

## **OSRS BYLAWS**

### **Article I - Name**

The name of this organization shall be the Ohio Chapter of the American College of Radiology, hereinafter referred to as the "Chapter".

### **Article II - Purpose**

The purpose of the Chapter shall be those of the American College of Radiology, hereinafter sometimes referred to as the "College": advancing the science of radiology, improving radiologic service to patients and the medical community, and studying the economics of radiology; the encouragement of improved and continuing education for radiologists; and the establishment and maintenance of high medical and ethical standards in the practice of radiology.

### **Article III - Affiliation**

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

### **Article IV - Membership**

#### **Section 1 - Classification of Members**

There shall be seven classes of members in the Chapter: (1) Active Members, (2) Associate Members, (3) Members in Physics, (4) Associate Members in Physics, (5) Members in Training and Members in Training in Physics, (6) Retired or Inactive Members, and (7) Affiliate Members.

#### **1. Active Membership. An active member shall:**

- a. be a physician certified in radiology or one of its recognized branches by the American Board of Radiology, the American Osteopathic Board of Radiology, or the Royal College of Physicians and Surgeons of Canada; or engaged in nuclear medicine or ultrasound on a full-time basis and certified by a specialty board that is a member of the American Board of Medical Specialties or its Canadian equivalent;
- b. be a physician engaged in the exclusive practice of radiology or one of its recognized branches and be certified by a specialty board other than those recognized by the American Board of Medical Specialties or its Canadian equivalent;
- c. be of high professional reputation;
- d. have the right to be appointed to committees and to hold office in the chapter.

#### **2. Associate Members. An associate member shall:**

- a. be a physician engaged in the practice of radiology on a full-time basis, and meet all the requirements of active membership except requirement (1) (a) and (b) of this Section 1;

- b. not have the right to hold office in the chapter;
- c. have the right to be appointed to committees.

**3. Member in Physics. A member in physics shall:**

- a. be certified as a physicist by the American Board of Radiology;
- b. have the right to be appointed to committees, and to hold office in the chapter.

**4. Associate Members in Physics. An associate member in physics shall:**

- a. be a physicist engaged in the practice of radiological physics on a full-time basis, but not certified by the American Board of Radiology;
- b. not have the right to vote or to hold office in the chapter;
- c. have the right to be appointed to committees.

**5. Members in Training and Members in Training in Physics. A member in training or a member in training in physics shall:**

- a. occupy a residency or fellowship in radiology approved by the Council on Medical Education of the American Medical Association or the American Osteopathic Association (or a formal educational program in medical physics);
- b. not have the right to vote or to hold office in the chapter;
- c. not be required to pay dues;
- d. have the right to be appointed to committees;
- e. never have been a member of the chapter before.
- f. when members in training or members in training in physics complete training and become members of the ACR, the ACR shall transfer their records to the chapter in the state where they will conduct their principal practice. They will become automatic members of the chapter upon completion of their training unless they affirmatively decline membership. Dues for these members shall be assessed in accordance with Article XII.

**6. Retired or Inactive Members**

- a. Retired members shall be those active members, associate members, member in physics, associated members in physics, and affiliate members who have retired from active practice because of age or physical disability. 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. Retired or temporarily inactive members shall not have the right to vote or to hold committee appointment and shall not be required to pay dues.
- b. 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 are liable for chapter dues, adjusted for deduction of CARROS dues, and

are counted for councilor allocation purposes, but shall not have the right to vote, hold office in the chapter, or hold committee appointment.

**7. Affiliate Members. An affiliate member shall:**

- a. 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 or her principal practice is conducted, but chooses to have membership in the Ohio chapter;
- b. pay dues to both chapters;
- c. have the right to vote;
- d. have the right to be appointed to committees; and
- e. have the right to hold office in the chapter.

**Section 2**

Application for any of the classes for membership established in Section 1 of this article except for Members in Training, Members in Training for Physics, and Retired or Inactive membership, shall be in writing on a form provided by the secretary. Application for all classes of membership except retired or temporarily inactive status shall include an agreement to abide by the bylaws of the chapter including the Code of Ethics of the American College of Radiology.

