

BYLAWS OF ARKANSAS CHAPTER-AMERICAN COLLEGE OF RADIOLOGY,

Adopted April 1, 2017

ARTICLE I - NAME

The name of this organization shall be the *Arkansas Chapter of the American College of Radiology* hereinafter referred to as the "Chapter." The Chapter shall be affiliated with the Arkansas Radiological Society, hereafter referred to as the "Association".

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 (the "College" or "ACR").

ARTICLE IV - MEMBERSHIP

1. *Classes 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.

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.

2. *Personal Qualifications.* Members of the Chapter in classes (1), (2), (3), and (4) above shall be members of the College.

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, or the American Board of Nuclear Medicine 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 vote, be appointed to committees and to hold elective office.

All radiologists and medical physicists in good standing practicing in the State of Arkansas who otherwise meet qualifications as Members are considered Members, unless subject to disciplinary actions affecting membership. Those who, by their own choice, elect not to pay dues or otherwise participate in the activities of the Chapter shall be counted for councilor allocation purposes, but shall not be able to vote, serve in elected office or be appointed to committees.

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, or the American Board of Nuclear Medicine 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 vote or hold elective office.

5. *Qualification and Admission of Members in Training.* Members in Training shall be those physicians who are in approved radiology residencies or fellowships, 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 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 vote or hold elective office.

6. *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 College 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 vote or hold elective office.

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 serve in elective office during the first three years following his/her retirement. Retired Members shall have the right to vote during the first three 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 or serve in elected office. 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, serve in elected office or be appointed to committees.

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.

9. *Dual Membership.* Pursuant to the bylaws of the Association, members of the Chapter in good standing are also members of the same membership class or classes of the Association. Likewise, members of the Association in good standing are also members of the same membership class or classes of the Chapter.

10. *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.

11. *Membership Resignation.* Any member of the Chapter may resign by submitting a letter of resignation to the Chapter Secretary.

ARTICLE V - OFFICERS

1. *Officers.* The officers of the Chapter shall be the president, 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 College.

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.

3. *Duties of the Vice President.* The vice president 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 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.

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.

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.

6. *Election.* To be eligible for election or re-election as an officer, the individual must be a Member or Affiliate Member as specified in Article IV, Sections 3 and 8. Election shall be by vote at the annual meeting of the Chapter, by eligible members of the chapter who are present, either in person, via webcast, via telephone, or by written proxy. The nominee for each office designated in Article V 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.

7. *Terms.* The terms of the president and vice president shall be one year, or until their successors are elected and qualified. The terms of the secretary and treasurer shall be three years, or until their successors are elected and qualified. Terms of new officers begin simultaneously with the end of the term of the preceding officers, on Monday at 12:01 a.m. at least one week but not more than two weeks after the close of the Annual Meeting of the ACR.

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 – COMMITTEES

1. *Standing Committees.* The standing committees of the chapter are:

1.1 *Executive Committee.* The Executive Committee shall be chaired by the president and consist of the vice president, secretary, treasurer, and the immediate past president. The Executive Committee shall carry on the business of the Chapter between regular meetings and 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 Arkansas. 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. Members of the Executive Committee shall serve as the Board of Directors.

2. *Other Committees.* In lieu of standing committee appointments, the President may appoint *ad hoc* committees to serve the same function as the committees identified below or for any other purpose not designated below but desired.

2.1 *Budget and Finance Committee.* The president may appoint a Budget and Finance Committee to prepare an annual 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.

2.2 *Ethics Committee.* The president may appoint at least five 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.

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

2.5 *Committee on Standards in Radiologic Practice and Medical Insurance.* The President may appoint a Committee on Standards in Radiology Practice and Medical Insurance which shall be charged with the duty of assisting members of the Chapter in developing arrangements for the proper practice of radiology in accordance with the principles and practices of the College. This committee will relate to third-party carriers and refer policy problems to the Chapter. This committee will also oversee issues related to radiology equipment standards and performance.

2.6 *Technologist Advisory Committee.* This committee shall assist organizations and individuals

in projects and programs undertaken to advance radiological technology after such have been approved by the Executive Committee.

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

2.8 Public Relations Committee. This committee shall be charged with the responsibility of interaction with other medical specialties, hospitals, and other health organizations as well as the lay public in promoting good will and providing information and education as it involves the practice of radiology.

2.9 Education and Program Committee. The president shall appoint an Education and Programs Committee for the purpose of preparing programs for Chapter meetings

2.10 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. The President may appoint the Executive Committee to serve as the Nominating Committee.

