The CTACSPA Distinguished Service Award

In 2006, the Chapter formed an Awards Committee which was charged with the task of selecting a candidate for the newly conceived Distinguished Service Award.

This award was created to honor an individual who has made an outstanding contribution to surgical patient care and the art and science of medicine in Connecticut.

We proudly list those upon whom the Connecticut Chapter of the American College of Surgeons Professional Association's Distinguished Service Award has been bestowed:

Award Recipients

2016: Scott Ellner, DO, FACS

2015: Kathleen LaVorgna, MD, FACS

2014: David Knight, MD, FACS

2013: H. David Crombie, MD, FACS

2012: Lenworth Jacobs, MD, FACS

2011: Michael Deren, MD, FACS

2010: Joseph Civetta, MD, FACS

2009: Anthony Morgan, MD, FACS

2008: Stanley J. Dudrick, MD, FACS

2007: Frank J. Scarpa., MD, FACS

2006: John D. MacArthur, MD, FACS

Awards Ceremony and Business Meetings

Awards Ceremony

Legislator of the Year Award – The Honorable Nancy Wyman, Lt. Governor, State of Connecticut
Presented by: Kimberly Davis, MD, MBA, FACS & Kathleen LaVorgna, MD, FACS

Distinguished Service Award – Scott Ellner, DO, FACS
Presented by: Scott Kurtzman, MD, FACS & Philip Corvo, MD, MA, FACS

Business Meetings

Welcoming Remarks, Moment of Silence, Recognition of New Fellows & New Chapter Members –
Michael Deren, MD, FACS

CTACSPA Annual Meeting

Call to Order – Michael Deren, MD, FACS

Governor-at-Large Report/Introduction of New Governor-at-Large — Philip Corvo, MD, MA, FACS

Secretary's Report – Felix Lui, MD, FACS

Approval of Minutes of 2015 Annual Meeting (see next page)

Election of Officers and Councilors

Financial Report – David Shapiro, MD, FACS

Committee Reports – please refer to page 12

Exhibitor and Skills Competition Acknowledgement, Meeting Updates – Jennifer Bishop, MD, FACS

Adjournment – Michael Deren, MD, FACS

Annual Meeting Minutes

06 November 2015 – 11:30 a.m.

Connecticut Chapter of the American College of Surgeons, Inc.

At 11:30 a.m. the 2015 Annual Meeting of the Connecticut Chapter of the American College of Surgeons – 501(c)(3) was convened by Michael Deren, MD, FACS at the Marriott in Farmington, CT.

A motion was made from the floor to approve the minutes of the 2014 Annual Meeting. The motion was carried with a unanimous vote.

Dr. Lui presented the slate of officers for a one year term as follows: Michael Deren, MD, FACS, President, Kimberly Davis, MD, MBA, FACS, President-elect, Felix Lui, MD, FACS, Secretary, David Shapiro, Treasurer, Alan Meinke, MD, FACS, VP, Membership and Jennifer Bishop, VP Annual Meeting. In addition, Kevin Dwyer, MD, FACS, and Scott Ellner, DO, FACS were nominated for 2 year Councilor terms. After hearing no nominations from the floor, a vote was conducted and all were approved by unanimous consent.

Dr. Meinke reported that the Chapter had \$9,100 combined in checking and savings.

At 11:35 am the annual meeting of the Connecticut Chapter of the American College of Surgeons – 501(c)(3) was adjourned.

The Connecticut Chapter of the American College of Surgeons Professional Association, Inc.

At 11:35 a.m., the 2015 Annual Meeting of the Connecticut Chapter of the American College of Surgeons Professional Association, Inc. (c)(6) was convened by Michael Deren, MD, FACS at the Marriott in Farmington, CT.

Dr. Deren presented opening remarks and acknowledged the Councilors for their hard work during the year. A motion was made from the floor to approve the minutes of the 2014 Annual Meeting. The motion was carried with a unanimous vote.

