ACR Chapter Model Bylaws

(Revised October 2006)

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Article I – Name

The name of this organization shall be the_____Chapter of the American College of Radiology (or the_____Radiological Society), hereinafter referred to as the "Chapter."

Article II – Purposes

The purposes of the Chapter shall be those of the American College of Radiology, hereinafter sometimes referred to as the "College", to advance the science of radiology, improve radiologic service to the patient, study the socioeconomic aspects of the practice of radiology, and encourage improved and continuing education for radiologists and allied professional fields.

Article III – Affiliation

The Chapter will be an affiliate of the American College of Radiology.

Article IV – Membership

Section 1 – Clases of Membership

Membership in this organization shall be of six classes: (1) Member, (2) Associate Member, (3) Member in Training, (4) Allied Health (5) Retired or Inactive Member, and (6) Affiliate Member. **All members in each membership category must be members of the American College of Radiology**.

The Chapter does not discriminate on the basis of race, religion, gender, age, national origin or sexual orientation in granting or terminating membership or in regard to any of the benefits of membership.

Section 2 – Personal Qualifications

Members of the Chapter in classes (1), (2) and (4) above shall be members of the College.

Section 3 – Qualification and Admission of Members

Physicians who have been certified in a radiological discipline, including nuclear medicine, by the American Board of Radiology, the American Osteopathic Board of Radiology, the American Board of Nuclear Medicine, the Royal College of Physicians and Surgeons of Canada or the College des medecins du Quebec are eligible to be Members of the Chapter.

Medical physicists who are certified or considered the equivalent of certified by the American Board of Radiology (ABR) are eligible to be Members of the Chapter.

A Member shall have the right to be appointed to committees, and to hold elective office

Section 4 – Qualification and Admission of Associate Members

Physicians who are engaged in the practice of radiology, including nuclear medicine, and who have completed an approved residency program in radiology and are otherwise eligible for membership in the Chapter, but who have not been certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the American Board of Nuclear Medicine, the Royal College of Physicians and Surgeons of Canada or the College des medecins du Quebec are eligible to be Associate Members of the Chapter.

Medical physicists who are engaged in the practice of medical physics and are otherwise eligible for membership in the Chapter but who are not certified or considered the equivalent of certified by the American Board of Radiology (ABR) are eligible to be Associate Members of the Chapter.

An Associate Member shall have the right to be appointed to committees but shall not have the right to hold elective office.

Section 5 – Qualification and Admission of Members in Training

Members in Training shall be those physicians who are in approved radiology residencies or fellowships, medical students registered in a formal educational program at an LCME or AOA approved medical school, and medical physicists who are registered in a formal educational program in medical physics. Member in Training status shall normally terminate within six (6) months following completion of the period of training. Those individuals who go directly from an approved residency to a fellowship program or from a medical educational program to an approved radiology residency program may continue as members in training until completion of their training. Within six months after completion of training, the Member in Training will automatically become a member of the Chapter in the appropriate class of membership, unless he or she affirmatively declines membership.

A Member in Training shall have the right to be appointed to committees, but shall not have the right to hold elective office.

Section6 – Qualification and Admission of Allied Health Members

Non-physician medical professionals, such as MRI scientists and radiologist assistants, whose special qualifications are deemed valuable to the Chapter and who are approved for

membership to the ACR are eligible to be Allied Health members of the Chapter. Radiologist assistants must be certified by the ARRT as a Registered Radiologist Assistant.

An Allied Health Member shall have the right to be appointed to committees, but shall not have the right to hold elective office.

Section 7 – Qualification and Admission of Retired and Inactive Members

Members who are approved for the status of Retired Member or Retired Fellow of the ACR may be a Retired Member of the Chapter.

Retired Members shall have the right to be appointed to committees and to serve in elected office within the Chapter during the first six years following his/her retirement. Retired Members shall have the right to vote during the first six years following his/her retirement.

