

# **Alberta College of Medical Diagnostic and Therapeutic Technologists**

## **Bylaws**

**November 22, 2020**

# Table of Contents

## Part I GENERAL

- 1. Name .....
- 2. Definitions .....
- 3. Bylaws in Force .....
- 4. Head Office .....

## Part II MEMBERSHIP

- 5. Regulated Members .....
- 6. Non-Regulated Members .....
- 7. Registers.....

## Part III REGISTRATION

- 8. Registrar .....
- 9. Unpaid Dues, Outstanding Assessments .....
- 10. Administration Fee .....
- 11. Resignation .....
- 12. Registration Committee .....

## Part IV GOVERNANCE

- 13. Council .....
- 14. Officers .....
- 15. Chief Executive Officer .....
- 16. Council Meetings .....

## Part V NOMINATIONS AND APPOINTMENTS

- 17. Nominations and Appointments Committee .....
- 18. Recruitment and Term of Council Members .....
- 19. Term of Officers .....

## Part VI MEMBERSHIP MEETINGS

- 20. Membership Meeting .....
- 21. Special General Meetings .....
- 22. Bylaw Amendments .....
- 23. Parliamentary Authority .....
- 24. Branches .....

## Part VII FINANCE

- 25. Fiscal Year .....
- 26. Fees and Special Assessments .....

- 27. Payment to Officers, Council Members and Appointees .....
- 28. Financial Reviews and Statements .....

**Part VIII PROFESSIONAL CONDUCT**

- 29. Code of Ethics and Standards of Practice.....
- 30. Continuing Competence .....
- 31. Complaints Director .....
- 32. Hearings Director .....
- 33. Membership Lists .....
- 34. Complaint Review Committee .....
- 35. Hearing Tribunal .....
- 36. Panels .....
- 37. Publication .....

**Part IX WEBSITE**

- 38. Website .....

# **ALBERTA COLLEGE OF MEDICAL DIAGNOSTIC AND THERAPEUTIC TECHNOLOGISTS**

## **Part I GENERAL**

### 1. Name

The name of the Organization shall be the Alberta College of Medical Diagnostic and Therapeutic Technologists hereinafter referred to as the "College" or the "ACMDTT".

### 2. Definitions

In these Bylaws:

- (a) "HPA" and "Act" means the *Health Professions Act* of the Province of Alberta;
- (b) "Minister" means the Minister responsible for the administration of the *Health Professions Act*;
- (c) The "Regulation" means The Medical Diagnostic and Therapeutic Technologists Profession Regulation;
- (d) "Practice Permit" means a license to practice issued by the College to a Regulated Member;
- (e) "Member" means an individual who is a Regulated or Non-Regulated member of the College;
- (f) "Member in good standing" means a member who has paid the current dues, fees and special assessments, and who is not the subject of disciplinary action;
- (g) "Specialty" means the area of practice specialization within the profession in which the member is educated and certified; these specializations are radiological technology, nuclear medicine technology, magnetic resonance technology, radiation therapy and electroneurophysiology.
- (h) The terms President shall be used interchangeably for Chair, and Vice-President shall be used interchangeably for Vice-Chair;
- (i) "Statutory Committee" means a committee authorized by the *Health Professions Act*;
- (j) "Public Member" means a person appointed by the Lieutenant Governor in Council in accordance with the HPA.

### 3. Bylaws in Force

- (a) These Bylaws came into force on the day following the day on which they are adopted by the Council of the College.
- (b) All provisions of these bylaws are subject to the provisions of the Act and Regulation, whether or not the provision has been expressly stated.

### 4. Head Office

The head office of the College shall be situated in Edmonton in the Province of Alberta, or in such other place within the Province as the Council may from time to time determine.