Dr. Lui presented the slate of officers for a one year term as follows: Michael Deren, MD, FACS, President, Kimberly Davis, MD, MBA, FACS, President-elect, Felix Lui, MD, FACS, Secretary, David Shapiro, Treasurer, Alan Meinke, MD, FACS, VP, Membership and Jennifer Bishop, VP Annual Meeting. In addition, Kevin Dwyer, MD, FACS, and Scott Ellner, DO, FACS were nominated for 2 year Councilor terms. After hearing no nominations from the floor, a vote was conducted and all were approved by unanimous consent.

Drs. Meinke, Palesty and Kurtzman were recognized for their service to the Chapter as officers in the preceding year.

Dr. Meinke reported that the Chapter had \$62,074 combined in checking, savings, and accounts receivable from the annual meeting. It was duly noted that the majority of the expenses from the Annual Meeting were not included in this figure.

Members were directed to the meeting proceedings book to read Committee reports.

Dr. Palesty acknowledged the meeting exhibitors and surgical skills competition exhibitors, the College and the meeting staff. Several other meeting housekeeping matters were addressed.

At 11:45 a.m. the annual meeting of the Connecticut Chapter of the American College of Surgeons Professional Association, Inc. – 501(c)(6) was adjourned.

Connecticut State Medical Society: Kathy LaVorgna, MD, FACS: The Connecticut State Medical Society (CSMS) tracked dozens of pieces of health care legislation this past year, on behalf of patients and physicians in the state. The CTACSPA, working with CSMS, reviewed and signed on to testimony for many of those bills.

CSMS continues with its efforts to represent all the physicians in the state, recognizing that various groups (ie, private practice, hospital employed, large groups, etc.) have similar AND different issues as physicians. The county medical societies, specialty societies, and the state are moving forward together, as a coalition, to protect the health and well-being of the people of Connecticut, and the physicians who care for them. Don't complain about problems as an outsider; be part of the solution. BE A MEMBER!

Legislative: Kathy LaVorgna, MD, FACS: Working in conjunction with CSMS, the Legislative Committee had a very active year reviewing and commenting on many pieces of legislation that had the potential to impact our profession. The Chapter once again participated in the Joint Surgical Advocacy Conference in Washington, DC. Chapter members and residents met with each of our Federal elected officials to discuss various issues including funding for Trauma care and resident medical education.

The Chapter was also the recipient of a grant from the ACS that provided funding to permit us to co-host Doctor's Day with CSMS this past session. With many of the physicians in attendance being Chapter members, the Chapter participated in several member meetings to discuss issues including the Definition of Surgery. The ACS has renewed our grant for 2017 and we look forward to even more of you joining us. In conjunction with a coalition of specialty societies, the Chapter continues to work with the DPH and the Public Health Committee to pass a Definition of Surgery. We are awaiting word from DPH to see if a Scope Committee will be granted.

Medical Students: Richard Weiss, MD, FACS — Chairperson: Opportunities for shadowing of surgeons continue to be available to medical students in their first or second year. The Committee will be rolled up into the Young Surgeons Committee in 2017.

Program Committee : Amanda Ayers, MD, FACS, Jennifer Bishop, MD, FACS (Chair) Jonathan Blancaflor, MD, FACS, Royd Fukumoto, MD, FACS, Adrian Maung, MD, FACS, Stephanie Montgomery MD, FACS, J. Alexander Palesty, MD, FACS, Kevin Pei, MD, FACS, Brian Shames, MD, FACS, David Shapiro, MD, FACS, Rekha Singh, MD, FACS: The Program Committee enjoyed another very successful year with over 60 abstracts submitted for the Annual Meeting. The Committee again worked with Stamford Hospital, a CSMS certified CME Provider, to provide our credits for the Annual Meeting. On the vendor support side, we were pleased to have meaningful support from our industry partners for both the exhibits and our Surgical Skills Competition. The Committee welcomes your active participation and looks forward to your feedback on the Annual Meeting.