Temporarily Inactive Members shall be those from the above memberships who, for reasons acceptable to the Chapter's Executive Committee, are temporarily unable to continue their practice. Temporarily Inactive Members shall not have the right to vote. Temporarily Inactive Members shall have the right to be appointed to committees.

Inactive Members shall also be those Members and Fellows of the Council of Affiliated Regional Radiation Oncology Societies (CARROS) Chapter of the American College of Radiology who, by their own choice, elect not to participate in the activities of the Chapter. They shall be liable for the payment of Chapter dues, adjusted for the deduction of CARROS dues, and shall be counted for councilor allocation purposes, but shall not be able to vote, hold serve in elected office or be appointed to committees.

Section 8 – Qualification and Admission of Affiliate Members

Affiliate Members shall be a member in one of the above membership categories who maintains active membership in another Chapter that is not in the state where his/her principal practice is conducted, but chooses to have membership in this Chapter.

Affiliate Members shall pay dues to both Chapters, have the right to vote, have the right to be appointed to committees and have the right to hold elected office.

Section9 – Retired and Temporarily Inactive Membership Status

Members shall seek retired or temporarily inactive membership status by written request, which may be granted by the Executive Committee.

Section10 – Membership Resignation

Any member of the Chapter may resign by submitting a letter of resignation to the Chapter Secretary.

Article V – Officers

Section 1 – Officers

The officers of the Chapter shall be the president, the president-elect and/or the vice president, the secretary and the treasurer. The offices of secretary and treasurer may be combined. All Chapter officers shall be members of the American College of Radiology.

Section 2 – Duties of the President

The president shall be the presiding officer of the Chapter and shall perform all the duties that custom and parliamentary practice associate with the office of the president. He or she shall be a member ex *officio* of all committees and shall act as chairman of the Executive Committee.

Section 3 – Duties of the Vice President or President-Elect

The vice president or president-elect shall be a member of the Executive Committee. In the absence of the president or in the event of the president's inability or refusal to act, the vice president or president-elect shall perform the duties of the president and, when so acting, shall have all the powers of and be subject to all of the restrictions of the president.

Section 4 – Duties of the Secretary

The secretary shall be a member of the Executive Committee. The secretary shall notify all members as to time, place and agenda for Chapter business meetings. The secretary shall record and preserve the minutes of the business meetings of the Chapter and the Executive Committee. The secretary shall submit minutes of Chapter business meetings to the American College of Radiology. The secretary shall notify the members and the American College of Radiology of election outcomes.

Section 5 – Duties of the Treasurer

The treasurer shall be a member of the Executive Committee. The treasurer shall receive all monies due the Chapter and shall disburse such monies. The treasurer shall make a report of the funds of the Chapter at each annual meeting.

Section 6 – Election

To be eligible for election or re-election as an officer, the individual must be a Member, Retired Member, or Affiliate Member as specified in Article IV, Sections 3, 7, and 8. Election shall be by ballot at the annual meeting of the Chapter, and the nominee for each office designated in Section 1 who receives a majority of votes cast shall be declared elected. In case no candidate receives a majority, a second ballot shall be taken on two candidates receiving the greatest number of votes.

Section 7 – Terms

The terms of the president, vice president or president-elect, secretary and treasurer shall be one year, or until their successors are elected and qualified.

Section 8 – Vacancies

Vacancies occurring in any office shall be filled by action of the Executive Committee. The officer thus chosen shall serve for the unexpired portion of the term of the officer whose office is being filled.

Article VI – Standing Committees

Section 1 – Standing Committees

The standing committees of the Chapter are:

- Budget and finance committee
- Communications committee
- Ethics committee
- Executive committee
- Fellowship committee
- Government relations committee
- Membership committee
- Nominating committee

Section 2 – Budget and Finance Committee

The president shall appoint a budget and finance committee to prepare annually a budget to be presented to the officers and to assist the officers in their oversight responsibilities relating to fiscal management. The treasurer or secretary-treasurer shall serve as chair of the committee.

Section 3 – Communications Committee

The president shall appoint a communications committee to identify and execute strategies for communicating with Chapter members and the public.

