American College of Emergency Physicians®
ADVANCING EMERGENCY CARE

2026 Council Meeting

Preliminary Report of REFERENCE COMMITTEE A

Presented by: Jennifer Savino, DO, FACEP, Chair

Mr. Speaker and Councillors:

Reference Committee A gave careful consideration to the asynchronous testimony of the resolutions assigned to it and submits the following report for consideration:

Recommended for Adoption:

1. RESOLUTION 12(26): Councillor Allocation for Sections of Membership – Bylaws Amendment
2. RESOLUTION 13(26): Councillor Allocation for Sections of Membership – Housekeeping Change – Council Standing Rules Amendment
3. RESOLUTION 16(26): Emergency Medicine Recommendations for Guidelines on Occupational Ergonomics
4. RESOLUTION 19(26): Public Identification of Physicians in Training

Recommended for Adoption as Amended or Substituted:

5. RESOLUTION 18(26): Emergency Physician Specific Peer-to-Peer Support Programs Across EM Practice Settings

Recommended NOT for Adoption:

6. RESOLUTION 17(26): Importance of the Arts and Humanities as Applied to Emergency Medicine
7. RESOLUTION 20(26): Simulation-Based Continuing Education Certification
8. RESOLUTION 21(26): Exploring the Feasibility of Renewably Powered EMS Vehicles
9. RESOLUTION 22(26): Reducing Unnecessary Non-Sterile Glove Use in Emergency Departments
10. RESOLUTION 23(26): Incorporating ED Climate Resilience and Sustainability into ACEP's ED Accreditation Program

Recommended for Referral:

11. RESOLUTION 14(26): Codifying the Audit Committee in the Bylaws – Bylaws Amendment
12. RESOLUTION 15(26): Proposed Bylaws Changes – Bylaws Amendment

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Recommended for Adoption

1. **RESOLUTION 12(26): Councillor Allocation for Sections of Membership – Bylaws Amendment**

RESOLVED, That the Bylaws Article VIII – Council, Section 1 – Composition of the Council, paragraph 8, be amended to read:

Each chartered section shall be entitled to one councillor as representative of all of the members of such chartered section if the number of section ~~dues-paying and complimentary candidate~~ members meets the minimum number established by the Board of Directors for the charter of that section based on the membership rolls of the College on December 31 of the preceding year.

Summary of Asynchronous Testimony

The resolution was submitted by the Steering Committee to reduce confusion regarding dues paying and complimentary candidate members to avoid disregarding complimentary section memberships. There were limited comments on the resolution, but testimony was generally supportive.

2. **RESOLUTION 13(26): Councillor Allocation for Sections of Membership – Housekeeping Change – Council Standing Rules Amendment**

RESOLVED, That the Council Standing Rules – Councillor Allocation for Sections of Membership be amended to read:

To be eligible to seat a credentialed councillor, a section must have ~~100 dues paying members, or~~ the minimum number **of members** established by the Board of Directors, on December 31 preceding the annual meeting. Section councillors must be certified by the section by notifying the Council secretary at least 60 days before the annual meeting.

Summary of Asynchronous Testimony

The resolution was submitted by the Steering Committee to simplify language in the Council Standing Rules to reflect that a section must have the minimum number of members established by the Board of Directors rather than differentiating between dues paying and complimentary section members. There were limited comments on the resolution, but testimony was generally supportive with a desire for consistent application of the minimum membership requirement.

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3. **RESOLUTION 16(26): Emergency Medicine Recommendations for Guidelines on Occupational Ergonomics**

RESOLVED, That ACEP develop guidelines to reduce work-related musculoskeletal injury among emergency physicians and that the guidelines address, emergency department procedural ergonomics, airway management, cardiopulmonary resuscitation, point-of-care ultrasound, patient positioning, monitor and equipment placement, workstation and documentation ergonomics, prolonged standing, and be it further

RESOLVED**,** That ACEP encourage emergency medicine residency programs and emergency departments to incorporate ergonomics education into procedural training, ultrasound training, simulation, faculty development, and departmental quality and safety initiatives.