Committee on Young Surgeons: Stephanie Montgomery, MD, FACS — Chairperson & Resident Committee: Aaron Gilson, MD: The Residents Committee had a very successful year which kicked off at the annual meeting with record attendance at the morning session and a fantastic forum in the afternoon. In the spring, several residents were able to attend the American College of Surgeons day of advocacy in Washington.

For the coming year, we are again conducting the resident forum at the annual meeting. We hope to be able to support more residents going to the advocacy meeting in Washington again in the spring and encourage residents to be involved in advocacy not only a local level, but also at the national level with the College. We also hope to continue volunteer efforts and plan new sessions and speakers aimed at topics which are not covered in training, such as billing and coding, ethical dilemmas, and how to choose between private, academic, and group practice. As well, we are hoping to coordinate resident lab sessions in 2017 and a session on financial planning.

Patient Safety and Quality Committee: Phillip R. Corvo, MD, MA, FACS—The CT Surgical Quality Collaborative was incorporated into an independent 501(c)(3) entity in March of 2016. It now has an independent Board and leadership but retains close ties to the Chapter. The CtSQC was proud to achieve a primary goal, the inclusion of all CT hospitals, in 2016.

The CtSQC continues to hold quarterly meetings featuring local and national speakers on many important topics relating to surgical quality and patient care. As the CtSQC continues to grow, its focus remains the same, to provide a forum to share knowledge and best practices, offer education and outreach & conduct itself with the highest levels of integrity and collegiality. As a member of the CtSQC, hospitals are entitled to a discount on the annual ACS NSQIP fees.

Senior Surgeons Committee: Scott Kurtzman, MD, FACS

The Senior Section of the Chapter met at the 2015 Chapter Meeting under the leadership of Dr. Scott Kurtzman and plans to develop a core group and a strategic plan for the Committee.

Officers and Council

2015-2016

President

Michael Deren, M.D., F.A.C.S.*

VP, Legislative Committee

Kathleen LaVorgna, M.D., F.A.C.S.**

President-elect/AAST Governor

Kimberly Davis, M.D., M.B.A., F.A.C.S.*

Chairman, Medical Students Committee

Richard Weiss, M.D., F.A.C.S.*

Secretary

Felix Lui, M.D., F.A.C.S.

Chair, Cmte. on Quality and Safety

Philip Corvo, M.D., M.A., F.A.C.S.*

Treasurer

David Shapiro, M.D., F.A.C.S.*

Co-Chair, Residents Committee

Aaron Gilson, M.D.**

Immediate Past President

Kathleen LaVorgna, M.D., F.A.C.S.**

Chair, Senior Surgeons Committee

Scott Kurtzman, M.D., F.A.C.S.**

Governor-at-Large

Philip Corvo, M.D., M.A., F.A.C.S.**

Chair, Young Surgeons Committee

Mentor, Residents Committee

Stephanie Montgomery, M.D., F.A.C.S.*

VP, Annual Meeting Program Cmte.

Jennifer Bishop, M.D., F.A.C.S.*

VP, Membership

Alan Meinke, M.D., F.A.C.S.*

Council Members

Kevin Dwyer, M.D., F.A.C.S.

Adrian Maung, MD, FACS*

Stephanie Montgomery MD, FACS

J. Alexander Palesty, MD, FACS*

Kevin Pei, MD, FACS

Brian Shames, MD, FACS*

David Shapiro, MD, FACS*

Rekha Singh, MD, FACS*

Program Committee

Amanda Ayers, MD, FACS**

Jennifer Bishop, MD, FACS (Chair)*

Jonathan Blancaflor, MD, FACS*

Royd Fukumoto, MD, FACS*

Ex-officio Members

CTASMBS Liaison

Geoffrey Nadzam, M.D., F.A.C.S., F.A.S.M.B.S.

Resident Committee Chair

Aaron Gilson, M.D.

ACS Board of Regents

Lenworth Jacobs, M.D., F.A.C.S.

