



**Wisconsin Radiological Society
Board of Councilors Meeting
8:30 am, Saturday, October 11, 2008
The Delafield Hotel, Delafield, Wisconsin**

Call to order: Lonnie Simmons, MD, President; M. Kristin Thorsen, MD, Past-President; Michael Braun, MD, President-Elect; Lynn S. Broderick, MD, FACR, Vice President; Gregg A. Bogost, MD, FACR, Paul Larson, MD, FACR, Cameron F. Roberts, MD, FACR, Board of Censors; Tim Swann, MD, Gerald Mulligan, MD, FACR, Councilors Sara Arnold, MD, John Aufderheide, MD, Alternate Councilors; Beth Burnside, Director at Large; Greg Heideman, MD, Resident Section; Michael Blumenfeld, Legislative Counsel; Jenni Rodriguez, Jane A. Svinicki, CAE, Staff;

1.0 President's Report – Lonnie Simmons, MD: Dr. Simmons discussed his activities as President. He attended the ACR meeting in May and discussed ways of increasing awareness and pride in the WRS with other members. He attended a conference call with Leonard Berlin of the ACR leadership, along with several other WRS Council members. There was an update on the PRED program, this is an attempt to get a qualified list of radiologists nationally. State chapters are assisting with this effort.

WRS initiatives for Dr. Simmons presidency included reaching out to practices on the west side of the state. He also wants to increase physicist involvement in WRS.

It was reported that D & O insurance was investigated and obtained at a reasonable cost through Aon Insurance Company.

2.0 Secretary Treasurer Report – Tim Crummy, MD, FACR: J. Svinicki reported for Dr. Crummy who was not able to attend.

2.1 2008 Year to Date Financial Report: The WRS financial report was reviewed. Year to date there is a net gain of \$16,270. The technology support of \$5,000 was sent to WSRT and \$1,500 was provided for the Resident Brewers outing. All other income and expense items were within budget parameters.

2.2 2009 Budget: The 2009 budget was presented. There was discussion on budgeting for another Resident outing at \$1,500. There was discussion on the need for additional support for the activities of WSRT.

Action: Support for the WSRT will be discussed at the April 24, 2009 Board meeting.

MOTION: It was moved by Dr. Larson and seconded by Dr. Braun to approve the 2009 budget as presented with the addition of \$1,500 for a Resident Brewers event. **Motion passed.**

2.3 Approval of the Minutes: The minutes of the April 25, 2008 Council meeting were distributed in advance.

MOTION: It was moved by Dr. Swann and seconded by Dr. Thorsen to approve the minutes of the Board of Councilors meeting of April 25, 2009. **Motion passed.**

2.4 Approval of the ACR Dues Income Processing: J. Svinicki discussed the current process for receiving ACR dues income for the chapter. ACR collects the dues and sends the check to the WRS Treasurer, Dr. Crummy, who forwards the check to the WRS office for deposit. ACR is not able to do electronic deposit of dues to the WRS checking account at the current time, but is planning to move to this method. To avoid the additional step, she requested the Board consider having the checks sent directly to the WRS office for deposit. Copies of the check could then be sent to the Treasurer as a verification of deposit.

MOTION: It was moved by Dr. Swann and seconded by K. Thorsen that the ACR dues checks be sent directly to the WRS office, with copies of the checks forwarded to the Treasurer. **Motion passed.**

3.0 Committee Reports

3.1 Legislative:

3.1.1 Technologist Licensure: This legislation was stalled in the last session of the state legislature. There was discussion on active support measures that could be taken by WRS Council members in passing this legislation. M. Blumenfeld suggested starting now to make legislative contacts, particularly with Mike Huebsch and Leah Vukmir. The legislation does provide exemptions for dental, chiropractic, family physicians, and podiatrists.

Action: M. Blumenfeld will distribute a list of legislators to the Council (with email contact information) to use in activities to support passage of the technologist licensure.

Blumenfeld discussed the status of legislative races around the state of Wisconsin. It is anticipated that if Barack Obama is elected President, Governor J. Doyle may be appointed to a position in the federal government.

HRS 157: There is a re-write occurring on rule HFS 157 at the state level. The state is asking for volunteers to serve on Taskforce to assist in the re-write. P. Larson suggested that a physicist member of WRS serve on this Taskforce .

Action: Dr. Arnold and Dr. Swann (Randell L. Kruger, PhD) will contact physicist members of their organizations to serve on this Taskforce. They forward the names of candidates to Jane Svinicki by the end of October.

Political Donations: There was discussion on making a donation to Leah Vukmir. This could be done through the SMS Wis Med Pac. M. Blumenfeld also said that members could be solicited for personal donations to Vukmir's campaign and these checks deliver to her at a meeting with WRS members noting they are from members of the WRS.

Action: Drs. Heideman, Arnold and Thorsen agreed to coordinate collection of donations and meet with Leah Vukmir.

3.2 CAC: Dr. Mulligan reported WPS is the current Midwest carrier for Medicare. The carrier contract was opened up for re-bidding in September 2008 and WPS is considered a leading bidder for this multi-state region. Dr. Mulligan also reported that at the five-year review of CT Colonography, it was decided to exclude it from preventative medicine guidelines

3.3 Economic Committee: K. Thorsen reported that the Committee had held two meetings with Anthem/Blue Cross in 2008 and another meeting was scheduled before the end of the year. The Committee still plans to expand these meeting to include other 3rd party payers.

Dr. Braun reported on his upcoming meeting with the WPS Physician Advisory Committee. He said the Committee receives about 20 inquires a year regarding reading of the films. It was suggested to refer those inquiries to Medistar to adjudicate.