Summary of Asynchronous Testimony

Testimony was mixed but reflected support for the intent of the resolution. Supportive testimony reflected the realities of a workplace that includes long hours, physically demanding tasks, and a desire to reduce physical stress that worsens burnout over time. Those in opposition expressed concerns regarding the possibility of creating additional regulatory burdens, the possible negative effects to rural emergency departments, and difficulty and financial cost associated with the implementation of guidelines.

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4. **RESOLUTION 19(26): Public Identification of Physicians in Training**

RESOLVED, That ACEP work with other organizations to develop policy discouraging the unnecessary public identification of physicians in training in media reports, public statements, and external institutional communications related to patient care events or allegations, unless disclosure is legally required or necessary to protect the public.

Summary of Asynchronous Testimony

The testimony was supportive of this resolution and included support from several component bodies. Testimony included support of the effort to protect physicians-in-training from deleterious side effects associated with being identified in negative patient care events. Additional testimony expressed the possibility of a future amendment

that would include language clarifying the ability of a physician-in-training to consent to their identity being disclosed.

Recommended for Adoption as Amended or Substituted

5. **RESOLUTION 18(26): Emergency Physician Specific Peer-to-Peer Support Programs Across EM Practice Settings**

RESOLVED, That ACEP recognize confidential emergency physician specific peer-to-peer support programs as a crucial practice for promoting emergency physician well-being, professional satisfaction, and sustainability; and be it further

RESOLVED, That ACEP continue development and dissemination of resources for emergency physician specific peer-to-peer support programs.~~; and be it further~~

~~RESOLVED, That ACEP support implementation of emergency physician specific peer-to-peer support programs in all emergency medicine practice settings (groups, departments or practice entities) by 2031; and be it further~~

~~RESOLVED, That ACEP annually assess and report progress toward implementation of emergency physician specific peer-to-peer support programs in all emergency medicine practice settings through existing wellness, workforce, or practice-related committees.~~

ORIGINAL RESOLUTION LANGUAGE AS SUBMITTED

RESOLVED, That ACEP recognize confidential emergency physician specific peer-to-peer support programs as a crucial practice for promoting emergency physician well-being, professional satisfaction, and sustainability; and be it further

RESOLVED, That ACEP continue development and dissemination of resources for emergency physician specific peer-to-peer support programs; and be it further

RESOLVED, That ACEP support implementation of emergency physician specific peer-to-peer support programs in all emergency medicine practice settings (groups, departments or practice entities) by 2031; and be it further

RESOLVED, That ACEP annually assess and report progress toward implementation of emergency physician specific peer-to-peer support programs in all emergency medicine practice settings through existing wellness, workforce, or practice-related committees.

Summary of Asynchronous Testimony

Testimony broadly supported the first two resolved and opposed the second two resolveds. Concern was expressed regarding the feasibility of implementation of the third and fourth resolveds from both a workforce and financial perspective. Testimony offered information regarding existing College efforts in support of the first and second resolved statements.

Recommended NOT for Adoption

6. **RESOLUTION 17(26): Importance of the Arts and Humanities as Applied to Emergency Medicine**

RESOLVED, That ACEP recognize the importance and relevance of the arts and humanities to emergency medicine; and be it further

RESOLVED, That ACEP support the application, evaluation, and dissemination of arts and humanities-based approaches across the spectrum of emergency medicine education and training towards enhancing clinical care and emergency physician well-being.

Summary of Asynchronous Testimony

Testimony supported the spirit of the resolution but not the allocation of time and financial resources over other issues facing emergency medicine. Several chapters expressed concern about committing limited resources to the work required by the resolution. Some testimony referenced the strain on residency curriculum that additional training contemplated by the resolution would require.

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7. **RESOLUTION 20(26): Simulation-Based Continuing Education Certification**

RESOLVED, That ACEP work with the American Board of Emergency Medicine (ABEM) to advocate that participation in emergency medicine simulation (cadaver, virtual reality, high-fidelity) counts toward ABEM Maintenance of Certification requirements; and be it further

RESOLVED, That ACEP work with the American Board of Emergency Medicine to develop a simulation-based continuing certification pathway that allows qualified emergency medicine simulation activities to satisfy a portion of MyEMCert or Practice Improvement requirements.