CSMS Liaison

John Dussel, M.D.

Chair, Committee on Cancer

Amanda Ayers, M.D., F.A.C.S.**

Chair, Committee on Trauma

Brendan Campbell, M.D., F.A.C.S.**

* Council Member

**Ex-officio Council Member

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Scott H. Kurtzman, MD, FACS	2005-2007
Gary Bloomgarden, MD, FACS	2004-2005
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Charles E. Littlejohn, MD, FACS	1999-2000
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Surgical Scholarships

Each year the Connecticut Chapter of The American College of Surgeons sponsors an award for excellence in the Surgical Sciences to a graduating senior medical student at both the University of Connecticut School of Medicine and the Yale University School of Medicine. This award is presented to stimulate student interest in the surgical disciplines and to recognize outstanding achievements in these areas. The award is not restricted to excellence in general surgery or a specific surgical subspecialty, but is presented to the student showing the best overall performance in any of the surgical disciplines.

Congratulations to the 2016 recipients!

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University of Connecticut School of Medicine

&

OLIVER JAWITZ, M.D.

Yale University School of Medicine

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BYLAWS

THE CONNECTICUT CHAPTER OF THE AMERICAN COLLEGE OF SURGEONS PROFESSIONAL ASSOCIATION, INC.

ARTICLE I. GENERAL

1.1. **PURPOSE.** These bylaws supplement certain provisions of the certificate of incorporation of The Connecticut Chapter of the American College of Surgeons Professional Association, Inc. (the "Corporation") and the Connecticut Revised Nonstock Corporation Act, as amended from time to time (the "Act").

1.2. **OFFICES OF CORPORATION.** The Corporation's council (the "Council") shall have the power to determine the location of the registered office, in accordance with applicable law, from time to time, and to designate the principal office of the Corporation and such additional offices as it shall determine in its discretion.

1.3. **MEMBERSHIP.** The Corporation is a membership corporation. The Corporation has two classes of Members: Active Members and Affiliate Members. The Members shall have such rights, privileges and obligations conferred upon them by the Corporation's certificate of incorporation and these bylaws. An application procedure for obtaining membership shall be established by the Council.

1.4. **MEETINGS OF MEMBERS.** The annual meeting of the Corporation's Members shall be held at such date, time and place as the Council shall determine, and as shall be set forth in the notice of the meeting. Special meetings may be held at such dates, times and places, and for such specific purposes, as the Council, the President or the written request of at least fifty percent (50%) of the Active Members shall determine, and as shall be set forth in the notice of the meeting. Notice of annual or special meetings shall be in writing and shall be mailed, faxed, e-mailed or otherwise delivered to the Members and councillors at least ten (10) days and no more than sixty (60) days prior to such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail with postage thereon prepaid, addressed to the Member at his or her address as it appears on the records of the Corporation.

At each annual meeting or any special meeting called for such purpose, the Active Members shall (i) elect councillors and officers in accordance with the Corporation's certificate of incorporation and these bylaws, (ii) receive reports from the Corporation's councillors, officers, agents and committees, and (iii) conduct any other business relating to the affairs of the Corporation consistent with the rights of the Active Members. Active Members present at a meeting of the Members shall constitute a quorum. The act of a majority of the Active Members at a meeting at which a quorum is present shall be the act of the Members, unless the presence or act of a greater number is

specifically required by these bylaws, the Corporation's certificate of incorporation, or the Act.

1.5. **ACTION WITHOUT A MEETING.** Any action which may be taken at a meeting of Members may be taken without a meeting if a consent in writing, setting forth the action so taken, or to be taken, shall be signed by all of the Members entitled to vote with respect to the subject matter of such meeting. Such consent shall be filed with the minutes of the Members' meetings.

1.6. **VOTING BY PROXY.** Members entitled to vote or execute consents, waivers or releases may do so either in person or by one or more agents authorized by a written proxy executed by the Member in accordance with the Act.