Section 4 – Executive Committee

The executive committee shall be chaired by the president and consist of the vice president or president-elect, secretary and treasurer. The executive committee shall carry on the business of the Chapter between regular meetings and to report its activities to the membership at each regular meeting. Meetings of the executive committee may be conducted by electronic means as permitted by the laws of the (insert state name). Authority is vested in the executive committee to make decisions affecting policies of the Chapter, and the authority is also vested with the executive committee to implement such decisions when the executive committee deems that the calling of a special business meeting of the Chapter is not feasible. The executive committee shall report annually to the membership on any such policy actions taken.

Section 5 – Ethics Committee

The president shall appoint at least seven members to the Ethics Committee. The ethics committee assists the Chapter and its members in ethical matters as identified in the ACR Code of Ethics.

Section 6 – Fellowship Committee

The president shall appoint a fellowship committee to annually review the membership of the Chapter for the purpose of nominating members to fellowship in the ACR. The committee shall consist only of Fellows of the American College of Radiology.

Section 7 – Government Relations Committee

The president shall appoint a government relations committee to anticipate and review proposed legislation that affects the practice of radiology in the state. The committee will report findings and recommendations for action to the officers.

Section 8 – Membership Committee

The president shall appoint a membership committee to review applications for all classes of membership in the Chapter. The committee and shall report its recommendations to the Executive Committee at any regular meeting. Recruitment activities shall be conducted by this committee.

Section 9 – Nominating Committee

The president shall appoint a nominating committee to identify and recruit Chapter members for Chapter leadership positions. The committee will report findings and recommendations for action to the officers.

Article VII – Councilors and Alternate Councilors of the American College of Radiology

Section 1

The Chapter shall elect councilors to the Council of the American College of Radiology in such numbers and on the terms authorized by the Bylaws of the College and the rules and regulations of the ACR Council.

Section 2 – Election of Councilors and Alternate Councilors

Election of councilors shall be by ballot at the appropriate annual meeting of the Chapter, and the nominee for each vacancy who shall receive a majority of the votes cast shall be declared elected. In case no candidate for a vacancy receives a majority, a second ballot shall be taken on the two candidates for the vacancy receiving the greatest number of votes. For each councilor so elected, the Chapter shall elect, by the same procedure, an alternate councilor. Councilors and alternate councilors must be members or fellows of the College.

Section 3 – Term of Office

The term of office of a councilor or alternate councilor shall be prescribed by the current Bylaws of the American College of Radiology.

Section 4 – Duties of a Councilor

The councilor's primary duty is to serve as a representative from the Chapter in the Council - the legislative body - of the American College of Radiology. The duties of councilors shall include attending and participating actively in the meetings of the Chapter and of the College, familiarizing themselves with activities and problems at the local and national level, acting as liaison between the Chapter and the College and interpreting each to the other, contributing to both groups' ideas, guidance and advice, and stimulating preparation of resolutions of the Chapter for presentation to the Council.

Section 5 – Duties of an Alternate Councilor

Alternate councilors shall aid the councilors in the performance of their duties and accompany the councilors to meetings of the Chapter and of the College. The alternate councilor shall act for the councilor in the councilor's absence or in the event of the councilor's inability to act.

Article VIII – Resident and Fellow Section

Members in training may organize as a section governed by its own constitution and bylaws. The mission and bylaws of the section shall be consistent with those of the Chapter and the American College of Radiology. The organization of the section and its activities are subject to the approval of the executive committee of the Chapter.

Article IX – Meetings

Section 1 – Annual Meeting

The annual meeting of the Chapter shall be held at such time during the month of_____and at such place as shall be selected by the Executive Committee. Notice of the exact time and place of such meeting shall be mailed to the members of the Chapter no fewer than 30 days prior to such date. Additional regular meetings may be scheduled by the Executive Committee, and notice of the time and place thereof shall be mailed to the members of the Chapter no fewer than 30 days prior to any such scheduled meeting.