## **Part II MEMBERSHIP**

### 5. Regulated Members

5.1. A Regulated Member is a member who:

- (a) is eligible for registration as a Regulated Member as specified in Section 33 (1) (a) of the HPA and in accordance with the Regulations; and

- (b) pays the fees and other charges which are prescribed in the Regulations or by the Council, for registration and membership.
- 5.2. A Regulated Member in good standing has the following rights and privileges to:
- (a) attend and/or vote, in-person or electronically, at Membership Meetings;
  - (b) be appointed to Council;
  - (c) be eligible for membership on all Committees; and
  - (d) receive the College newsletter and member access to the College website.
6. Non-Regulated Members
- 6.1. A Non-Regulated Member:
- (a) is not eligible for registration as a Regulated Member but is eligible to be registered as a Non-Regulated Member as specified in 33(1)(b) of the HPA; and
  - (b) is in one of the categories established by Council in 6.3; and
  - (c) pays the fees and other charges which are prescribed by the Council for membership.
- 6.2. A Non-Regulated Member has the following rights and privileges to:
- (a) attend Membership Meetings in-person or electronically;
  - (b) be eligible for membership on those Committees that are not a statutory committee;
  - (c) receive the College newsletter.
- 6.3. The following categories of Non-Regulated Members are established:
- (a) student member;
  - (b) honorary life member;
  - (c) associate member;
  - (d) rostered member.
- 6.4. A Student Member is a member who is enrolled in a program approved by the Council as an educational preparatory program leading to registration.
- 6.5. An Honorary Life Member is a member who has provided outstanding service to the College, and
- (a) meets the criteria established by Council;
  - (b) has been appointed by the Council;
  - (c) is not required to pay membership fees.
- 6.6. An Associate Member is a former Regulated Member, in good standing, who is no longer practicing in the profession, or a former member, in good standing, from another Canadian jurisdiction.
- 6.7. A Rostered Member is a member who is enrolled in the voluntary diagnostic medical sonographer roster.
7. Registers
- 7.1. Regulated Members Registers are established in accordance with the Regulations, and with Section 33 of the Act.
- (a) general register;
  - (b) temporary register;
  - (c) courtesy register.

- 7.2. A Register for Non-Regulated Members is established as specified in Section 33(1)(b) and (5) of the HPA. The following members shall be entered on the Registers:
- (a) student;
  - (b) associate;
  - (c) honorary life;
  - (d) rostered member.
- 7.3. Duty of the Registrar
- (a) The Registrar may enter and remove information regarding regulated members pursuant to s.33(4) and non-regulated members pursuant of s.33(5);
  - (b) The Registrar shall provide information regarding regulated and non-regulated members of the College via the College website:
    - i. General Register
    - ii. Temporary Register
    - iii. Courtesy Register
    - iv. Associate Register

### **Part III REGISTRATION**

#### **8. Registrar**

- 8.1. Council shall appoint a Registrar under Section 8 of the HPA.
- 8.1.1. The Registrar shall consider all complete applications for registration.
  - 8.1.2. The Registrar shall make decisions with respect to registration or Practice Permits, or in the Registrar's sole discretion, may decide to refer any application for registration or for a Practice Permit to the Registration Committee for determination.
  - 8.1.3. If a Regulated Member fails to renew his or her annual registration, or is in default of payment of fees or outstanding penalty fees to the College by the renewal date, the Registrar, after 30 days, may cancel the Member's Practice Permit without prior notice to the member.

#### **9. Unpaid Dues, Outstanding Assessments**

Unpaid dues and other outstanding assessments are a debt to the College and must be paid before a Regulated Member applies for registration or a Practice Permit.

#### **10. Administration Fee**

A Regulated Member or Non-Regulated Member, who has not completed their annual registration and payment of fees by the renewal date shall be subject to an administration fee; the renewal date and fee amount to be determined by Council.

#### **11. Resignation**

- 11.1. A Regulated Member may only voluntarily withdraw from membership in the College after giving notice in writing to the College at its head office.
- 11.2. The withdrawal from membership in the College by a Regulated Member constitutes the cancellation by the Regulated Member of their Practice Permit.

#### **12. Registration Committee**

- 12.1. The Council shall appoint no fewer than three Regulated Members to the Registration Committee for a term to be determined by Council.

- 12.2. Council shall designate a member of the Registration Committee to act as Chair.
- 12.3. The Registration Committee shall be responsible for:
  - (a) carrying out the duties of the Registration Committee under the HPA;
  - (b) considering applications for registration upon referral by the Registrar; and
  - (c) making decisions with respect to applications for registration upon referral by the Registrar in accordance with the HPA and the Regulations.
- 12.4. Three members of the Registration Committee constitute a quorum.
- 12.5. A decision of the Registration Committee shall be by a vote of a majority of the members present, including the Chair, at the meeting. In the case of a tie vote, the Chair shall cast the deciding vote.

