

2012 AMCLC

PROCEDURES OF THE COUNCIL

Introduction to ACR Policies & Procedures



PURPOSE

This document sets forth procedures governing the conduct of business during meetings of the Council of the American College of Radiology.

AUTHORITY

Article IX, Section 8 of the ACR Bylaws (DUTIES OF THE SPEAKER AND VICE-SPEAKER) provides that the Speaker give “general supervision to the conduct of the affairs of the Council...,” and that “(I)n the speaker’s absence, or at the discretion of the speaker the vice-speaker shall preside”. These procedures have been developed with the intent of formalizing the Speaker’s guidance regarding conduct of the affairs of the Council.

INTRODUCTION OF BUSINESS

Tradition governs a substantial portion of each session of the Council. Reports by the Chairman of the Board, Chief Executive Officer, and others along with the information session are examples of routinely recurring items. It is the prerogative of the Speaker to permit as many of these as are appropriate without unduly intruding upon the time necessary for the Council to complete its regular business.

In general, business items (reports, resolutions, etc.) are available via the ACR Web portal at <http://amcl.acr.org>. Additions to the agenda may be arranged through the Speaker, or by a two-thirds (2/3) vote of the Council. Generally, the Speaker discourages extraneous unscheduled presentations in order to conserve the time of the Council for its immediate deliberations.

REPORTS

Reports are routinely received as business of the Council when they come from the Board of Chancellors and certain officials/liason representatives of the College. Reports are usually referred to appropriate Reference Committees for review and recommendation.

Fiscal Note: All reports introduced to the Council whose implementation necessitates an expenditure of funds must include a fiscal impact note. No report requiring new or additional funding will be considered by the Council without a fiscal impact note.

RESOLUTIONS

Business is introduced to the Council through the presentation of resolutions. Resolutions may be submitted by individual councilors, chapters, the Council Steering Committee or the Board of Chancellors.

- Resolutions must be submitted to the ACR Headquarters no later than the ninety (90) days prior to the annual meeting at which they will be considered

- All proposed amendments to the ACR Bylaws received in a timely manner as outlined in Article XIV of the ACR Bylaws must be sent to the entire ACR membership via email and posted on the ACR AMCLC web page no later than thirty (30) days prior to the AMCLC. Any proposed bylaws amendment received after the specified deadlines but in time to allow the thirty (30) day notice to members as set forth above will be reviewed by the Bylaws Committee to determine whether it is sufficiently urgent to require immediate consideration by the Council at the annual meeting. The Committee may request sponsors to provide information on the urgent nature of the late proposed amendment. Late bylaws amendments require a two-thirds (2/3) vote of the Council to be considered at that annual meeting and a four-fifths (4/5) vote for adoption.
- Any late resolutions received after the deadline, but at least seventy-two (72) hours before the opening Council session, will be reviewed by the Council Steering Committee before the opening Council session.
- The Council Steering Committee requires sponsors or submitters of late resolutions to provide information on the emergent nature of the resolution. If necessary, a proponent of a late resolution will be invited to meet with the Council Steering Committee and provide rationale for the emergent nature of the late resolution.
- Any late resolution that is neither approved for inclusion at the AMCLC nor submitted in time to be reviewed by the Council Steering Committee shall require a two-thirds (2/3) vote for consideration by the Council.
- The submitter and/or sponsor shall be identified on each resolution.

Fiscal Note: All resolutions introduced in the Council must include a fiscal impact note. The following guidelines **should** be used in the development of appropriate fiscal information:

- Resolutions requiring the expenditure of funds should show a specific dollar amount where possible.
- Resolutions that call for action for which a precise cost estimate cannot be determined should indicate that a substantial commitment of resources may be necessary for implementation.

Deferred Resolution: When a resolution presents a legal problem for the College, the Speaker and/or staff will contact the sponsor or submitter and discuss the problem with the resolution as prepared. If the sponsor or submitter is able to remedy the situation, then the resolution will be distributed in a routine manner. However, if, for whatever reason, resolution of the legal problem is not possible, the Speaker will designate that resolution as a “deferred” resolution. The Council Steering Committee will then be asked to consider the problem and decide whether to sponsor or submit an alternative. In the meantime, the resolution will not be posted on the AMCLC Web portal. If a late resolution presents a legal problem, the Speaker and/or staff will contact the sponsor or submitter. The sponsor or submitter will be asked to meet with the Speaker, the Council Steering Committee, and legal staff.

Memorial Resolutions: The Council may receive memorial resolutions to remember an individual who has made significant contributions to the ACR. The Speaker will announce the memorial resolutions and call for a moment of silence.