Section 2 – Special Meetings

Special meetings of the Chapter shall be called: (a) by the president when deemed necessary by the Executive Committee; (b) at the request of the American College of Radiology; or (c) by petition of one third of the voting members in good standing or by 10 such members, whichever is less. Notice stating the time, place and purpose of the meeting shall be mailed to each member at least 21 days prior to the meeting. At a special meeting, no business may be transacted except that for which such special meeting was called.

Section 3 – Quorum

A quorum shall consist of_____percent of the voting members of the Chapter.

Article X – Indemnification

The Chapter shall have the power to indemnify any of its officers, members, committee chairs and members, employees and agents against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with activities undertaken at the Chapter's request if such person acted in good faith and in a manner the person reasonably believed to be in the best interest of the Chapter to the extent such indemnification is permitted by law. The individual will be indemnified for expenses, including attorney's fees, reasonably incurred in any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that the individual acted on behalf of the Chapter.

Indemnification can be made only as to a specific case, upon a determination that indemnification is proper in the circumstances, and must be authorized by a majority vote of a quorum of executive committee members who are not parties to the proceeding, or by a majority vote of a quorum of voting members who are not parties to the proceeding.

The Chapter shall have the power to purchase and maintain insurance on behalf of any agent of the Chapter against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status or such capacity, whether or not the Chapter would have the power to indemnify the agent against liability under the provisions of applicable state statutes.

Article XI – Dues and Assessments

Section 1 – Dues

Admission to membership and continuation of membership shall be contingent upon payment to the Chapter of such dues and assessments as may then be in force.

Dues and the payment date for each class of membership shall be based upon a budget prepared by the Executive Committee and approved by the members at the annual meeting.

Members in Training, Retired and Inactive Members shall not pay dues.

Section 2 – Assessments

Assessments of dues-paying members may be levied upon recommendation of the Executive Committee and by a majority vote at the annual meeting of the Chapter, notice of such recommendation having been sent to each such member by mail, facsimile or electronic transmission no fewer than 30 days prior to the meeting.

Section 3 – Penalty for Nonpayment

If Chapter dues have not been paid within six (6) months following the dues billing, notification shall be given by letter to the delinquent member that if said dues are not paid within thirty (30) days the member's name will be stricken from the rolls of the Chapter. Such

former members shall be eligible for automatic reinstatement upon payment of current dues and a reinstatement fee established by the Executive Committee.

Any former member seeking membership after failing to pay dues for four (4) years or more may obtain membership only by applying as a new member.

Section 4 – Waiver of Dues

Any member suffering serious financial hardship or long-term illness may request a waiver of dues for that year. All such requests must be made in writing and directed to the Chapter Secretary. All waivers of dues for financial hardship or illness are at the discretion of the Executive Committee and all members making such requests will be notified in writing of the decision reached. If difficulties in payment of dues persist more than one calendar year, a written request must be submitted each subsequent year.

A member who returns to full-time training in an approved fellowship of at least twelve months duration is eligible to request waiver of dues for that year by submitting a written request for waiver of dues and verification of enrollment in an approved fellowship program to the Chapter Secretary. Such requests do not require approval of the Executive Committee. Extension of the waiver of dues into a second year of fellowship training may be awarded only upon submission by the member of an additional written request for waiver of dues, along with verification of enrollment in an approved fellowship program for an additional twelve month period.

Article XII – Code of Ethics

The Code of Ethics of the American College of Radiology, as published in the College's most recent bylaws, is hereby expressly adopted as the ethics of the Chapter.

Section 1 – Principles of Ethics

The Chapter shall abide by the Principles of Ethics of the American College of Radiology.

Section 2 – Rules of Ethics

The Chapter shall abide by the Rules of Ethics of the American College of Radiology.

Section 3 – Disciplinary Procedures for Violation of Rules of Ethics

A Member of the Chapter may be censured, suspended or expelled for due cause by the Executive Committee, pursuant to the Principles of Ethics, Rules of Ethics and disciplinary procedures set forth in these bylaws. Disciplinary proceedings shall be confidential. The levels of disciplinary action shall be defined as follows:

Censure: A censure shall be a written reprimand to the member from the secretary of the Chapter, with no loss of benefits of membership. Such censure shall be made a part of the membership file of the member.