If an applicant is refused membership and requests a hearing on the denial of the application, the hearing shall be conducted in accordance with the procedures outlined in Article IV, Section 6, of these bylaws, including a possible report on the action to the National Practitioner Data Bank if the membership denial is based on reasons relating to professional competence or conduct that affects patient health or welfare.

When a member in good standing transfers from this chapter ("old chapter") to a chapter in another state ("the new chapter"), the old chapter, after receiving notification from the College of the change, should send a notice of the member's standing in the chapter and his or her original application to the ACR within a reasonable time, not to exceed six weeks.

When a member in good standing of another chapter transfers to this chapter, the ACR sends the member's file to the new chapter. The secretary of the new chapter shall notify the new member in writing that the transfer process has been completed. Chapter dues shall be assessed on a pro-rata basis for the year in which the transfer occurs.

**Section 3**

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

**Section 4**

The chapter adopts the centralized membership system of the College whereby:

1. The American College of Radiology sends both the ACR and chapter applications to the prospective member.
2. The prospective new member sends the application for the ACR and chapter

membership to the ACR office with the necessary supporting data to fulfill the state chapter requirements.

3. If all the criteria are met, the ACR publishes, through the ACR Bulletin, the applicant's name to the chapter membership allowing 30 days for comment. The chapter will be granted, upon request, a 60 or 90 day waiting period. The ACR sends to the chapter secretary the chapter form that the applicant fills out to be on file with the chapter.
4. If there is no comment, the ACR dues and chapter dues are collected by the ACR and the chapter dues are forwarded to the chapter secretary along with the name and address of the new member.
5. If objection to the application is received, the application will be remanded to the chapter secretary for further processing.

### **Section 5**

Any member of the chapter may resign by submitting a letter of resignation to the chapter secretary.

### **Section 6**

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 Committee on Judicial Affairs, which shall investigate the merits of the charges. On the basis of the findings of this investigation, the Committee on Judicial Affairs shall recommend to the president either that disciplinary action be taken or that no such action be taken. If the Committee on Judicial Affairs 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 Committee on Judicial Affairs, 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 fewer 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 hears an appeal, it shall notify, by registered or certified mail, the member in questions 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 for 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.

## **Article V - Officers**

### **Section 1**

The officers of the chapter shall be the President, the President-Elect, the Secretary, the Treasurer, the ACR Councilors and Alternate Councilors, and the OSMA Delegate and Alternate Delegate. All chapter officers shall be members of the American College of Radiology.

### **Section 2**

Election shall be by vote at the annual meeting of the chapter, and the nominee for each office designated in Section 1, who shall receive a majority of votes cast, shall be declared elected. In case no candidate receives a majority, a second ballot shall be taken on the two candidates receiving the greatest number of votes.

## **Article VI - Executive Committee**

The Executive Committee shall be composed of the President, President-Elect, Immediate Past President, Secretary, Treasurer, ACR Councilors and Alternate Councilors, and the OSMA Delegate and Alternate Delegate. This committee shall act for the chapter between regular meetings of the chapter and shall perform such duties as specified elsewhere in these bylaws.

## **Article VII - Duties of Officers and Committees**

### **Section 1**

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 2**

In the absence of the President, or in his inability to act, the order of succession to his duties shall be as follows: The President-elect, Secretary, Treasurer and ACR Councilors in order of seniority.

### **Section 3**

The secretary shall record and preserve the minutes of the proceedings of meetings of the chapter and of the Executive Committee and shall forward promptly to the headquarters of the chapter. He or she shall notify all members of the chapter of their appointments and shall keep a record of the membership of the chapter. He or she shall notify all members as to time and place of meetings and any of special business to be brought before the chapter.

### **Section 4**

The treasurer shall receive all monies due the chapter and shall disburse such monies. He or she shall make a report of the funds of the chapter at each annual meeting. The Treasurer's Report shall be audited by another member of the Executive Committee.

### **Section 5**

The President and President-Elect shall each serve a term of one year, or until their successors are elected. The Secretary and Treasurer are elected in alternate years and each shall serve a term of two years. All officers shall take office at the close of the annual meeting at which they are elected.

### **Section 6**

Vacancies occurring in any office shall be filled by action of the Executive Committee.