Structure of Resolutions:

- The essential element of a resolution is its portion expressed as one or more “Resolved” paragraphs setting forth its specific intent.
- A resolution may carry with it a preamble, explaining the rationale of the resolution. This is usually accomplished by a series of “Whereas” paragraphs.

It is not necessary for a resolution to have a preamble or “Whereas” when the full significance of the resolved portion seems apparent. If such introductory statements are supplied, they should identify the problem briefly, advise the Council as to the timeliness or urgency of the problem, the effect of the issue upon the College, and indicate if the action called for is contrary to, or will revise, current College policy.

Standard parliamentary procedure provides that an assembly, in adopting a resolution, formally adopts only the “Resolved” paragraph. Therefore, the issue being presented before the Council must be stated in a free-standing “Resolved” paragraph(s). It is **not** necessary or useful to amend the language of the introductory portions of a resolution. On occasions the introduction to a resolution will contain detailed sets of guidelines, rules, regulations, or principles, which the resolution proposed to approve. In such circumstances, it may be entirely appropriate to amend this related material to bring it into conformity with the will of the Council.

In general, the question that will ultimately be before the Council is the adoption or other disposition of a specific “Resolved” or a series of “Resolved” paragraphs.

Resolutions submitted months in advance of the Council meeting may not be current, or may recommend actions that have already been accomplished, or may be otherwise inappropriate. If such resolutions are not withdrawn, it may be advisable for the Reference Committee to note the circumstances and recommend referral of such resolutions to the Board of Chancellors. This may also apply to resolutions that reaffirm existing policy.

When preparing resolutions, close attention should be given to the following:

- The title of the resolution should appropriately reflect the action for which it calls.
- Information contained in the resolution should be checked for accuracy. Inflammatory statements or other language that reflects poorly upon the College will not be permitted.
- The “Resolved” statements should stand alone and not refer back to the preamble since the Council adopts only the “Resolved” paragraphs and the “Whereas” paragraphs do not appear in the Minutes.

- Fiscal notes shall set forth the estimated cost, if any, of the policy, program or action proposed by a resolution.
- The submitter and/or sponsor shall be identified on each resolution.

Early submission of resolutions permits the Speaker to confer with the submitters and/or sponsors regarding technical corrections.

Presentation of Resolutions: At the appropriate time, the Speaker will call for the introduction of resolutions by Reference Committees. Resolutions that have complied with the deadline date established in the Bylaws will be regarded as officially received. Opportunity will be given, however, for the presentation of such changes in any resolution as the submitter and/or sponsor may wish to make. Similar opportunity will exist for the withdrawal of any resolution by the submitter and/or sponsor without vote.

Late resolutions, as defined above in these procedures that are approved by the Council Steering Committee, will be distributed to the Council.

REFERENCE COMMITTEES

Reference Committees are groups of at least four councilors selected by the Speaker to conduct open hearings on the business of the College. Having heard discussion on the subject before it, the Committee, in a closed session, prepares a report with recommendations to the Council for disposition of its items of business. College staff is assigned to support the reference committee process.

Reference Committee hearings are open to all members of the College and guests. Any member of the College is privileged to speak on the resolution or report under consideration. Non-member physicians and guests may, upon recognition by the chair, be permitted to speak. The chair is privileged to call upon anyone attending the hearing if the individual called upon may have information that would be helpful to the Committee.

Equitable hearings are the responsibility of the Committee chair, and the Committee may establish its own rules on the presentation of testimony with respect to limitations of time, repetitive statements and the like. **Photography, television filming, and the introduction of recording devices are not permitted.** Reference Committee members may ask questions to be sure that they understand the opinions being expressed, or may answer questions if a member seeks clarification. However, Committee members should not enter into arguments with speakers or express opinions during the hearings. It is the responsibility of the Committee to listen carefully and evaluate all the opinions presented so that it may provide the voting body with a carefully considered recommendation.

The Reference Committee hearing is the proper forum for discussion of controversial items of business. In general, councilors who have not taken advantage of such hearings for the presentation of their viewpoints or the introduction of evidence should not do so initially on the floor of the Council. **If councilors are unable to attend one Reference Committee hearing**

because they are attending a concurrent Committee hearing, or serving on that concurrent Committee, they may present testimony on the first Committee's report at the Council's open session.

Following its open hearings, the Reference Committee will go into executive session for deliberation and construction of its report. It may call into such executive session anyone whom it may wish to hear or question. However, as a general rule, the executive session of the Reference Committee is closed to members of the Council, thus no councilor has a right to attend or address an executive session.