ARTICLE VII – 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 VIII – MEETINGS

1. *Annual Meeting.* The annual meeting of the Chapter shall be held at such time and at such place as shall be selected by the Executive Committee. Meetings are typically held in March or April preceding the Annual Meeting of the ACR. Notice of the exact time and place of such meeting shall be mailed, faxed or emailed 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, faxed or emailed to the members of the Chapter no fewer than 30 days prior to any such scheduled meeting.

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. Notice stating the time, place and purpose of the meeting shall be mailed, faxed or emailed to each member at least 15 days prior to the meeting. At a special meeting, no business may be transacted except that for which such special meeting was called.

3. *Proxies and Attendance at Meetings.* Recognizing the geographic reach of the Chapter and

scheduling constraints that are likely to arise for members, any meeting of the Chapter may be held via electronic means and members shall be allowed to participate via teleconference or internet-based videoconference or meeting service, where such services are available and practical. Members may also designate any other member to serve as their proxy for voting purposes at any meeting. Proxies shall be designated in writing or by e-mail at any time prior to the meeting time, and may, but are not required to, contain specific voting instructions on matters on the agenda. Written proxies must be provided to the president before or during the meeting to be valid.

4. *Majority/Quorum.* A majority shall consist of fifty one percent (51%) of the voting members of the Chapter who are present, either in person, via webcast or telephone or by written proxy, at a meeting. Unless otherwise stated in these Bylaws, all actions requiring a vote of the members shall be approved by a majority of those present or represented by written proxy at a meeting at which a quorum is also present. A quorum shall consist of the voting members of the Chapter present, either in person, via webcast or telephone or by proxy, at the annual meeting and other called meetings, provided appropriate notice has been given to the membership as per Article VIII, Section 2 in these Bylaws.

ARTICLE IX – 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, including officers, employees and other designated representatives 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 X – DUES AND ASSESSMENTS

1. *Dues.* Admission to membership and continuation of membership shall be contingent upon payment to the Association of such dues and assessments as may then be in force. Pursuant to the bylaws of the Association, the Association may make contributions to the Chapter out of these dues and assessments as are reasonably necessary to meet the financial needs and commitments of

the Chapter.

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

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.

3. *Penalty for Nonpayment.* If Chapter dues have not been paid within six (6) months following the dues billing, notification shall be given by mail, facsimile or electronic transmission to the delinquent member stating that if said dues are not paid within thirty (30) days the member shall not be able to vote, serve in elected office or be appointed to any committee of the Chapter. Such members shall be eligible for automatic reinstatement upon payment of current dues and a reinstatement fee established by the Executive Committee.

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 XI – 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.

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

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

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 Member's membership file.

Suspension: A suspension shall cause the member to lose the benefits of membership for a specific period of time as recommended by the Ethics Committee and approved by the Executive Committee, after which the individual may be fully reinstated after review by the Ethics Committee with recommendation for reinstatement to and approval by the Executive Committee.

Expulsion: Expulsion shall cause the member to be removed from the Chapter. An expelled member shall not be entitled to any of the benefits of membership. The Chapter shall not accept a re-application for membership from an expelled member until a prescribed period, determined by the Executive Committee, has elapsed from the date the individual was notified of the Executive 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:

1. Limitations or restriction of any right associated with the practice of medicine by any state, including the revocation, suspension, and restriction of a medical license or the voluntary surrender of a license while under investigation.
2. Conviction of any felony
3. 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 Executive Committee 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 Executive Committee 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 Ethics Committee. The Ethics 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 XII – AMENDMENTS

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. The proposed amendments shall have been presented in writing to the Executive Committee at least 30 days prior to the meeting at which the proposed amendments are to be voted on. The Executive Committee shall notify the members by mail, fax or email of proposed amendments no fewer than 15 days prior to such meeting.

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 – RULES OF ORDER

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or any special rules of order the Chapter may adopt.

ARTICLE XIV – DISSOLUTION

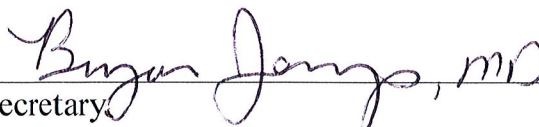
In the event of dissolution or final liquidation of the Chapter, all of its assets remaining after payment of its obligation shall have been made or provided for, shall be distributed according to applicable law to and among such corporation, foundation or other organizations organized and operated exclusively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

Dated effective this 15th day of April 2017
(month/year)



President

ATTEST:



Secretary