

**BYLAWS**  
**NORTH CAROLINA CHAPTER**  
**OF THE**  
**AMERICAN COLLEGE OF RADIOLOGY**

**March 18, 2017**

**ARTICLE I-NAME**

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

**ARTICLE II-PURPOSES**

The purposes of the Chapter shall be congruous with the American College of Radiology, hereinafter sometimes referred to as the "College," advancing the science of radiology and all of its component disciplines, improving radiologic service, safety and care to patients and the medical community, and studying the socioeconomic aspects of the practice of radiology; the encouragement of improved and continuing education for radiologists and allied professional fields; and the establishment and maintenance of high medical and ethical standards in the practice of radiology, its component disciplines, and allied professional fields.

Notwithstanding the foregoing or any other provision of these bylaws, no part of net earnings of the Chapter shall inure to the benefit of or be distributable to its members, directors, officers, or other private persons, except that the Chapter shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth above.

For purposes of these Bylaws, whenever the context requires:

- (a) the singular number shall include the plural, and vice versa;
- (b) the masculine gender shall include the feminine and neuter genders, the feminine gender shall include the masculine and neuter genders, the neuter gender shall include the masculine and feminine genders; and
- (c) the words include and including, and variations thereof, shall not be deemed to be terms of limitation, but rather shall be deemed to be followed by the words without limitation.

### **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**

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

The Chapter recognizes the 11 classes of membership as defined, determined, governed, regulated, and granted by the ACR according to the ACR bylaws: Member, Associate Member, Fellow, Allied Health, Retired Member and a Fellow, Fellow Emeritus, Honorary Fellow, International Member, International Member in Training, and Electronic Access International Member.

The Chapter adopts the requirements to qualify for the various classes of membership as determined by the College and defined in the current ACR bylaws. However, the rights, duties, and requirements of the classes of membership in the Chapter are defined below.

All members in each Chapter membership classification must be members, in good standing, of the American College of Radiology as well as the Chapter.

Because the classes of ACR membership and their definitions are subject to change from time to time, the classes of ACR membership will be incorporated into the eight classes of membership in the Chapter as suitable and according to their respective requirements: (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, (7) Affiliate Members, and (8) Part-time Member.

All Chapter members shall be bound by the bylaws of the Chapter.

Dues for these members shall be assessed in accordance with Article XI.

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 (ABR), the American Osteopathic Board of Radiology (AOBR), the American Board of Nuclear Medicine (ABNM), the Royal College of Physicians and Surgeons of Canada (the Royal College), the College

des medecins du Quebec (CMQ); or engaged in nuclear medicine 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 of high professional reputation;
- c. have the right to be appointed to committees, vote, and hold office in the Chapter.

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

- a. be a physician who is engaged in the practice of radiology on a full-time basis, who has completed an approved residency program in radiology, and who meets all the requirements of active membership except requirement (1)(a) 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. *Members in Physics.* A member in physics shall:

- a. be certified as a physicist by the American Board of Radiology;
- b. shall pay dues of no more than \$75 per year;
- c. have the right to be appointed to committees, vote, and 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 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. be those physicians who are in approved radiology residencies or fellowships, medical students registered in a formal educational program at a Liaison Committee on Medical Education (LCME) or American Osteopathic Association (AOA) approved medical school, and medical physicists who are registered in a formal educational program in medical physics. Members 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 a Member in Training until completion of the fellowship program;

- 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; and
- e. never have been a member of the Chapter before.

Within six (6) months after completion of training, the Member in Training will automatically be considered for transition to membership in the appropriate membership class unless he or she affirmatively declines membership.

6. *Allied Health Members* - Physicians not engaged in the practice of radiology, 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 by the Membership Committee are eligible to be Allied Health members of the College. Radiologist assistants must be certified by the American Registry of Radiologic Technologists (ARRT) as a Registered Radiologist Assistant. An Allied Health Member shall:

- a. have the right to be appointed to commissions and task forces;
- b. shall not have the right to hold elective office or vote.