REFERENCE COMMITTEE REPORTS

Reference Committee reports comprise the bulk of the official business of the Council. They need to be constructed swiftly and succinctly after completion of the hearings in order that they may be processed and made available to the councilors before the beginning of the next day's sessions.

Reference Committees have wide latitude in their efforts to facilitate expression of the will of the majority on the issues before them and to give credence to the testimony they hear. They may amend resolutions, consolidate kindred resolutions by constructing substitutes, and they may recommend the usual parliamentary procedure for disposition of the business before them, such as adoption, not adoption, amendment, or referral.

During the presentation of the Reference Committee report, each item or resolution assigned to the Reference Committee is brought before the Council for disposition together with the Reference Committee recommendations via a consent calendar format. In the event that a number of closely related items of business have been considered by the Reference Committee and the Committee has proposed a substitute resolution, the substitute resolution is the issue before the Council for discussion.

The Council also uses the consent calendar format for the review of ACR practice guidelines and technical standards resolutions and other appropriate items. ACR practice guidelines and technical standards go through a lengthy, open and vigorous review process leading up to their presentation to the Council. In view of that open process, **amendment of ACR practice guidelines and technical standards resolutions is limited to Reference Committees.**

All practice guidelines and technical standards resolutions considered by a Reference Committee will be grouped at the end of the Committee report and placed on the consent calendar along with the remainder of the resolutions from that reference committee. The Reference Committee may recommend that a group of practice guidelines and technical standards be adopted, adopted as amended by the Reference Committee, not adopted, or referred back to the appropriate committee that drafted the practice guideline or technical standard. (Note that a Reference Committee may have up to four (4) groups of standards – those recommended for (1) adoption, (2) adoption as amended by the Reference Committee, (3) not adopted and (4) referral.) Prior to voting, the Speaker will allow time for any councilor to request that a practice guideline or technical standard be removed from the consent calendar. **Practice guidelines and technical standards that are removed will be considered separately after considering those remaining**

on the consent calendar. The practice guidelines, technical standards, and other remaining items on the consent calendar will be voted up or down as a block.

The Council may vote to:

- Adopt the practice guideline(s) or technical standard(s) as submitted;
- Adopt the practice guideline(s) or technical standard(s) as amended by the Reference Committee;
- Not adopt the practice guideline(s) or technical standard(s); or
- Refer the practice guideline(s) or technical standard(s) to the committee that drafted it for consideration of comments.

In cases where the Reference Committee has amended section(s) of the practice guideline or technical standard, the Council may restore the original wording of that section(s). Minor editorial changes will be accepted which do not materially affect the practice guideline or technical standard.

On other issues Reference Committees may take the following actions:

1. **The Reference Committee is reporting on informational material provided to the Council that encompasses no specific proposal for action.** The Reference Committee expresses appreciation of the report and recommends that the matter be filed as informational. The Chair declares the original issue before the Council for discussion. In the absence of any other motion from the floor, the Chair puts the question on the adoption or approval of the Reference Committee recommendation to file for information. When it appears that there is no debate, the Chair may declare “it is filed” without the necessity of a formal vote. Such a statement records the action and concludes such an item of business.
2. **The Reference Committee is reporting on a resolution, which, in its opinion, should not be adopted, and it so recommends.** The Chair places the resolution before the Council for discussion. In the absence of other motions from the floor, the Chair, at the appropriate time, puts forth the question on adoption of the resolution, making it clear that the Reference Committee has recommended not adoption of the resolution.
3. **The Reference Committee is reporting on a resolution or report that it feels should be referred for further consideration to the Board of Chancellors.** The Chair places the original issue before the Council for discussion. It may be that the Council prefers to adopt this issue, amend it, postpone it, or table it, any one of which it is free to do; or the Council may wish to follow the Reference Committee's recommendation.

If there is no motion from the floor, the Chair will put the motion on the recommendation of the Reference Committee “**to refer.**” If this fails to pass, the motion is again on the adoption of the resolution or report.