### **Section 7**

The President shall appoint such committees as are necessary for the proper functioning of the chapter in addition to the following standing committees:

**1. Membership Committee**

This committee shall review applications for all classes of membership in the chapter and shall report its recommendations to the Executive Committee at any regular meeting. Recruitment activities shall be generated by this committee.

**2. Planning Committee**

This committee should prepare a three-year activity plan for the chapter and should annually update this written plan to coordinate it with the goals and objectives of the chapter and the College.

**3. Committee on Radiologic Practice**

This committee shall be charged with the duty of assisting members of the chapter in the practice economics of radiology in accordance with the principles and policies of the American College of Radiology. This committee will also relate to third-party insurance carriers.

**4. Fellowship Committee**

This committee shall annually review the membership of the chapter for the purpose of

nominating members to fellowship in the American College of Radiology. This committee should be composed of fellows of the College.

**5. Legislative Committee**

This committee should anticipate and review legislation proposed that affects the practice of radiology in the state. Their findings shall be reported to the chapter for action.

**6. Technologists Advisory Committee**

This committee shall assist organizations and individuals in projects and programs undertaken to advance radiologic technology. (Recommended: They will also be responsible for furnishing names of radiologists to survey programs of radiologic technology to the Joint Review Committee on Education in Radiologic Technology.)

**7. Committee of Judicial Affairs and By-laws Committee**

This committee shall consider charges of unethical conduct involving a member of the chapter and shall transmit its recommendations to the Executive Committee of the chapter. The Judicial Affairs Committee shall be composed of three members appointed by the president with the approval of the Executive Committee. Where possible, except for the chairman, members of the Executive Committee shall not be appointed to the Committee on Judicial Affairs.

The Bylaws Committee shall be responsible for periodic review of the bylaws and provide recommended revisions when necessary.

**8. Nominating Committee**

This committee shall present to the annual meeting nominations for all offices established in these bylaws and shall when possible consist of the President-Elect as Chairman, the two immediate past Presidents, the Secretary and Treasurer.

**9. Radiation Oncology Committee**

This committee will deal with those problems relating to radiation oncology and report to the Executive Committee or Chapter.

**10. Awards Committee**

This committee shall select members who have made any outstanding contribution to the Society and Radiology and award them with a suitable scroll in recognition of such service at the annual meeting. There shall be no obligation for making an award annually.

**11. Radiation Safety and Physics Committee**

This committee shall be composed of radiation physicists and shall concern itself with radiation safety and problems relating to radiation physics.

**12. Section for Members in Training**

Members in training and members in training in physics may organize as a section governed by

its own constitution and bylaws, subject to the approval of the Executive Committee.

**NOTE: Each standing committee shall present a written report at the annual meeting.**

## **Article VIII - 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**

Councilors and Alternate Councilors to ACR will be nominated and approved by the OSRS Executive Committee. The distribution of Councilors/Alternate Councilors within the state will be determined by the Executive Committee. The selection of Councilor/Alternate Councilor combinations should, as much as possible, reflect the geographic distribution of ACR members in Ohio.

Councilors and Alternate Councilors must be members of the College.

### **Section 3**

The term of office of a councilor shall be three years, or whatever term of office is prescribed in the current Bylaws of the American College of Radiology. He or she may be eligible to succeed himself or herself for one additional term of three years, but shall not be eligible for re-election to additional terms until a lapse of not less than one year; provided, however, that notwithstanding anything in this Section 3 to the contrary, the terms of any or all of the councilors first elected under this Article VIII may be established at less than three years to insure that the terms of one-third of the councilors or a number as near as practical so elected expire each year.

The term of office of an alternate councilor shall be one year; alternates shall be eligible to succeed themselves. An alternate councilor shall be eligible at any time to be elected a councilor for a full three-year term.

A councilor or alternate councilor shall assume office at the conclusion of the annual ACR meeting following their election.

### **Section 4**

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. In the proper discharge of this function, the councilor shall: (a) attend and participate in the deliberations of the Council, (b) be active in the affairs and meetings of the chapter, (c) be knowledgeable of the activities and problems at both the local and national levels, (d) contribute ideas, guidance, and advice to both the chapter and the Council, (e) stimulate the preparation of chapter resolutions for the presentation to the Council, and (f) to serve as a liaison between the chapter and the College and interpret each to the other.