7. *Retired or Inactive Members*

- a. Retired Member or Inactive Member status may be conferred by the Membership Committee and/or Executive Committee upon application of a Member who has fully retired from professional practice or who, in the judgment of the Membership Committee and/or Executive Committee, should be relieved from payment of dues.
- b. Retired members shall be those members who have retired from active practice.
- c. Temporarily inactive members shall be those from the above memberships who, for reasons acceptable to the Chapter's Membership Committee and/or Executive Committee, are temporarily unable to continue their practice.
- d. 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.
- e. 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.

8. *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 (primary chapter), but chooses to have membership in that state chapter;
  - b. pay dues to both chapters;
  - c. may have only one primary chapter (any member who is an active member of the primary chapter may be in affiliate member of the second chapter);
  - d. have the right to vote; however, he or she only has the right to vote in his or her primary chapter;
  - e. have the right to be appointed to committees; and
  - f. have the right to hold office in the Chapter.
  
9. **Part-time Member:** A Part-time Member is an active member who is engaged in less than full-time practice of radiology/nuclear medicine.
  - a. Part-time Member status may be conferred by the Membership Committee and/or Executive Committee upon application of a Member who requests such status, maintains an active membership of the College, maintains an active North Carolina Medical License and any other state medical license(s) required by the nature of his/her practice (e.g. teleradiography/telemedicine), maintains appropriate continuing medical education, and documents his/her work status.
  - b. The Membership Committee and/or Executive Committee has the right to establish reasonable guidelines for the amount of work required for membership dues adjustments as well as the minimal amount of work required to be granted Part-time Member status and the right to make case-by-case decisions.
  - c. Any reduction in membership dues requested by those seeking Part-time Member status will be considered by the Membership Committee and/or Executive Committee and will be subject to verifiable documentation of the current work status of the applicant as well as to periodic review. The Executive Committee may determine, from time to time, a schedule of adjusted membership dues for Part-time Member status. Neither the Membership Committee nor the Executive Committee are obligated to adjust membership dues for Part-time Members in their good faith and best judgment upon application of due diligence.
  - d. Part-time Members shall:
    - have the right to vote
    - have the right to hold committee appointments

- shall be required to pay dues at the rate of 50% of the full member dues or at an amount determined by the Executive Committee and
- are counted for Councilor allocation purposes.

## **Section 2**

Membership in the Chapter is a privilege, not a right, and is contingent upon continuing compliance with these bylaws and those of the College. Members are expected to be of good moral character and to adhere to the Code of Ethics set forth in bylaws of the College and the Chapter. Failure to comply with these requirements may serve as a basis for denial or revocation of Chapter membership.

Application for any of the classes of membership established in Section 1 of this article (other than through the introductory membership route) shall be in writing on a form provided by the Chapter secretary or the College. 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. An application must be endorsed by two active members of the Chapter who shall certify the applicant's qualifications for membership.

If an applicant is refused membership, reinstatement, or renewal, or an issue is raised regarding legal, ethical, or professional misconduct, the applicant may request a hearing on the denial of the application. The hearing shall be conducted in accordance with the procedures outlined in Article IV, Section 5, 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-Treasurer 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, Part-time, or temporarily inactive membership status by written request, which may be granted by the Membership Committee and/or Executive Committee.

#### **Section 4**

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

#### **Section 5**

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 item 9 of this article (Article V, Section 5, item 9). 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-Treasurer 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 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 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 the 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

## **Section 6**

Other than for introductory members, the Chapter adopts the centralized membership system of the College whereby:

- a. The American College of Radiology sends both the ACR and Chapter applications to the prospective member.
- b. The prospective new member sends the application for the ACR and Chapter membership to the ACR headquarters with the necessary supporting data to fulfill the state Chapter requirements.
- c. 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-Treasurer the Chapter form that the applicant fills out to be on file with the Chapter.
- d. 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-Treasurer along with the name and address of the new member.
- e. If objection to the application is received, the application will be remanded to the Chapter Secretary-Treasurer for further processing.

## **ARTICLE V-OFFICERS**

### **Section 1**

The officers of the Chapter shall be the President, the President-elect, the Vice-President, the Secretary-Treasurer, and the Councilors and Alternate Councilors. The offices of Secretary-Treasurer may be separated into offices of secretary and treasurer by a majority vote of the Chapter's Executive Committee. All Chapter officers shall be members of the American College of Radiology.