4. **The Reference Committee is reporting on a resolution or report, which it wishes to amend by addition, deletion, alteration, or substitution.** In order to permit the normal procedures for parliamentary handling, the matter that is placed before the Council for discussion is the amended version as presented by the Reference Committee together with the recommendation for its adoption. It is then in order for the Council to apply to this Reference Committee version amendments of the first and second degree in the usual fashion. Such procedure is clear and orderly and does not preclude the possibility that someone may wish to restore the matter to its original unamended form. This may be accomplished quite simply since it may be moved to amend the Reference Committee version by restoring the original language.
5. **The Reference Committee is reporting on two (2) or more related resolutions and wishes to recommend a consolidation into a single resolution, or it wishes to recommend adoption of one of these items in its own right as a substitute for the rest.** For orderly handling, the issue before the Council for consideration is the recommendation of the Reference Committee of the substitute resolution. A motion to adopt this substitute resolution is a main motion and is so treated. If the Reference Committee's version is not adopted, the entire group of proposals has been rejected, but it is in order for any councilor to then propose consideration and adoption of any one of the original issues.

FORM OF ACTION UPON REPORTS AND RESOLUTIONS

There should be clear understanding of the precise effect of the language used in disposing of items of business. There has been variance in interpretation of such proposals as "to accept for information," "to approve in principle," or "to approve," "accept," or "adopt."

In the interest of clarity the following recommendations are offered so that the Council may accomplish its intent without misunderstanding:

1. When the Council wishes to acknowledge that a report has been received and considered, but that no action upon it is either necessary, the appropriate proposal for action is that the report be "**filed.**" For example, a report that explains a government program or regulations, or clarifies the issues in a controversial matter, may properly be filed as informational. This does not have the effect of placing the College on record as approving or accepting responsibility for any of the material in the report.
2. When a report offers recommendations for action, these recommendations may be "**adopted**" which has the effect of making the College responsible for the matter. In the interest of clarity, the use of the terms "accepted for information" or "approved in principle" should be avoided. The term "endorse" means to express definite approval of, implying a commitment to implementation not otherwise expressed.
3. When the Council does not wish to assume responsibility for the recommendation of a report in its existing form, it may take action to "**refer**" to the Board of Chancellors, to "**-not adopt**" the report in entirety or in specific part, or to adopt as amended ("**amend and adopt**").

4. The Council should take a definite action on resolutions and only if necessary reaffirm current policy. In the event that **“no action”** is the only appropriate posture for the College with respect to a particular resolution, the chair of the Reference Committee, after consultation with the Speaker, may recommend **“no action.”** Such a motion if adopted is the equivalent of a motion to postpone indefinitely and results in suppression of the resolution for the current meeting and in effect quashes it.
5. From time to time the Reference Committee will report on a resolution that calls for a policy position contrary to or at variance with existing policy. The committee may recommend reaffirmation of existing policy as an amendment by substitution in lieu of the original resolution. However, the committee should recommend –not adoption of those resolutions that are contrary to existing policy, particularly since the entire Council has not had the benefit of a thorough review of existing policy. Reaffirmation is relatively indecisive since the previous policy has not been specifically reintroduced and debated. The appropriate recommendation therefore would be for a negative vote. Thus, with a negative vote previous policy in effect will be reaffirmed.

NOTE: A report or resolution is **“received”** when it is introduced as the business of the Council at its opening session. The Council may decline to receive a matter only by objecting to its consideration at the time of its introduction. For this reason, it is inappropriate to propose as a final action that a matter be **“received”** or **“received for information.”**

PARLIAMENTARY PROCEDURE IN THE COUNCIL

It is necessary in an assembly of over 500 councilors, alternate councilors, and others to insist that each individual speaking to an issue be at a microphone, be recognized by the chair, and be properly identified for the information of those present.

As noted in Article XV of the ACR Bylaws and in the absence of specific provisions to the contrary in the Bylaws of the College or in this manual of “Procedures of the Council,” the Council shall be governed by Sturgis’ Standard Code of Parliamentary Procedure.

A few comments on specific procedures.

- A. **The motion “to refer”:** If it is desired that a matter be referred to the Board of Chancellors, it should be specifically indicated if a report back to the Council is desired at a definite time. Without such a directive, the matter of reporting back and its timing is up to the body receiving the referral. If the motion to **“refer”** is adopted, all pending or adopted amendments as well as the subject are referred.
- B. **The motion to “reconsider”:** If a motion to **“reconsider”** is sustained, the situation reverts to the exact position it occupied prior to its previous disposition, e.g., the action which is being reconsidered.
- C. **The motion to “recall”:** In order to undo a motion to refer which has been adopted by the Council at the same session, a technique for calling back a referral is the use of the motion to **“recall.”** The motion to **“recall”** is similar to the motion to reconsider in terms of its intent, but the motion to reconsider can be applied only to a main motion and the motion to

refer is a subsidiary motion. The motion to “**recall**” requires a second and is debatable, but only as to the reasons for and the propriety of “**recall.**” Not debatable is the substance of the main motion itself or any of its pending amendments except as they might apply to the appropriateness of “**recall.**”

Except for the inability to amend and the applicability only to the motion to refer, the motion to “**recall**” has the same rules applied to it as those applied to the motion to refer. It is a subsidiary motion and is of a higher rank than the motion to refer in the order of precedence established for subsidiary motions.

