



State Council and Chapter Leaders Email Usage and Protocol

The State Council/Chapter Management area within your ENA member profile is a functional tool that allows state and chapter leaders to download membership rosters; enter/manage officers, delegates and chairpersons and; access officer and committee chair rosters.

The following outlines the state council and chapter leaders who have access to their respective membership lists from the State Council/Chapter Management area:

- State council **and** chapter Membership Chairpersons and core officers (President, President-elect, Secretary, Treasurer, Secretary/Treasurer)
- State Immediate Past Presidents
- State Pediatric/ENPC Chairpersons
- State Trauma/TNCC Chairpersons
- State Newsletter Editor Chairpersons
- ENA Board of Directors (state council board liaisons)

In addition to adhering to the License Agreement upon accessing the membership lists, leaders must adhere to the CAN-SPAM Act. In order to ensure you are not violating the CAN-SPAM act, the following outlines appropriate protocol when managing and sending email correspondence to the members.

Remember each separate email in violation of the CAN-SPAM Act is subject to penalties of up to \$16,000.

- **Don't use false or misleading header information.** Your "From," "To," "Reply-To," and routing information – including the originating domain name and email address – must be accurate and identify the person or business who initiated the message.
- **Don't use deceptive subject lines.** The subject line must accurately reflect the content of the message.

- **Identify the message as an ad.** The law gives you a lot of leeway in how to do this, but you must disclose clearly and conspicuously that your message is an advertisement.
- **Tell recipients where you're located.** Your message must include your valid physical postal address. This can be your current street address, a post office box you've registered with the U.S. Postal Service, or a private mailbox you've registered with a commercial mail receiving agency established under Postal Service regulations.
- **Ensure ENA opt-out requests are honored.** Review the member report. If "Yes" is indicated in the opt-out field, the member has opted out of receiving all ENA email communications. Members who have selected "yes" for opt-out must be removed from any email distribution lists before sending correspondence. The email opt-out field is included on all available reports. **State councils and chapters are required to manage additional opt-out requests that are received at the state and chapter level.**
- **Tell recipients how to opt-out of receiving future email from you.** Your message must include a clear and conspicuous explanation of how the recipient can opt-out of getting email from you in the future. Craft the notice in a way that's easy for an ordinary person to recognize, read, and understand. Creative use of type size, color, and location can improve clarity. Give a return email address or another easy internet-based way to allow people to communicate their choice to you. You may create a menu to allow a recipient to opt-out of certain types of messages, but you must include the option to stop all commercial messages from you. Make sure your spam filter doesn't block these opt-out requests.
- **Honor opt-out requests promptly.** Any opt-out mechanism you offer must be able to process opt-out requests for at least 30 days after you send your message. You must honor a recipient's opt-out request within 10 business days. You can't charge a fee, require the recipient to give you any personally identifying information beyond an email address, or make the recipient take any step other than sending a reply email or visiting a single page on an Internet website as a condition for honoring an opt-out request. Once people have told you they don't want to receive more

messages from you, you can't sell or transfer their email addresses, even in the form of a mailing list. The only exception is that you may transfer the addresses to a company you've hired to help you comply with the CAN-SPAM Act.

- **Monitor what others are doing on your behalf.** The law makes clear that even if you hire another company to handle your email marketing, you can't contract away your legal responsibility to comply with the law. Both the company whose product is promoted in the message and the company that actually sends the message may be held legally responsible.
- All of this information and more is available on the [Federal Trade Commission \(FTC\) website](#)

The following outlines additional guidelines that will ensure that you are sending emails appropriately while adhering to the CAN-SPAM act.

1. Sending emails to members from a **personal email account**
 - a. If you are sending an email/eblast from your personal email (Outlook, Gmail, etc.) **NEVER place the member's emails in the "TO" field.** You **must** include all emails in the **"BC" (blind copy)** field and include your own email in the "TO" field. This will ensure that the member's privacy is protected.
 - i. Always run a new membership list prior to sending each email blast.
 - ii. Always omit opt-out requests as well as national ENA opt-outs noted in the membership list
 - b. If you are sending emails from a professional provider (i.e. iContact, MailChimp, Magnet Mail), be sure to provide a current membership list (run a new list each time an email is sent).
2. Managing opt-outs of your state or chapter email blasts
 - a. State and chapter membership lists include whether or not a member has opted-out of receiving emails from ENA. State councils and chapters are still required to manage additional opt-out requests that are received at the state

and chapter level. The following are a few basic guidelines to be compliant with the CAN-SPAM Act.

- i. If you are sending member email blasts from your personal email (Outlook, Gmail, etc.) you **MUST**:
 - Include instructions/directions to unsubscribe from emails even if it's from your personal email account.
 - Maintain an opt-out list and remove all opt-out emails each time an email is sent.
- ii. If you are using a professional email provider (i.e. iContact, MailChimp, Magnet Mail) you **must**:
 - Remove opt-outs prior to sending your email list
 - Ensure they include opt-out instructions with the eblast.
 - Make sure they are tracking and providing you with opt-outs so that you can remove those emails from future member lists you provide them.