### **Section 2**

Election shall be by voice, hand count, head count, or ballot (as determined by the presiding officer) 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 count or ballot shall be taken on two candidates receiving the greatest number of votes.

## **ARTICLE VI-EXECUTIVE COMMITTEE**

### **Section 1**

The Executive Committee (EC) shall be composed of:

- the President,
- the President-elect,
- Vice-President,
- Secretary-Treasurer,
- the Councilors,
- Alternate Councilors,
- immediate past President,
- Editor of the Newsletter,
- Fellowship Chair,
- CME Chair,
- Membership Chair,
- Website Editor,
- CAC Chairman,
- RADPAC Advocate,
- the members of all committees, and
- CARROS representatives.

Exceptions shall be:

- members of the Committee on Judicial Affairs,
- the Nominating Committee,
- Associate Members,
- Associate Members in Physics,
- Members in Training,
- Members in Training in Physics,
- Allied Health Members, and
- Affiliate Members (unless the Chapter is their primary chapter, in which case they are allowed to vote). These individuals can serve on committees but will not be members of the Executive Committee.

The Executive Committee shall act for the Chapter between regular meetings of the Chapter and shall perform such duties as specified elsewhere in these bylaws.

### **Section 2**

On an annual basis and upon acceptance of appointment, all EC members shall be provided with a copy of the North Carolina Chapter of the American College of Radiology (NCACR)/North Carolina Radiological Society (NCRS) Confidentiality and Conflict of Interest Policy and Disclosure Form, which may be changed from time to time, and required to

complete and sign the acknowledgment and disclosure provided ~~and attached to these bylaws~~. All completed forms shall be provided to and reviewed by the Executive Committee and/or Committee on Judicial Affairs, as well as all other conflict information, if any, provided by Executive Committee members. **Copies of this policy and contact information forms will be held by and available through the Executive Secretary or as designated by the Executive Committee.**

### **Section 3**

The Executive Committee is authorized to disseminate information deemed important to the membership by email, placing the information on the Chapter's website, and/or by US mail to the members by the President, chairman of the committee on information, President-elect (chairman of the Program Committee), the Secretary-Treasurer, executive secretary, or designee of the Executive Committee.

Should this information require input or other designated action from members of the ACR/NCRS in good standing prior to a regularly scheduled meeting, such input and/or call to action can be accomplished electronically (e.g. by email, response to surveys, and other requested/specified input).

The above shall be considered an official means of communication with the membership. The intent is to enhance timeliness of decision-making and calls to action and not to replace the function and importance of scheduled meetings.

### **Section 4**

Select Chapter business, cleared by the executive committee in order to protect secure and/or sensitive information, may be conducted by electronic means (including email, surveys, votes, and other requested input).

## **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.

Past Presidents shall be afforded the courtesy and consideration of being included in communications, from the executive committee, various committees, commissions, task forces, political action activities, lobbying activities, and leadership groups.

Past Presidents will also be afforded an open invitation to attend meetings of the executive committee, other various committees and groups, as well as other executive committee and

Chapter activities.

## **Section 2**

In the absence of the President, or in his or her inability or unwillingness to act, the order of succession to the duties of the office shall be as follows: President-elect, Vice-President, and Councilor with the greatest seniority.

## **Section 3**

The Spring Program (the Chapter meeting held in the Spring) shall be organized by the current Vice-President and the Fall Program (the Chapter meeting held in the Fall) shall be organized by the President-elect or be designated by the President with the advice of the executive committee.

## **Section 4**

The Secretary-Treasurer (or 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 American College of Radiology a copy of the minutes of each meeting 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 of any special business to be brought before the Chapter. The notification of Chapter meetings may, however, be assigned to the Program Committee.

## **Section 5**

The Secretary-Treasurer (or treasurer) shall receive all moneys due the Chapter and shall disburse such moneys. He or she shall make a report of the funds of the Chapter at each annual meeting.