- D. **The motion to “amend” something already adopted:** Not infrequently it becomes desirable on the basis of after-thought or further consideration to modify an action that has already been taken. If the modification is a simple addition to the action taken, rather than a substantive change, it is not necessary to “**reconsider.**” A motion to “**amend**” the previous action is in order and it becomes a main motion.

- E. **The “previous question” or a motion to “vote immediately”:** Many people cling to an archaic form that has meant different things at different times in parliamentary history. The “**previous question**” is no longer used by the Council, which prefers its modern counterpart, a motion to “**vote immediately**”. It requires a two-thirds (2/3) affirmative vote to sustain such a motion. It is, in effect, a statement by the assembly that it has heard enough and wishes to vote on the matter at hand at once. It applies only to the immediately pending question unless the councilor making the motion to vote immediately qualifies the motion by specifically stating that it applies to all pending questions. A motion to “**vote immediately**” on all pending matters will only be accepted if the Speaker rules that both sides have been heard on all pending matters. In the event such latter motion prevails, the Council must act without further debate on the item of business and all pending amendments in proper order of precedence.

The Chair will not recognize the motion to vote immediately or terminate debate as being “in order” if it is added at the conclusion of a significant discussion of the immediately pending question. At the option of the Speaker, a motion to “**vote immediately**” will not be accepted until the Council has heard at least one speaker representing each side of the issue.

- F. **“Withdrawal” of a resolution:** Occasionally the sponsor or submitter of a resolution becomes persuaded that his or her resolution is inappropriate, untimely, or no longer needed. At any time prior to the introduction of the resolution as the business of the Council, with referral to a Reference Committee, the sponsor or submitter may withdraw his resolution and it does not become the business of the Council. After referral to a Reference Committee, it is the business of the Council. At the time of the Reference Committee hearings, the sponsor or submitter may become persuaded that he would like to withdraw the resolution, and may suggest to the Reference Committee that withdrawal would be preferable to other action. If the Reference Committee agrees, and the sponsor or submitter concurs, it may recommend to the Council in its report on the matter that “**leave to withdraw**” be accorded by the Council. The Chair, having confirmed approval by the sponsor or submitter, puts the question on granting “**leave to withdraw.**” A majority vote in the affirmative accomplishes withdrawal.

- G. **The motion to “postpone” or “defer consideration” of a question:** Such deferment may take two forms: (1) **“Postpone Definitely,”** or (2) **“Postpone Temporarily.”**
1. To **“postpone definitely”** is of higher rank than referral, and a lesser rank than limiting debate, and can be amended as to the definite time for consideration, with debate limited to brief discussion of the time or reason for postponement.
 2. To **“postpone temporarily”** is the same motion as to “table” and is the highest ranking subsidiary motion to be applied to a main motion, and requires a majority vote and can have no other motions applied to it. It can be applied to a motion even after it has been determined that debate on the motion has been terminated which would, in effect, temporarily postpone that vote on the main motion to which no other debate can be applied and allow the motion to be brought from the table for resumption of debate. When such debate is resumed, if the vote to terminate debate has been previously decided, it would simply require that the vote, at that time, be taken without further debate.

RESOLUTION NO. _____**

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<<Title of Resolution>>

WHEREAS, this is where the explanation or reasoning behind the resolution should be placed, and

WHEREAS, you can have as many whereases as you need, and

WHEREAS, you can have as many whereases as you need, and

WHEREAS, you may need many whereases to communicate the need for this resolution; therefore

BE IT RESOLVED,
that (this is what you feel should become policy of the ACR), and

BE IT FURTHER RESOLVED,
that (you may have as many "further resolved" paragraphs as necessary).

Submitted by: (One or more of the following: Councilor, Chapter, Council Steering Committee, or Board of Chancellors)

Sponsored by: (One or more of the following: Councilor, Chapter, Council Steering Committee, or Board of Chancellors)

****PLEASE NOTE:** *Do not insert a number – numbers will be assigned*

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Fiscal Note

<<Title of Resolution>>

To support the <<Title of Resolution>>, the ACR would incur the following estimated costs:

Costs:

Line items	\$ (est)
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