1.7. **DUES.** Dues shall be set annually by the Council. Application for membership shall be accompanied by payment of dues. Except as provided herein, a Member shall be in good standing upon payment in full of all current dues. Except as provided herein, dues shall be assessed of all surgeons practicing medicine on a full-time basis regardless of age. Additional assessments may be made by the Council at any annual or special meeting of the Members subject to the affirmative vote of at least two-thirds of the Members voting as a class to which the assessment applies. Dues are waived for the following: (i) Fellows and Associate Fellows of the American College of Surgeons (the "College") who are bona fide missionaries; (ii) Fellows and Associate Fellows of the College who are no longer practicing medicine on a full-time basis; and (iii) Medical Students and Residents of the College.

1.8. **TERMINATION AND REINSTATEMENT OF MEMBERSHIP.** A person whose membership has been terminated by the Council because such person no longer meets the qualifications for membership as set forth in the Corporation's certificate of incorporation may be reinstated by the Council upon satisfying such qualifications.

ARTICLE II. COUNCIL

2.1. **AUTHORITY AND COMPOSITION.** All corporate powers shall be exercised by or under the authority of, and the activities, property and affairs of the Corporation shall be managed by or under the direction of, the Council, subject to any limitations set forth in the certificate of incorporation. There shall be three classes of Councillors, including Elected Councillors, Appointed Councillors, and Ex-Officio Councillors, as further described in the Corporation's certificate of incorporation.

2.2. **NUMBER.** The Corporation shall have the number of Elected Councillors fixed by the Executive Committee at any time or, in the absence thereof, the number of

Elected Councillors serving immediately following the preceding annual meeting of the Members. The Executive Committee may appoint such Appointed Councillors as it determines from time to time as set forth in the Corporation's certificate of incorporation.

2.3. INITIAL APPOINTMENT AND TERMS OF OFFICE. The initial Council shall be appointed by the incorporator to serve until the first annual meeting of the Corporation's Members. At the first annual meeting of the Members and at each subsequent annual meeting of the Members, Elected Councillors shall be elected in the manner set forth in the Corporation's certificate of incorporation. Except for those Elected Councillors serving on the Executive Committee, Elected Councillors' terms of service shall be staggered as provided in the Corporation's certificate of incorporation. Except as provided herein, Elected Councillors may serve for an unlimited number of two-year terms; ~~provided, however, they may not serve for more than three (3) successive two-year terms without at least a one (1) year hiatus.~~ (11/08/2012) Notwithstanding the foregoing, Elected Councillors subsequently elected as officers of the Corporation and serving on the Executive Committee may serve for a maximum of two additional one-year terms. Appointed Councillors shall serve for such term as determined by the Council.

2.4. VACANCIES. Any vacancy or vacancies occurring on the Council may be filled with an Active Member by action of the Active Members or by the remaining Elected or Appointed Councillors. A vacancy that will occur at a specific later date, by reason of a resignation effective at a later date, may be filled before the vacancy occurs, but the new councillor may not take office until the vacancy occurs.

2.5. MEETINGS AND NOTICES. Annual meetings of the Council shall be held within forty-five (45) days of the annual meeting of the Members, without notice, unless otherwise required by these bylaws, the certificate of incorporation, or the Connecticut General Statutes, at the principal offices of the Corporation unless otherwise specifically directed by the President. The Council or its President will specify an appropriate date for the purpose of receiving reports from the Corporation's officers, agents and committees, and transacting such other business as may properly come before the meeting.

Regular meetings of the councillors may be held at such times and places as, in the opinion of the President or a majority of the councillors, the interests of the Corporation shall require. Failure of an Elected or Appointed Councillor to attend at least fifty (50) percent of the regular meetings of the Council shall be grounds for removal as set forth in Article 2.10.

Special meetings of the councillors shall be held whenever called by the President or by the Secretary or upon the written request of at least five of the Elected or Appointed Councillors. At least two days' written or oral notice stating the time, place and purpose of special meetings shall be given to each councillor.