The Secretary-Treasurer (or treasurer) shall be authorized to spend monies as appropriated by the Executive Committee as remuneration for an executive secretary to perform such duties of the Chapter as he or she may be assigned.

## **Section 6**

The President, the President-elect, the Vice-President, and the Secretary-Treasurer shall each serve a term of one year, or until their successors are elected and qualified.

## **Section 7**

Vacancies occurring in any office of the Executive Committee (e.g. the President, the

President-elect, Vice-President, Secretary-Treasurer, Councilor, alternate Councilor, and CARROS representatives) shall be filled, for the remainder of vacant officer's term, by action of the Executive Committee. However, the Executive Committee is not a self-appointing body and it is expected that these occurrences will be uncommon and due to extenuating circumstances.

The Executive Committee may adjust the terms of office of their Councilors and Alternate Councilors as necessary to meet current ACR requirements, to align those terms with the provisions for taking office to meet the various goals of the Chapter such as providing staggered terms of office, or in order to allow a Chapter member to qualify for various ACR positions that require the holder of such position to be a Councilor or Alternate Councilor. Any additional time served pursuant to this adjustment provision shall not be counted against their respective term limits.

However, if the requirement to hold such an ACR position can be fulfilled by the position of Alternate Councilor and the member is a Councilor, his term shall not be extended to meet this requirement. Rather, he shall be appointed to the position of Alternate Councilor at the end of his term as Councilor unless doing so will void or nullify the ACR position to which he was elected or appointed. In such case, his term as Councilor can be extended until the term of his ACR position ends.

## **Section 8**

The President shall appoint such committees, commissions, task forces, and their chairmen, as are necessary for the proper functioning of the Chapter. Such appointments are not limited to members of the executive committee. However, some members appointed to committees will become members of the executive committee as determined by Article VI, Section 1. Committees and their chairmen may be established and populated in addition to the following standing committees:

### *1. Committee on Radiologic Practice*

This committee 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 policies of the American College of Radiology. This committee will also relate to third-party insurance carriers and refer policy problems to the Chapter.

### *2. Committee on Judicial Affairs*

This committee shall consider charges of unethical conduct or breach of the bylaws 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 an uneven number of no less than 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.

It is expected that issues coming before this committee will be infrequent, sporadic, and case specific. Because each such circumstance is likely to be unique, it is unlikely that a populated standing Committee on Judicial Affairs is necessary or ideal.

When the duties of this committee are required, the President shall appoint members who most appropriately meet the needs of the issue at hand to fairly represent the interests of the individual(s) brought before this committee as well as those who may be or have been affected by the action(s) of the individual(s). The following examples serve as guidance to the President and EC. These examples are not intended to be encyclopedic or all-inclusive of all possible scenarios: if the issue is one of large vs small groups, then there should be adequate and appropriate representation of one or more small groups in order to fairly represent the most vulnerable of those affected; likewise, a similar effort will be made if the issue is one of private practice vs academic practice or investor owned (physician owned or non-physician owned, radiologist owned or non-radiologist owned) practices vs private practice(s); in the use of “inside information” (similar in principle to concepts contained in the Market Abuse Regulation – MAR, but not necessarily or solely dealing with financial instruments, such as information not generally available, is specific and precise, and can provide a significant advantage to those possessing this information) to gain financial, political, or other competitive advantage over a member or member’s practice/group; influence or affect NCACR/NCRS/ACR policy or actions under the direction or influence of a non-radiologist/non-physician employer that is undisclosed and/or contrary to the interests or welfare of the membership, or other similar scenario. Every effort shall be made to effectively and appropriately represent the entity or entities affected by the individual(s) brought before this committee.

### *3. Fellowship Committee*

This committee shall annually review the membership of the Chapter for the purposes of nominating members to fellowship in the American College of Radiology. Where possible, this committee shall be composed of fellows of the College. The current directives of the American College of Radiology shall be followed in reviewing and making such nominations.

### *4. Technologist Advisory Committee*

This committee shall assist organizations and individuals in projects and programs undertaken to advance radiologic technology after such have been approved by the Executive Committee. The committee also will be responsible for furnishing names of radiologists to survey educational programs of radiologic technology to the Joint Review Committee on Education in Radiologic Technology.

