

MISSISSIPPI RADIOLOGICAL SOCIETY BYLAWS

Article I-Name

The name of this organization shall be the Mississippi Radiological Society, Chapter of the American College of Radiology, hereinafter referred to as the "chapter."

Article II-Purposes

The purposes of the chapter shall be those of the American College of Radiology, hereinafter sometimes referred to as the "College": 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

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. MEMBERS 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 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 be required to join the chapter within two years of the date they completed their training. Dues for these members shall be assessed in accordance with Article XI.
6. Retired or Inactive Members
 - a. Retired members shall be those active members, associate members, members 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 appointments 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 this state chapter;
- b. pay dues to both chapters;
- c. have the right to be appointed to committees.

SECTION 2

Application for any of the classes of membership established in Section 1 of this article 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. An application must be endorsed by two active members and the executive committee of the chapter who shall certify the applicant's qualifications for membership. Applicants must then be approved for membership by two-thirds of the members present at the next chapter meeting.

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's 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. Such transfer must be endorsed by the Executive Committee and approved for membership by two-thirds of the members present at the next chapter meeting.

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 the 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 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 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 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 vice president-president elect, the secretary, the treasurer, and the councilors and alternate councilors. The offices of secretary and treasurer may be combined. All chapter officers shall be members of the American College of Radiology.

Section 2

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

Article VI-Executive Committee or Board of Directors

The Executive Committee shall be composed of the president, the vice president-president elect, immediate past president, secretary, treasurer, and the councilor(s). 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 or her inability to act, the order of succession to the duties of the office shall be as follows:

- (1) Vice president-president elect, (2) Secretary, (3) Treasurer.

Section 3

The secretary shall record and preserve the minutes of the proceedings of meeting 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.

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.

Section 5

The president, the vice president-president elect, secretary, and treasurer shall each serve a term of one year, or until their successors are elected and qualified.

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 to include the following standing committees:

1. 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.

2. Nominating Committee

This committee shall present to the annual meeting nominations for all offices established in these bylaws and shall, when possible, consist of three past presidents and at least two members elected by the chapter who are not members of the Executive Committee.

3. Radiation Oncology Committee

The members of this committee shall be those members of the Mississippi Radiological Society who practice radiation oncology and are Board Certified in therapeutic radiology or radiation oncology. As a committee they will elect a chairman and vice-chairman to serve two year terms. The chairman of the committee will serve on the Executive Committee of the Mississippi Radiological Society. The purpose of the committee will be to address issues specific to radiation oncology and any other related issues requested by the President of the Mississippi Radiological Society. A report from this committee will be presented to the full Society at its annual meeting. The committee shall not adopt any policy or take public position inconsistent with those of the Mississippi Radiological Society or the American College of Radiology.

The president will also appoint committees for special purposes as deemed necessary. One of these shall be the Committee on Judicial Affairs. Its function shall be to consider charges of unethical conduct involving a member of the chapter. The Judicial Affairs Committee shall be composed of three members appointed by the president with the approval of the Executive Committee. Except for the chairman, members of the Executive Committee shall not be appointed to the Committee on Judicial Affairs. Other committees shall function at the discretion of the president and/or Executive Committee.

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

Section 3

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 should take office within three months before the opening day of the College's annual meeting.

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 ideals, 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-Meetings

Section 1

The annual meeting of the chapter shall be held at such time during the fall 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 5 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. Election of new members
6. Report by the president as chairman of the Executive Committee
7. Committee reports
8. Communications
9. Unfinished business
10. New business
11. Report of councilor(s)
12. Report of the Nominating Committee
13. Election of officers
14. Adjournment

ARTICLE X - Standing Rules

Robert's Rules 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, 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 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 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.

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 by mail of proposed amendments no fewer than 30 days prior to such meeting.

Section 2

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