### **Section 5**

The alternate councilor shall help the councilor in the performance of his or her duties and accompany him or her to meetings of the chapter and of the College. The alternate councilor shall be prepared to act for the councilor whenever necessary.

## **Article IX - Delegate and Alternate Delegate to the Ohio State Medical Association**

### **Section 1**

The Chapter shall have one Delegate and one Alternate Delegate to the House of Delegates of the Ohio State Medical Association on the terms authorized by the Bylaws of the OSMA.

Such Delegate and Alternate Delegate will be elected by the Executive Committee of the Chapter.

### **Section 2**

The term of office of the Delegate shall be three (3) years, or such term of office as prescribed in the Bylaws of the Ohio State Medical Association. He may be eligible to succeed himself. The term of office of the Alternate Delegate shall be one (1) year. He shall be eligible to succeed himself.

### **Section 3**

- (1) The Delegate's primary duty is to serve as the representative of the Chapter in the House of Delegates - the legislative body of the Ohio State Medical Association. In the proper discharge of this function, the Delegate shall:
  - (a) attend and participate in the deliberations of the House of Delegates,
  - (b) be active in the affairs and meetings of the Chapter,
  - (c) be knowledgeable of the activities and problems at both the local and state levels.
  - (d) contribute ideas, guidance and advice to both the Chapter and the House of Delegates stimulate the preparation of Chapter resolutions for presentation to the House of Delegates, and
  - (f) serve as liaison between the Chapter and the House of Delegates and interpret each to the other.
- (2) Advise and assist in matters of radiologic ethics and economics.
- (3) Act when requested as the intermediary of the individual radiologists in his dealings with the Ohio State Medical Association.
- (4) Assist physicians and others who are not radiologists with information about and interpretation of radiological affairs.

### **Section 4**

The Alternate Delegate shall help the Delegate in the performance of his duties and accompany him to meetings of the Chapter and of the House of Delegates. The Alternate Delegate shall prepare himself to act for the Delegate whenever necessary.

## **Article X - Meetings**

### **Section 1**

The annual meeting of the chapter shall be held at such time during the month of May 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 Executive Committee 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 Executive Committee no fewer than 30 days prior to any such scheduled meeting.

## **Section 2**

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**

A quorum shall consist of 10 percent of the voting members of the chapter.

## **Section 4**

The following shall be the order of business at all regular meetings of the chapter:

1. Call to order
2. Reading of the minutes of the previous meeting of the chapter and the meetings of the Executive Committee
3. Report of the Secretary
4. Report of the Treasurer
5. Report of the Membership Committee
6. Election of new members
7. Report by the President as Chairman of the Executive Committee
8. Report of the Committee on Radiologic-Practice
9. Report of the Committee on Judicial Affairs
10. Other committee reports
11. Communications
12. Unfinished business
13. New business
14. Report of Councilor
15. Report of the Nominating Committee
16. Election of officers
17. Adjournment

## **Article XI - Standing Rules**

Sturgis' Standard Code of Parliamentary Procedure shall be the authority governing all business meetings of the chapter, unless otherwise provided in these bylaws.

## **Article XII - Dues And Assessments**

### **Section 1**

All active and associate members, members in physics, associate members in physics, affiliate members, and inactive members who are members of the CARROS Chapter, shall pay dues in an amount based

upon a budget prepared by the Executive Committee and approved by the members at the annual meeting. Members in training members in training in physics, retired, and temporarily inactive members shall not pay dues.

Following the completion of training, members in training and members in training in physics shall not be assessed for dues during the remainder of the bill cycle in which they complete their training and for the next complete billing cycle.

Assessments of dues-paying members may not be levied except 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 no fewer than 30 days prior to the 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 XIII - Amendments**

### **Section 1**

Amendments to these bylaws may be made at any regular meetings of the Chapter by the favorably 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 forty-five (45) days prior to the meeting at which the proposed amendments are to be voted upon. The Executive Committee shall notify the members by mail of proposed amendments not less than thirty (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.