Business Managers: There was discussion on the meetings of the Business Managers informal networking group. The group meets occasionally to discuss issues impacting radiology group practices. It was suggested that WRS work closer with this group.

Action: J. Svinicki will contact business managers Al Jensen (Dr. Braun) 414-464-0461 and Russ Lean (M. Thorsen) to discuss possible support and group meetings with WRS of this fledgling organization. It was suggested the business managers appoint a liaison to the WRS Board and to consider a conference call in the fall and a meeting during the April 2009 WRS meeting.

3.4 Program Committee: Dr. Simmons reported that “3TMRI – Is 3T Right for Your Practice?” was the topic for the April 2009 WRS meeting. The meeting will be April 25 at the American Club with a Council meeting the night before on April 24, 2009. Speakers were discussed and Drs. Braun, Simmons and Crummy will provide topics and speakers for the talks.

Potential vendors for the meeting were discussed. J. Svinicki urged Council members to make the initial contact and then forward the contact information to the WRS office for follow-up. The cost of the exhibit space is \$1,000.

Ways to increase participation with the vendors was discussed. More time will be allocated to the morning break for vendors. Food will be intermixed in the vendor area. A give-away (iPod or iPhone was suggested) will be done in the exhibit area.

3.5 Fellowship Committee: Dr. Larson reported that all six candidates submitted for 2009 Fellowship status were approved: Robert J. Gould, MD, Charles E. Kahn, MD, Fred Klein, MD, Myron Pozniak, MD, M.Kristin Thorsen, MD and Donald Yandow, II, MD.

The Fellowship Committee will meet and recommend candidates from the existing pool of candidates for 2010 Fellowship.

Action: Because of the number of Fellows, a larger location for the Fellowship dinner at ACR will be reserved in advance. Ideas should be provided to Ms. Rodriguez.

3.5 Committee on Judicial Affairs: This is the Committee that reviewed disciplinary actions. J. Svinicki reviewed the purpose and make up of the Committee from the Bylaws (attached at end of these minutes). There was discussion on two members to be referred to the Committee for investigation. The Board of Censors will serve as the Committee.

3.6 Membership Report: J. Rodriguez presented the membership report. WRS will continue to have six (6) Councilors, with the potential of one additional early career (under 40) Alternate Councilor supported by ACR is an appropriate candidate can be found. J. Svinicki said Dr. Bernauer has a potential candidate for the position.

3.6.1 Fellow pins: J. Rodriguez presented two potential pins to be awarded to Fellows. All the current Fellows would receive the pin and new Fellows would receive the pin at the Fellows dinner at the ACR meeting in Washington DC.

MOTION: It was moved by Dr. Mulligan and seconded by Dr. Arnold to purchase 75 of the Fellows pin (with NO gemstones) and distribute to all the current fellows. **Motion passed.**

3.6.2 WRS Membership Certificate: A draft membership certificate was distributed. Revisions for the certificate were proposed and a second draft will be circulated to the WRS Board. The certificate will be sent to all members with a letter from the President. New members would receive the certificate with a welcome letter to the WRS.

3.7 Nominating Committee: The slate will be presented in advance of the April 2009 meeting.

4.0 Resident & Fellows Section Report: Dr. Heideman discussed the activities of the Section. He sent a letter to all new residents encouraging them to join the Section. The Section plans another event in January or February 2009 similar to the Delafield Brewhouse event in 2008. He would like to change the leadership format to President, Vice-President and a representative from the program not represented by the President or Vice-President. Dr. Heideman will provide a list to WRS of graduating fellows staying in the state of Wisconsin.

Action: Dr. Enright will be contacted to plan a 2009 Brewers outing for the Residents. Members will also be invited to attend the event.

5.0 RAA/RADPAC: Dr. Mulligan reported on the RADPAC contributions from Wisconsin and encouraged members to give. He reported that of a membership of 431 members, 34 or 8% had contributed a total of \$13,625. Ways to encourage contributions were discussed including soliciting at the April 2009 WRS meeting and providing badge ribbons for donors.

6.0 Old Business

6.1 Awards Program: There was discussion on establishing a named award for Dr. Timothy Flaherty, MD. Flaherty would be the first recipient of the award. J. Svinicki distributed potential criteria for the award, and selection methods going forward.

MOTION: It was moved by Dr. Mulligan and seconded by Dr. Bogost to give Dr. Timothy Flaherty, MD an award for distinguished achievement at the April 2009 meeting. The award will be known as the Timothy Flaherty award and be given by WRS to additional members with distinguished achievement. **Motion passed.**

6.2 Board manual: J. Svinicki suggested that a manual be developed for Council members with all of the corporate documents, contracts and appropriate material related to the management of the WRS. Dr. Broderick suggested including information on non-profit management.

Action: A Board manual will be developed for the WRS Council members and distributed in electronic format (flash drive) at the April 24, 2009 Council meeting.

7.0 New Business

7.1 WRS Website: There was discussion on transfer of the WRS website from ACR management to the Svinicki Association Management, Inc. (SAMI) server. Currently the ACR host the site, but updates are difficult to make and the technological capabilities of the website are very limited.

Action: J. Svinicki will provide the Board a proposal for moving the website to the SAMI server and updating the look, navigation and content.

8.0 Adjourn: It was moved by Dr. Arnold and seconded by Dr. Swann to adjourn the Council meeting. Motion passed.

Respectfully submitted,
Jane A. Svinicki, CAE
(Drafted 10/13/08)

WRS Committee on Judicial Affairs

ARTICLE IV - MEMBERSHIP

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's report and it 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 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 promptly reported to the Judiciary Committee of the American College of Radiology by the secretary of the chapter. Members against whom the 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. Of 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 State of Wisconsin Medical Examining Board 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 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 VII – DUTIES OF OFFICERS AND COMMITTEES

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