Suspension: A suspension shall cause the member to lose the benefits of membership for a specific period of time as determined by the Ethics Committee, after which the individual may be fully reinstated upon review by the Ethics Committee. Suspension shall be for such term as the Ethics Committee determines is necessary to ensure modification of behavior.

Expulsion: Expulsion shall cause the member to be removed from the rolls of the Chapter. An expelled member shall not be entitled to any of the benefits of membership. The Chapter shall not accept a reapplication for membership from an expelled member until a prescribed period, as the Committee shall determine, has elapsed from the date the individual was notified of the Committee's action.

Grounds for Disciplinary Action: A member of the Chapter may be disciplined for any one or more violations of the Rules of Ethics of the American College of Radiology. Additionally, a member may be disciplined for:

- Limitations or restriction of any right associated with the practice of medicine by any state or Canadian province, including the revocation, suspension, and restriction of a medical license or the voluntary surrender of a license while under investigation.
- Conviction of any felony.
- Conviction of scientific fraud (see ACR Rules of Ethics, Section 2, Number 10)

Disciplinary Process:

1. The Executive Committee may censure, suspend, or expel any member of the Chapter for violation of its rules, regulations, or principles, in accordance with the procedures outlined below.

2. Disciplinary questions related to such violations shall be initially referred, in writing, to the president of the Chapter. The matter shall be referred to the Chapter's Ethics Committee, which shall investigate the merits of the charges. On the basis of the findings of this investigation, the Ethics Committee shall recommend to the president either that disciplinary action be taken or that no such action be taken. If the Ethics Committee decides that disciplinary action should be taken, its recommendation shall be submitted to the president in writing.

3. If disciplinary action is recommended by the Ethics Committee, the member shall be notified in writing that a professional review action may be taken against him or her and the reasons for the proposed action. The member shall be informed that he or she has the right to request a hearing on the proposed action at any time within 60 calendar days. The member shall be provided with a written summary of his or her rights during the hearing. A member who does not request a hearing within the 60-day period waives the right to such a hearing and shall be deemed to have accepted the recommendation of the committee. The committee's report shall then be forwarded to the Chapter's Executive Committee for ratification, in accordance with Section 9 of this article. If the disciplinary action is based on professional conduct or competence that affects or could affect patient health or welfare, the final decision of the Chapter shall be reported to the National Practitioner Data Bank within 15 days. A failure to request a hearing after a complaint has been filed and found to be meritorious will also result in loss of membership in the Chapter.

4. If the member requests a hearing on a timely basis, the president of the Chapter must give him or her written notice of the time, place, and date of the hearing. The hearing shall take place no earlier than 30 calendar days after the date notice has been sent. Postponements and extensions of the hearing date may be granted by the hearing officer on a showing of good cause. The notice of the hearing shall include the names of witnesses expected to testify.

5. The hearing shall be held before an arbitrator mutually acceptable to the physician and the Chapter, a hearing officer appointed by the Chapter who is not in direct economic competition with the member involved, or a panel of three active members of the Chapter appointed by its Executive Committee who are not in direct economic competition with the member involved. The right to a hearing may be forfeited if the member fails to appear without good cause, and the member shall be deemed to have accepted the disciplinary action involved. If the right is forfeited without good cause, membership in the Chapter may be terminated, and a report on the action may be forwarded to the National Practitioner Data Bank.

6. During the hearing, the member has the right to be represented by an attorney or other person of his or her choice; the right to have a record made of the proceedings, copies of which may be obtained by the physician on payment of any reasonable charges associated with its preparation; the right to call, examine, and cross-examine witnesses; the right to present evidence determined to be relevant by the arbitrator, hearing officer, or panel, regardless of its admissibility in a court of law; and the right to submit a written statement at the close of the hearing.