#### **Part IV GOVERNANCE**

### 13. Council

#### 13.1. Power and Duties

Council is the governing body of the College and has the powers and duties as defined by the Act including to:

- (a) act on behalf of the College to ensure that the College meets the obligations and expectations placed on it in accordance to the HPA and the College Regulations;
- (b) govern the affairs of the College including, but not limited to, the power to hire, remunerate, direct, evaluate the performance of and discharge any Chief Executive Officer and Registrar;
- (c) delegate any responsibilities it is entitled to delegate pursuant to the HPA except its obligation as a body to create and maintain linkage with the membership, to create and maintain written governing policies and continually assure organizational performance;
- (d) establish committees it determines necessary to assist it to fulfill its governance accountability;
- (e) establish the fees, including the registration fee, costs, levies and assessments to be paid by the members;
- (f) govern the financial affairs through policy;
- (g) keep minutes of its proceedings and meetings in the office of the College; and
- (h) develop or adopt a Code of Ethics and Standards of Practice or amend them by following a consultation process as outlined in section 133 of the HPA.

#### 13.2. Membership

13.2.1. Members of the Council shall be:

- (a) eight Regulated Members, including at least one Regulated Member from each specialty, elected in accordance with Article 18 of the Bylaws. In the event this cannot be achieved, refer to 17.7 of the Bylaws; and
- (b) three Public Members.

13.2.2. Effective April 1, 2021 members of the Council shall be:

- (a) six Regulated Members, including at least one Regulated Member from each specialty and one other regulated member who also practices ultrasound, recruited in accordance with Article 18 of the Bylaws. In the event this cannot be achieved, refer to 17.7 of the Bylaws; and
- (b) six Public Members.

### 13.3. Membership Terminated

13.3.1. A Member's position shall be declared vacant when the Member:

- (a) is absent from three council meetings in any council term year; or
- (b) violates Council's Code of Conduct and the majority of Council votes in favour of a motion to remove the member from Council; or
- (c) is not a member on the general register (if applicable); or
- (d) has been disciplined or is under investigation under the Act; or
- (e) has resigned from Council in writing; or
- (f) ceases to be a member in good standing; or
- (g) has criminal charges pending or issued; or
- (h) becomes incapacitated or dies; or
- (i) acts in a manner contradictory to the College's obligations under the Act and the majority of Council votes in favour of a motion to remove the member from Council.

13.3.2. Where a Regulated Member's position is declared vacant in 13.3.1, the Council shall appoint a member from the general register to the position, in accordance with Article 17, for the unexpired term.

13.3.3. If a Public Member violates 13.3.1, Council will request Alberta Health to implement a process to remove that member from Council.

### 14. Officers

14.1. Officers of Council shall consist of the Chair and the Vice-Chair.

14.2. The Chair of the Council, shall ensure the integrity of the Council's governance.

14.3. The Vice-Chair shall perform the duties and fulfill the responsibilities of the Chair in the absence of the Chair.

14.4. In the event of a vacancy in the office of Chair, the Vice-Chair shall assume the duties of, and the title of, the Chair for the balance of the term.

14.5. Where the Vice-Chair assumes the duties of the Chair in 14.4, Council shall appoint a Regulated Member of Council for the remainder of the Vice-Chair's term.

### 15. Chief Executive Officer

15.1. The Chief Executive Officer (CEO) is hired by and reports to Council; and acts in an advisory capacity to Council.

15.2. The Chief Executive Officer is accountable for the operation and administration of the College as outlined in the CEO Job Description and in Council Policies.

### 16. Council Meetings

16.1. The Council shall meet as required to complete its governance responsibilities, but not less than three times per year.

16.2. A minimum of one months' notice of a meeting must be given unless a majority of members of the Council agree to waive notice.

16.3. Meetings may be in person, by teleconference or by any other technology that permits all persons participating in the meeting to communicate with each other:

- (a) motions made through any of these mediums will hold equal force.



- (b) a written record of the vote shall be recorded in the minutes of the meeting.
- (c) voting can be done by email and motions circulated by email.