### *5. 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 conducted by this committee.

#### *6. 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 three most recent past Presidents and at least two members elected by the Chapter who are not members of the Executive Committee.

#### *7. Bylaws Committee*

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

#### *8. Legislative Committee*

This committee should anticipate, and review legislation proposed that affects the practice of radiology in North Carolina. They shall make recommendations to the Executive Committee for consideration by the Chapter. Their findings shall be reported to the Chapter for action.

#### *9. Program Committee*

This committee will prepare programs for Chapter meetings, socioeconomic workshops for residents, and efforts in continuing education. It shall be chaired by the Vice-President for the Spring Chapter meeting and by the President-elect for the Fall Chapter meeting.

#### *10. Committee on Information*

The standing members of the Information Committee shall be as follows: Current Newsletter Editor, Current Resident and Fellows Section representative, Current Social Media Committee Chair, Current Webmaster; and, the Current President-Elect.

This committee shall serve as a communications vehicle for the Chapter and shall disseminate information on a continuing basis in such formats as a newsletter.

Regarding the dissemination of information to Chapter members, radiologist non-members, and the general public: the President of the North Carolina Chapter of the American College Radiology (NCACR) or his delegate, shall serve as the voice of our Chapter and the Chair of the COI, or his delegate, shall serve as an alternative authorized spokesperson for the Chapter.

The Chair of the Committee on Information (COI) should receive, verify, and edit information and coordinate when, where, and how information is to be disseminated.



The President and the Chair of the COI should endeavor to provide a consistent, coordinated message in all forums. The Chapter relies on the President and Chair of the COI to make wise choices in the distribution of information.

In the interest of developing and maintaining a repository of expertise, a record of Chapter history, and recognition for service to the Chapter; to the best of their ability, the Committee on Information will compile and keep current a list of all past Chapter Presidents, Fellows having earned fellowship while a member of the Chapter, and silver and gold medal recipients (who are members of the Chapter), with appropriate dates, and publish such list(s) on the Chapter website.

In order to help accomplish the above task(s) regarding historical information including Chapter awards, accomplishments, and member achievements, the COI through coordination with the Executive Committee, may establish and the President will populate the office of Chapter Historian whose job description will be determined by the COI, in coordination with the Executive Committee, and modified from time to time. By virtue of Committee membership, the Chapter Historian will be considered a member of the Executive Committee provided he or she meets the criteria set forth in Article VI, Section 1.

#### *11. Sections for Members in Training and/or Resident Physicians*

Members in training, members in training in physics, and/or resident physicians may organize in sections governed by their own bylaws, subject to the approval of the Executive Committee.

Note: Each standing committee shall, at the request of the President, present a report at the annual meeting of the Chapter and at any meeting of the Executive committee.

#### *12. Finance Committee*

The Finance Committee (FC) is a standing committee that manages the investments and funds of the Chapter in consultation with a qualified, bona fide Financial Advisor selected by the Executive Committee under advisement and input from the FC.

### **Section 1**

The purpose of the North Carolina Chapter of the American College of Radiology (NCACR) investment fund (IF) is to:

1. minimize membership dues,
2. mitigate against dues increases,
3. to make funds available for NCACR use in times of extraordinary need,
4. to occasionally supplement the NCACR operating budget, and
5. to fund special events under exceptional circumstances, e.g. the conferring of special

awards, special recognitions, special acknowledgements, and special functions.

## **Section 2**

The NC Chapter of American College of Radiology/NC Radiological Society and its Finance Committee will be guided by the Investment Policy Statement (IPS). The Chapter and Committee will maintain that Statement separately as an administrative policy.

### **1. Introduction.**

The Investment Policy Statement is set forth so that there is a clear understanding of the investment program, guidelines and objectives of the North Carolina Chapter of the American College of Radiology (hereinafter referred to as NCACR) Investment Fund and the Investment Consultant. It is the intent of this investment program to be sufficiently specific and meaningful, but also flexible enough to be practical.