A written waiver signed at any time by a councillor entitled to notice shall be the equivalent to the giving of notice. The attendance of any councillor at a meeting without protesting prior to the commencement of the meeting the lack of proper notice shall be deemed to be a waiver by such councillor of notice of the meeting.

2.6. QUORUM, ACTION BY COUNCIL AND ADJOURNMENT. ~~A majority~~ No fewer than one-third (amended 11/1/2006) of the Elected and Appointed Councillors then serving shall constitute a quorum for the transaction of business; and the act of a numerical majority of the Elected and Appointed Councillors present at a meeting at which a quorum is present shall be the act of the Council, unless the presence of or act of a greater number is specifically required by these bylaws, the Corporation's certificate of incorporation, or the Connecticut General Statutes. If a quorum shall not be present at any meeting of councillors, a majority of the Elected and Appointed Councillors present at such meeting may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

2.7. ACTION WITHOUT A MEETING. Any action which may be taken at a meeting of the Council or of a committee of the Council may be taken without a meeting if a consent in writing, setting forth the action so taken, or to be taken, shall be signed by all of the councillors or all of the committee members entitled to vote with respect to the subject matter of such meeting. Such consent shall be filed with the minutes of the councillors' or committee's meetings.

2.8. MEETING BY CONFERENCE TELEPHONE. A councillor or a member of a committee of the Council may participate in a meeting of the Council or of such committee by means of conference telephone or similar communications equipment enabling all councillors or all committee members participating in the meeting to hear one another, and participation in a meeting shall constitute presence in person at such meeting.

2.9. RESIGNATIONS. The resignation of any councillor shall be in writing and shall be effective immediately upon receipt by the Corporation if no time is specified, or at such later time as the resigning councillor may specify and the Corporation shall accept.

2.10. REMOVAL OF COUNCILLORS. Active Members may remove any Elected Councillor at any time with or without cause. The Executive Committee may remove

any Appointed Councillor at any time with or without cause.

- 2.11. COMPENSATION. No councillor shall receive compensation for services rendered to the Corporation in such capacity, but councillors shall be entitled to reimbursement for reasonable and necessary expenses actually incurred in connection with the performance of their duties in the manner and to the extent that the Council shall determine, and may receive reasonable compensation for services performed in other capacities for or on behalf of the Corporation.

ARTICLE III. COMMITTEES OF THE COUNCIL

3.1. GENERAL.

The Corporation shall have the following initial committees of the Council as further described herein:

- (i) Awards Committee;
- (ii) Committee on Applicants;
- (iii) Committee on Bariatric Surgery;
- (iv) Legislative Affairs Committee;
- (v) Membership Committee;
- (vi) Program Committee;
- (vii) Medical Student Mentorship Committee;
- (viii) Young Surgeons Committee;
- (ix) Nominating Committee; and
- (x) Executive Committee.

The Council may appoint such other committees from time to time as it may consider necessary or advisable. Except as otherwise provided in these bylaws, the size, purposes and powers of each committee shall be as herein set forth and as may from time to time be determined by the Council.

Except as otherwise provided in these bylaws, the President shall appoint the chair and the members of each committee. Each committee and its membership shall continue for as long as the Council deems advisable. Any member of any committee may be removed at any time with or without cause by the President. Vacancies on any committee shall be filled by appointments made by the committee chair and approved by the President.

Except as specifically authorized by the Council, all committees except the Executive Committee shall be advisory in nature and shall not have authority to act on behalf of the Corporation. Non-council members may be appointed to any committee that does not have the authority to act for the Council. Each committee shall meet with sufficient frequency to accomplish its assigned functions. Each committee shall report its actions to the Council at each Council meeting.