16.4 Quorum

16.4.1 A quorum for meetings of the Council shall be:

- (a) at least four of the elected Regulated Members; and
- (b) at least one of the Public Members.

16.4.2 Effective April 1, 2021 a quorum for meetings of the Council shall be:

- (a) a minimum of fifty percent of all the members of Council; and
- (b) at least three regulated members and three Public Members.

16.5 A decision of the Council shall be by a vote of a majority of members present, including the Chair, at a meeting. In the case of a tie vote, the Chair will cast the deciding vote.

**Part V NOMINATIONS AND APPOINTMENTS**

17. Nominations and Appointments Committee

- 17.1. Council shall appoint no fewer than two Members, which shall include one regulated Council member and one public Council member, to the Nominations and Appointments Committee.
- 17.2. Council shall designate a member of the Nominations and Appointments Committee to act as Chair.
- 17.3. The Committee shall be responsible for recommending members for appointments to Council.
- 17.4. Nominations by members shall follow the process as determined by Council policy and shall be received by the College at a date specified by Council.
- 17.5. A decision of the Nominations and Appointments Committee shall be by a vote of a majority of members present, including the Chair, at a meeting. In the case of a tie vote, the Chair will cast the deciding vote.
- 17.6. A slate of nominees for Council positions shall be prepared by the Nominations and Appointments Committee and presented to the Council based on Council vacancies as determined by Council policy.
- 17.7. In the event that there is no nomination for a particular specialty as required by 13.2.1(a), Council shall appoint a Regulated Member from any specialty to fill the vacancy.

18. Recruitment and Term of Council Members

18.1. Recruitment

- 18.1.1. Council Members shall be elected by the membership prior to the Membership Meeting. The results of the election shall be announced at the Membership Meeting, on the College website and through various communication channels.
- 18.1.2. Effective April 1, 2021, Council Members shall be appointed by Council. The appointments shall be announced at the Membership Meeting, on the College website and through various communication channels.

18.2. The term of office of all Council Members commences on July 1<sup>st</sup> following their appointment and shall expire June 30<sup>th</sup> following the appointment of the successor.

- 18.2.1. The term of office for all Council Members is three years or until their successors are appointed.
- 18.2.2. Incumbents are eligible to be re-appointed for one successive additional term.

- 18.3. A Member is eligible to be re-appointed after two years have passed since the expiry of their last term.

#### 19. Term of Officers

- 19.1. Each year the Council shall meet to appoint a Chair and Vice-Chair from amongst the appointed regulated Council members.
- 19.2. Term of office for the Chair and Vice-Chair shall be two years.
- 19.3. In the event the term of the Chair and Vice-Chair extends beyond their Council term, the term will be extended to the completion of the Officers' term. An appointment shall be made for the remainder of such Council Term in accordance with Article 18.
- 19.4. The Chair and Vice-Chair shall not serve more than two consecutive terms.

### **Part VI MEMBERSHIP MEETINGS**

#### 20. Membership Meeting

- 20.1. A Membership Meeting shall be held at least once annually, as determined by Council policy, to keep members informed electronically, in person and through other media available to the College.
- 20.2. At least 40 days notice of the Membership Meeting shall be given to the members of the College. The 40 days notice shall be calculated from the date the notice is announced by the College.
- 20.3. Members shall be advised of the material that is available to them at least 21 days prior to the Membership Meeting and upon which they may wish to engage in discussion with Council, which shall include the Annual Report of the College, including the Chair's Report; Public Members' Report; Chief Executive Officer's Reports; Financial Report with Audited Financial Statements and Bylaw Amendments.

#### 21. Special General Meetings

- 21.1. A Special Meeting may be called by the Council; or by a written request to the Council by one-third of the Regulated Members.
- 21.2. At least 21 days prior notice shall be given to the Members. The date of the notice shall be calculated from the date the notice is announced by the College.
- 21.3. Only such subjects that are specified in the notice of the Meeting may be considered and acted upon at the Meeting.