7. Evidence at the hearing should be presented first by the Chapter Executive Committee and then by the member. The Executive Committee may then introduce evidence to rebut the member's evidence but may not introduce evidence or issues not previously raised either by the committee or by the member. The complainant shall be entitled to attend the hearing and may be required to testify. Judicial rules of evidence and procedure relating to the conduct of the hearing, the examination of witnesses, and the presentation of evidence shall not apply to a hearing conducted under the terms of these bylaws. The Executive Committee shall bear the burden of persuading the hearing officer or panel by a preponderance of the evidence that the action or recommendation is reasonable and warranted.

8. At the end of the hearing, the member has a right to receive the written recommendation of the arbitrator, hearing officer, or panel, including the basis for the recommendation. He or she also has the right to receive the written decision of the Chapter, including the basis for the decision.

9. Ratification of disciplinary action against any member of the Chapter shall require the affirmative vote of no less than three-fourths of the membership of the Executive Committee present at the meeting when the action is taken. On ratification by the Executive Committee, the disciplinary action shall be effective and be promptly reported to the Judiciary Committee of the American College of Radiology by the secretary of the Chapter. Members against whom disciplinary actions are taken by the Chapter may appeal the decision to the Judiciary Committee of the ACR.

10. If no appeal is made within 30 days, a letter containing the final decision shall be prepared by the arbitrator, officer, or panel, with a copy going to the member who is the subject of the disciplinary action. A waiver of the right to appeal shall be deemed to mean that the member

has accepted the decision of the Chapter. If the disciplinary action is based on professional conduct or competence that affects or could affect patient health or welfare, the final decision of the Chapter shall be reported to the National Practitioner Data Bank within 15 days.

11. Before the ACR's Judiciary Committee hear an appeal, it shall notify, by registered or certified mail, the member in question no fewer than 30 calendar days before its meeting that the member may then appear in person or be represented by an attorney or other person of his or her choice to present any arguments that the member believes will show that the disciplinary action should be reversed. If the member fails to appear or send his or her representative to the appeal hearing, then a final report of the Chapter's decision shall be sent to the member and forwarded to the state medical board or licensing authority within 15 days in accordance with the regulations of the National Practitioner Data Bank.

12. If a majority of the Judiciary Committee determines that the disciplinary action taken by the Chapter against one of its members is supported by the evidence and is the result of fair procedures that are consistent with the Bylaws of the ACR and of the Chapter, the Judiciary Committee shall affirm the disciplinary action. If a majority of the Judiciary Committee reverses the disciplinary action, the matter may be remanded in whole or in part of further proceedings or may be completely or partially dismissed.

13. The Chapter's Executive Committee and the ACR's Judiciary Committee shall comply with all procedures for reporting adverse professional review actions based on professional conduct or competence that affects or could affect patient health or welfare to the National Practitioner Data Bank.

The status of a member during disciplinary proceedings shall be unaltered.

Article XIII – Amendments

Section 1

Amendments to these bylaws may be made at any regular meeting of the Chapter by the favorable concurrence of two-thirds of the members present and voting, provided the proposed amendments shall have been presented in writing to the Executive Committee at least 45 days prior to the meeting at which the proposed amendments are to be voted on. The Executive Committee shall notify the members by mail of proposed amendments no fewer than 30 days prior to such meeting.

Section 2

Any amendment so adopted shall not be contrary to requirements for Chapter status in the American College of Radiology and shall be immediately forwarded to the College for its records.

Article XIV – Rules of Order

In the absence of any provision in these bylaws, all meetings of the Chapter shall be governed by the parliamentary rules and usages contained in the current edi¬tion of Sturgis' "Standard Code of Parliamentary Procedure."

Article XV – Dissolution

In the event of dissolution or final liquidation of the Chapter, all of its assets remaining after payment of its obligation shall have been made or provided for, shall be distributed according to applicable law to and among such corporation, foundation or other organizations organized and operated exclusively for scientific and educational purposes consistent with those of the Chapter as shall be designated by the Executive Committee.