- 3.2. QUORUM AND ACTION. Except for the Executive Committee and any other committee with the authority to act for the Council, a quorum for the transaction of business by a committee shall consist of twenty-five (25) percent of members of the committee, and the

vote of a majority of those members present when a quorum is present shall constitute the act of the committee. Ex-officio members of any committee and non-council members shall each be counted in determining a quorum and shall each have the right to vote. The Executive Committee and any other committee with the authority to act for the Council shall be subject to the same quorum and voting requirements as the Council.

- 3.3. CONSENT. Any resolution in writing, approved and signed by all of a committee's members entitled to vote, shall have the same force and effect as if the same were approved by the committee members at a meeting duly called and held for that purpose, and such resolution shall be recorded by the Secretary in the minute book of the Corporation.

- 3.4. EXECUTIVE COMMITTEE. Elected Councillors subsequently elected as officers of the Corporation shall serve on the Executive Committee in accordance with these bylaws and the Corporation's certificate of incorporation. The President shall serve ex officio as chairman of the Executive Committee. The Executive Committee may appoint Appointed Councillors at its discretion from time to time to serve on the Council for as long as the Council deems necessary and appropriate.

Subject to any prior limitations imposed by the Council, the Executive Committee shall have the power to transact all regular business of the Corporation during the interim between the meetings of the Council, and its actions shall have the same force and effect of action of the Council, provided, however, the Executive Committee may not: (1) approve or recommend to members action that sections 33-1000 to 33-1290, inclusive, require to be approved by members; (2) fill vacancies on the Council or on any committee with the power to act on behalf of the Corporation; (3) approve a plan of merger; (4) approve a sale, lease, exchange or other disposition of all or substantially all, of the property of the Corporation except as provided in Section 33-1101(e)(5) of the Act; or (5) approve a proposal to dissolve. The Executive Committee shall report any actions and recommendations to the Council at each Council meeting.

- 3.5. NOMINATING COMMITTEE. The Nominating Committee shall consist of no fewer than three persons, all of whom shall be members of the Council. Prior to the annual meeting of the Members, the Nominating Committee shall submit to the Active Members a slate of Elected Councillors from among the Active Members. Subject to the prior approval of the Council, prior to the annual meeting of the Members, the Nominating Committee shall submit to the Active Members a slate of officers selected from among the Elected Councillors.

ARTICLE IV. CHAPTER MANAGER

4.1. APPOINTMENT AND COMPENSATION. The Council, by a majority vote of the Elected and Appointed Councillors present at a meeting at which a quorum is present, may appoint a Chapter Manager to serve at the pleasure of the Council. The Chapter Manager shall be the chief administrative officer of the Corporation, subject to the control and direction of the Council. The Chapter Manager may attend meetings of the Council at its direction, and shall submit regular reports to the President or, if none, to the Council on the operations of the Corporation. The Chapter Manager shall not be entitled to vote at Council meetings. The compensation and terms of employment of the Chapter Manager shall be reviewed and determined at least annually by the Council.

ARTICLE V. OFFICERS

5.1. OFFICERS, APPOINTMENT, TERM AND VACANCIES. The Corporation's Active Members shall elect from among the Elected Councillors, a President, "a President-elect", (added 11/8/2012) one or more Vice Presidents, a Secretary, Treasurer and such other officers as the Active Members deem appropriate. The Active Members shall elect the officers at the annual meeting of the Members, or as soon thereafter as may be convenient. Any person may simultaneously hold multiple offices.

Officers shall serve for a term extending until the next succeeding annual meeting of the Members and until his or her successor has been elected and qualified. No officer shall serve more than two (2) one-year terms in a certain office. Any vacancy or vacancies occurring in any office of the Corporation may be filled until the next meeting at which officers are elected by the concurring vote of a majority of the remaining councillors, though such remaining councillors are less than a quorum, though the number of councillors at the meeting are less than a quorum, and though such majority is less than a quorum.

5.2. PRESIDENT. The President shall preside at each meeting of the councillors and shall have such powers and duties as usually pertain to the office of president. In general, the President shall be the chief executive officer of the Corporation and shall have general supervision over the affairs of the Corporation, subject to the control of the Council. The President shall appoint the members of all committees of the Corporation. The President shall also perform such other duties as may be assigned to him or her by the Council or the Members.