#### 22. Bylaw Amendments

- 22.1. Members may submit proposals for Bylaw Amendments to a member of Council or directly to the College at any time. Council shall consider the proposed amendment and provide a documented response to the member(s) proposing the aforementioned Bylaw amendment as soon as possible and within 120 days of its receipt.
- 22.2. Council shall have the authority to amend the Bylaws. Council may seek and consider membership input.
- 22.3. Within 40 days of approval, amendments to the Bylaws by the Council shall be made available to the membership through the College website and various communication channels.
- 22.4. The CEO is authorized to make any corrections to article and section designation, punctuation, and cross referencing, except where this would change the intent or meaning of the Bylaw Amendment that was adopted.

#### 23. Parliamentary Authority

Except as specified in these Bylaws, or in the *Health Professions Act*, or in special rules of the College, meetings of the College shall be conducted in accordance with the rules contained in the current edition of Robert's Rules of Order Newly Revised.

#### 24. Branches

- 24.1. Council may approve the establishment of Branches in various locations of Alberta.
- 24.2. Branches exist for the purposes of furthering the Mission of the College.
- 24.3. The object of such Branches is to provide members with a forum for discussion, professional development and networking consistent with the Council stated Mission.
- 24.4. The CEO of the College shall provide financial assistance to the Branches according to Council policy based on a standard set of requirements. The Branches are required by September 15 of each year to submit to the CEO a business plan which includes a financial statement, and a satisfactory budget, that outlines what the branch plans to accomplish over the next 12 months.
- 24.5. All Branches shall operate according to College policies.
- 24.6. Branches shall not borrow money without prior approval from the CEO of the College.
- 24.7. Branches may be dissolved by decision of the majority of members of the Branch, or decision of Council with cause.
- 24.8. Upon dissolution of a Branch, all debts and assets shall revert to the College.

### **Part VII FINANCE**

#### 25. Fiscal Year

The fiscal year of the College shall be October 1 to the following September 30.

#### 26. Fees and Special Assessments

- 26.1. Council shall establish fees, costs, levies or assessments for the following:
  - (a) application fees;
  - (b) registration and reinstatement fees;
  - (c) registration review fees;
  - (d) Practice Permit fees;
  - (e) administration fees, non-sufficient funds (NSF) fees; and
  - (f) fees for reviews or appeals of any decisions under the HPA.

26.2. The Council shall set an annual fee for any class of Non-Regulated Members.

#### 27. Payment to Officers, Council Members and Appointees

Any payment to the Chair and Vice-Chair, Council Members, or a member of any Committee of the College, other than a payment which represents a reimbursement for necessary and reasonable costs incurred on behalf of the College, must be:

- (a) consistent with an intention for which the expenditure of money is approved by the adoption of a budget;
- (b) consistent with honorarium guidelines as outlined in governance policy; and
- (c) reported on an annual basis to the membership of the College.

#### 28. Financial Reviews and Statements

The Council shall each year:

- (a) arrange for an audit of the financial books, records and accounts of the College by a qualified accountant, who shall employ such tests as they consider appropriate and apply Generally Accepted Accounting Principles such as are endorsed by the accounting profession in Alberta;
- (b) present to the Membership a copy of such audit, together with the financial statements of the College for each fiscal year.

## **Part VIII PROFESSIONAL CONDUCT**

### **29. Code of Ethics and Standards of Practice**

A Code of Ethics and Standards of Practice is established in accordance with the Act and is contained in policy of the College.

### **30. Competence Committee**

- 30.1. The Council shall appoint no fewer than seven regulated members to the Competence Committee for a term to be determined by Council.
- 30.2. The committee shall designate a member of the Competence Committee to act as Chair.
- 30.3. The Competence Committee shall be responsible for:
  - (a) carrying out the duties of the Competence Committee under the HPA;
  - (b) monitoring that individual registered members comply with the requirements of the Continuing Competence Program (CCP); and
  - (c) monitoring the components of the CCP in order to accurately reflect current needs to enhance the provision of professional services.
- 30.4. Three members of the Competence Committee shall constitute a quorum.
- 30.5. A decision of the Competence Committee shall be by a vote of a majority of the Competence Committee members present, including the Chair at the meeting. In the case of a tie vote, the Chair will cast the deciding vote.

### **31. Complaints Director**

- 31.1. The Complaints Director shall be appointed by Council.
- 31.2. A complaint against a Regulated Member, or former member, shall be submitted in writing to the Complaints Director.
- 31.3. The Complaints Director shall review and act on the complaint as specified in 55 (1) of the Act.

