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| **Title:** Antitrust Policy | **Number:** N/A |
| **Cross Reference:** N/A |
| **Approved by:** NCENA Board of Directors | **Origination Date:** 1/2012 |
| **Revised by:** NCENA Board of Directors | **Approval Date:** 1/2012 |
| **Reviewed:** 1/2024 | **Revision Date:** 1/2015; 1/2018; 1/2020; 1/2021 |

1. **POLICY PURPOSE:**

The purpose of this policy is to ensure monitoring of organization activities in order to prevent violation of the antitrust laws.

1. **POLICY BACKGROUND:**

North Carolina Emergency Nurses Association (NCENA) will adhere to federal and state antitrust laws and regulations applicable to 501(c)(3) organizations.

1. **PROTOCOL:**
2. Under federal and state antitrust laws, an association may be held liable for action that constitutes a restraint of trade.
3. Accordingly, NCENA must exercise extreme caution regarding its business decisions and will not engage in any activity that may result in an unreasonable restraint of trade.
4. NCENA will base business decision on stated, reasonable criteria that are applied objectively, consider all potential vendors and document the basis for decisions.
5. The national Emergency Nurses Association (ENA) legal counsel will inform the state councils as to the importance of compliance with antitrust laws and regulations and identify changes in the antitrust laws.
6. NCENA board of directors will approve in advance, all new programs or changes in existing programs that have potential antitrust implications.
7. Minutes of all NCENA meetings should accurately reflect the businesses conducted and reflect NCENA’s policy of complying with the antitrust laws.
8. An NCENA member who has concerns regarding antitrust should speak immediately to the NCENA President who in turn will speak with legal counsel at the national ENA about those concerns voiced.