This policy statement may change, from time to time, as determined by the Executive Committee in consultation with the qualified, bona fide Financial Advisor selected by the Executive Committee, under advisement and input from the FC, and/or under advisement of legal counsel if necessary. Copies of the current policy will be held by the Executive Committee Treasurer, Executive Secretary, and Chapter President.

### **2. Financial and Investment Objectives.**

The oversight and governance of the financial and investment objectives will be the responsibility of the NCACR Executive Committee. The NCACR Finance Committee will have the responsibility of the day-to-day operations of the Investment Fund.

The overall financial objective of the NCACR Investment Fund is to achieve capital appreciation to support meetings and membership expenses of the organization.

The primary investment objective of the NCACR Investment Fund is to seek a reasonable rate of return and longer-term capital appreciation without taking undue risk. Furthermore, a goal is to capture a high percentage of the broad market's upside while limiting the downside exposure. The portfolio should not be overly aggressive as to expose the NCACR Investment Fund to a full realization of a steep equity market decline.

Consistent with these objectives, NCACR will develop a spending policy governing withdrawals from the Investment Fund based on total return. It is understood that the NCACR Executive Committee may authorize withdrawals in excess of the normal spending policy pursuant to NCACR Bylaws.

It should be noted that the recommended spending policy is not to be considered an annual allowance and that all expenditures from the investment fund must be preapproved by the Executive Committee with concurrence by a simple majority of the Finance Committee members.

### 3. Portfolio Composition and Asset Allocation.

After assessing the degree of risk, the NCACR Investment Fund can tolerate and with the understanding that it is desired to increase the probability of accomplishing the objectives, a long-term asset allocation policy will be adopted and specified ~~in Exhibit A~~. The policy should be flexible enough to allow small tactical asset allocation changes, yet specific enough to prevent large asset allocation swings.

The Maximum Drawdown metric will be used to measure the potential peak to trough damage the current portfolio could experience during a severe bear market.

The Asset Mix Policy and acceptable minimum and maximum ranges established by the NCACR Investment Fund represent a long-term view. As such, rapid and significant market movements may cause the actual asset mix to fall outside the policy range, but any divergence should only be of a short-term nature.

### 4. Monitoring of Objectives and Results.

Total fund performance will be measured against appropriate benchmarks ~~as listed in Exhibit A~~.

Each individual manager, fund, hedge fund, asset class, etc. will be measured against the commonly accepted benchmark that most closely represents that investment vehicle's approach, style, or asset class.

### 5. Communications.

Communications between NCACR Finance Committee and the Investment Consultant shall consist of:

1. At least one annual meeting and telephone calls, electronic communications, and/or video conferencing with the investment consultant.
2. Review and discussion of any changes to investment objectives and guidelines.
3. Identification of any significant anticipated changes in cash flow.

## **Section 3**

Members of the FC shall be appointed by the Executive Committee.

There shall be a minimum of three (3) members of the FC comprised of:

1. the Treasurer (who shall be a permanent member to be replaced when this position is vacated),
2. Executive Committee member who is a past President who has extensive knowledge of the Chapter and its history,
3. Executive Committee member who is a past President.

It is expected that the nature of the Finance Committee will require the independent action of this committee due to the need for timely and expedient decisions and the Finance Committee is empowered to make some decisions for the Executive Committee and NCACR.

Each member of the Finance Committee acknowledges a fiduciary responsibility to the membership of the NCACR and operates under the oversight of the Executive Committee and direction of the NCACR Investment Policy Statement currently in place.

#### **Section 4**

Terms of Office:

Members shall serve staggered four-year terms (appointed every two years).

The treasurer shall be a permanent member to be replaced when this position is vacated through resignation or reappointment. The intent is that the treasurer will provide continuity.