### **32. Hearings Director**

- 32.1. The Hearings Director shall be appointed by Council.
- 32.2. The Hearings Director may establish a Hearing Tribunal or a Complaint Review Committee as specified in Section 16 of the Act.
- 32.3. Where a Hearing Tribunal or a Complaint Review Committee is established, the Hearings Director shall designate a member of that tribunal or committee to act as Chair.

### **33. Membership Lists**

Council shall establish a membership list of Regulated Members that shall be used for the appointment to the Hearing Tribunals and the Complaint Review Committees.

### **34. Complaint Review Committee**

- 34.1. The powers and duties of the committee shall include:
  - (a) reviewing and ratifying settlements under Section 60 of the Act; and
  - (b) conducting reviews under Section 68 of the Act.

- 34.2. Council shall appoint no fewer than two Regulated Members to a Complaint Review Committee from the Membership List established in Article 34. The terms of the appointment shall be determined by Council.
- 34.3. The membership of the Complaint Review Committee consists of the Regulated Members and any Public Members appointed to the Complaint Review Committee.
- 34.4. The Hearings Director must designate a member of the Complaint Review Committee to act as the Chair of the Complaint Review Committee.
- 34.5. A quorum of the Complaint Review Committee is two Regulated Members, plus the number of public members required by the HPA.
- 34.6. Subject to the HPA, a Complaint Review Committee may determine its own rules of procedure.
- 34.7. A decision of the Complaint Review Committee shall be by a vote of a majority of the Complaint Review Committee members present, including the Chair, at the meeting. In the case of a tie vote, the Chair will cast the tie vote.

#### 35. Hearing Tribunal

- 35.1. Council shall appoint no fewer than two Regulated Members to a Hearing Tribunal from the Membership established in Article 34. The terms of the appointment shall be determined by Council.
- 35.2. The membership of the Hearing Tribunal consists of the Regulated Members and any Public Members appointed to the Hearing Tribunal.
- 35.3. The Hearings Director must designate a member of a Hearing Tribunal to act as the Chair of the Hearing Tribunal.
- 35.4. A quorum of the Hearing Tribunal is two Regulated Members, plus the number of public members required by the HPA.
- 35.5. Subject to the HPA, a Hearing Tribunal may determine its own rules of procedure.
- 35.6. A decision of the Hearing Tribunal shall be by a vote of a majority of the members present at a hearing.

#### 36. Panels

Council and committee panels shall be established as necessary in accordance with Section 18 of the Act. Council shall have authority to remove members appointed to the aforementioned committee panels.

#### 37. Publication

Subject to the HPA and any direction by a Hearing Tribunal, the Complaints Director may publish or distribute any information about the nature of the complaint and the decision with respect to the professional conduct process and hearings in any manner they consider appropriate.

### **Part IX WEBSITE**

#### 38. Website

The type of information that may be published on the College's website in addition to the information in section 135.92(2) of the HPA is as follows:

- 38.1. General information about the College and its operations;
- 38.2. General information about the profession of medical radiation technology and electroneurophysiology technology, general information on medical radiation and electroneurophysiology practice, general information about the regulatory processes under the HPA and College's regulation, applying for registration and practice permits, the professional conduct process including complaints and concerns, continuing competence, patient relations and other matters covered under the HPA;
- 38.3. Member Portal;

- 38.4. Public Register of medical radiation technologists and electroneurophysiology technologists, which includes information on both regulated and non-regulated members' registration number, practice name, join date, conduct history, the regulated members' conditions imposed on their practice permit and an explanatory note describing key themes on the public register;
- 38.5. Publication and reports;
- 38.6. Learning resources and opportunities;
- 38.7. Career opportunities and services offered by the College;
- 38.8. Information on how to contact the College; and
- 38.9. Hearing tribunal decisions, and decisions of the appeals committee arising from appeals from a hearing tribunal.

Dated in the Province of Alberta on this 22<sup>nd</sup> day of November, 2020

Chair:

A handwritten signature in black ink, appearing to read "J. Hancock", written in a cursive style.

Vice Chair:

A handwritten signature in black ink, appearing to read "S. De Colle", written in a cursive style.