5.21 PRESIDENT-ELECT. The President-elect's role is to assist the President, and to become familiar with the responsibilities of the presidency. The president-elect shall perform the duties of the President in the absence or incapacity of the President, and shall serve as President during the remainder of the term should the office of president become vacant. At the end the

current President's term, the President-elect automatically becomes president of the Chapter.

5.3. VICE PRESIDENTS. It shall be the duty of each Vice President, in the absence of the President and/or President-elect (11/08/2012), to perform the President's duties. Each Vice President shall also perform such other duties as may be assigned to him or her by the Council or the Members.

5.4. SECRETARY. The Secretary shall maintain a current list of the names and addresses of the Corporation's Members in good standing, prepare an alphabetical list of all Active Members prior to each Members' meeting, provide notice of all meetings of the Corporation and of the Council, maintain the minutes of the proceedings of the meetings of the Corporation and of the Council, maintain a current roster of all Fellows, Associate Fellows, Resident Members and Medical Students of the College residing within the Corporation's geographic are, including those who are not Members of the Corporation, and act as custodian of all records and reports of the Corporation and of the Council. In addition, the Secretary shall perform such other duties as are incident to the office or as may be assigned by the President, the Council or the Members.

5.5. TREASURER. The Treasurer shall supervise the receipt and custody of the Corporation's funds; maintain or oversee correct and complete books and records of account, including full and accurate accounts of receipts and disbursements in books belonging to the Corporation; assume responsibility for all funds and securities of the Corporation and deposit all such funds and securities in the name of the Corporation in such banks, trust companies or other depositories as shall be selected by the Council; prepare, distribute and retain or cause to be prepared, distributed and retained all reports, records and returns required by law regarding the Corporation's financial status; and perform such other duties as may be assigned to him or her, by the President, the Council or the Member.

5.6. REMOVAL. Any officer of the Corporation may be removed, with or without cause, at any time by a resolution adopted by the Members or by the affirmative vote of a majority of all of the then serving councillors, but without prejudice to such officer's contract rights, if any.

ARTICLE VI. GENERAL PROVISIONS

6.1. DUALITY OF INTEREST. Each councillor shall disclose to the Council immediately upon election and thereafter, annually (or sooner if a duality of interest should sooner arise) any duality of interest involving him or her, including persons related to him or her and any ownership of any voting power or profits or beneficial interest of any other entity. No member of the Council shall vote on any matter which would have a material financial effect upon such councillor, a person closely

related to such councillor, or upon an entity with respect to which such councillor has an employment relationship, beneficial interest or other significant financial relationship or upon his or her business. Any such financial effect shall be disclosed at the time of such vote, and any disclosing councillor must refrain from consideration of the proposed transaction, unless for special reason the Council or administration requests information or interpretations. Any councillor with conflicts may not otherwise participate in discussion, vote nor be present at the time of the vote.

- 6.2. AMERICAN COLLEGE OF SURGEONS. The Corporation is a legal entity, separate and distinct from the College. The College is not liable for any debts or obligations of the Corporation nor is the Corporation liable for debts or obligations of the College. Neither the Corporation, nor any of its councillors, officers or Members, is authorized to represent or in any way bind the College

nor will any of them in any way hold themselves out as being so authorized.

- 6.3. FISCAL YEAR. The fiscal year of the Corporation shall be determined by the Council.
- 6.4. AMENDMENT. These bylaws may be amended by the affirmative vote of no less than a majority of the Active Members present at a meeting at which a quorum is present, provided proper notice of the proposed amendments shall have been delivered to each Active Member prior to the meeting at which such amendments should be considered.

The foregoing bylaws were adopted by the undersigned Council on this 6th day of December, 2005.

Section 2.6 amended on 11/1/2006. Sections 2.3, 5.1, 5.21 and 5.3 amended on 11/8/2008.