#### **Section 5**

The protocol for withdrawal of monies from the investment fund is guided by the currently active Investment Policy Statement and the following stipulations:

1. The money available for expenditure from the Investment Fund, if any, shall be recommended by the Finance Committee based on performance of the fund and prior years' balances.
2. The spending policy established in the operational Investment Fund is not to be considered an annual allowance and all expenditures from the investment fund must be preapproved by the Executive Committee with concurrence by a simple majority of the Finance Committee members.
3. Less than or equal to 1% withdrawal from the Investment Fund requires a simple majority of the Executive Committee.
4. Greater than 1% withdrawal from the Investment Fund requires a supermajority (75%) of the Executive Committee with consideration of the protocol for withdrawal of monies from the Investment Fund as guided by the currently active Investment Policy Statement.
5. Decisions regarding withdrawing money from the Investment Fund must be made by a

formal vote of the Executive Committee at an attended meeting and not by electronic means.

## **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 shall be by voice, hand count, head count, or ballot (as determined by the presiding officer) 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 count or 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**

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 reelection 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 ensure that the terms of one-third of the Councilors or a number as near as practical to one-third will 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 take office at the end of the ACR annual meeting. The Executive Committee may adjust the terms of office of their Councilors and Alternate Councilors as necessary to align those terms with the provisions for taking office above. Any additional time served pursuant to this adjustment provision shall not count against the term limit above.

#### **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 presentation to the Council, 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- MEETINGS**

#### **Section 1**

The annual meeting of the Chapter shall be held at such time and at such place as shall be selected by the Executive Committee. Notice of the exact time and place of such meeting and any other information deemed important by the Executive Committee, shall be emailed, may be placed on the Chapter website, and/or mailed to the members by the President, President-elect, Secretary-Treasurer, executive secretary, or designee of the Executive Committee not less than 30 days prior to such date.

There shall be at least one additional regular meeting of the Chapter during each calendar year, the date to be decided by the Executive Committee, and the program developed by the President-elect (chairman of the Program Committee). The exact time and place of this meeting shall be emailed, may be placed on the Chapter's website, and/or mailed to the members by the President, President-elect, Secretary-Treasurer, executive secretary, or designee of the Executive Committee not less than 30 days prior to such date.

Election of officers shall be at the annual meeting of the Chapter, which is the spring 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 at least 10 members in good standing.

Notice stating the time, place and purpose of the meeting shall be emailed, may be placed on the Chapter website, and/or 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 the special meeting was called.

Should business be transacted requiring a vote, the option to place this issue before the general membership, during a regularly scheduled meeting shall be at the discretion of the Executive Committee. The vote taken at the called meeting shall be binding according to the provisions establishing a quorum, unless the Executive Committee exercises its option or until challenged by the general membership at the next regularly scheduled meeting of the Chapter.

### **Section 3**

A quorum shall consist of the voting members of the Chapter present at the scheduled meeting.

### **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
3. Report of the Secretary-Treasurer ( $\alpha$  secretary)
4. Report of the Secretary-Treasurer (or treasurer)
5. Report of the Membership Committee
6. Report of the President as chairman of the Executive Committee
7. Committee reports
8. Communications
9. Unfinished business
10. New business

11. Report of Councilors
12. Report of Nominating Committee
13. Election of officers
14. Election of at least two members-at-large to the Nominating Committee
15. Adjournment

### **ARTICLE X-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 XI-DUES AND ASSESSMENTS**

All active and associate members, members in physics, associate members in physics, affiliate members, inactive members who are members of the CARROS chapter, and (Part-time) members shall pay dues according to Article IV, 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.

Introductory members shall not be assessed for dues for the remainder of the billing 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.

Names of members in arrears in payment of dues or assessments shall be referred to the Executive Committee for action.

The Executive Committee, by executive policy, may determine a standard course of action for advising, reprimanding, or expelling members in arrears in payment of dues or assessments and advise the Secretary-Treasurer to discharge that policy on behalf of the Chapter. This policy shall not be in conflict with any policy of the American College of Radiology.



## **ARTICLE XII-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 of proposed amendments not less than 30 days prior to such meeting. Notification of the membership shall be accomplished by email, may be placed on the Chapter website, and/or by U.S. Mail of this posting. If the proposed amendments are posted on the state Chapter's web page, paper copies will be made available through the state Chapter secretary by individual request.

### **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. This conformity shall be established by forwarding copies of the proposed amendment(s) to the College office before such amendment shall be added to the bylaws of the Chapter.