Summary of Asynchronous Testimony

Testimony on balance was opposed to the resolution while supporting the intent. Concerns were centered around the possibility of increased Maintenance of Certification requirements. Those in support of the resolution suggested the possibility of amendments to the resolution that would clarify that any such simulations not be in addition to but as a substitute for existing requirements.

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8. **RESOLUTION 21(26): Exploring the Feasibility of Renewably Powered EMS Vehicles**

RESOLVED, That ACEP engage with international EMS leaders who have implemented renewable-powered EMS vehicles to identify best practices and lessons applicable to EMS systems in the United States; and be it further

RESOLVED, That ACEP evaluate and summarize strategies used to overcome operational, financial, and infrastructure barriers to renewable-powered EMS vehicle implementation; and be it further

RESOLVED, That ACEP share learned strategies of renewable-powered EMS vehicles with EMS leaders and other stakeholders to support informed consideration of renewable-powered EMS vehicles in the United States.

Summary of Asynchronous Testimony

Testimony was largely in opposition with an emphasis on costs and questioning whether it was appropriate for ACEP to make this issue a priority when it might be better suited to an Emergency Medical Services organization. Those offering support cited the need to reduce negative environmental impacts of medical work and procedures and a lack of other organizations' efforts to address the use of renewable powered EMS vehicles.

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9. **RESOLUTION 22(26): Reducing Unnecessary Non-Sterile Glove Use in Emergency Departments**

RESOLVED That ACEP endorse efforts such as the "Gloves Off!" campaign to reduce unnecessary non-sterile glove use in emergency departments; and be it further

RESOLVED That ACEP encourage incorporation of evidence-based, sustainable glove use practices into institutional policies and clinical guidelines, highlighting associated hand hygiene compliance, environmental benefits and cost savings.

Summary of Asynchronous Testimony

Testimony was mixed but was slightly stronger in opposition than in support. Those supporting the resolution recognized the need to reduce waste, the success of similar campaigns, and the desire to approve hand hygiene. Testimony in opposition referenced concerns about undermining the importance of personal protective equipment, the possible misinterpretation of such a campaign by the general public, and how hospitals might misinterpret the purpose of such a policy.

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10. **RESOLUTION 23(26): Incorporating ED Climate Resilience and Sustainability into ACEP's ED Accreditation Program**

RESOLVED, That ACEP include climate resilience and sustainability into the planned general emergency department accreditation program, utilizing evidence-based standards and measurable performance metrics to promote environmental sustainability, climate resilience, and operational stewardship in emergency care; and be it further

RESOLVED, That ACEP collaborate with the International Federation for Emergency Medicine, the Royal College of Emergency Medicine, the Australasian College for Emergency Medicine, and other relevant organizations to identify best practices and opportunities for harmonization of sustainability and climate resilience initiatives in emergency medicine.

Summary of Asynchronous Testimony

Testimony was largely opposed to the resolution and specifically referenced concerns about including additional standards in ACEP's accreditation program. Concerns were expressed regarding the significant costs associated with developing appropriate metrics for consideration. Additional testimony was offered that such a requirement would deter departments from utilizing ACEP's accreditation system and that it should be a hospital level endeavor rather than an emergency department undertaking.

Recommended for Referral

11. **RESOLUTION 14(26): Codifying the Audit Committee in the Bylaws – Bylaws Amendment**

RESOLVED, That the ACEP Bylaws Article XI – Committees. Section 1 – General Committees be amended as follows and by addition of a new Section 8 – Audit Committee:

ARTICLE XI — COMMITTEES
(No changes are proposed for Sections 2 or 5-7.)
Section 1 — General Committees

The president shall ~~annually~~ appoint committees and task forces **annually** to address issues pertinent to the College as deemed advisable. The members thereof need not consist of members of the Board, nor shall it be necessary that the chair of a committee be a member of the Board. A majority of the voting membership of a committee shall constitute a quorum.

The president shall appoint annually committees on **Audit,** ~~Compensation,~~ Bylaws, **Compensation,** and Finance.

Section 8 – Audit Committee

The Audit Committee shall consist of the Audit Committee chair, who must also serve concurrently on the Finance Committee, the Finance Committee chair, the secretary-treasurer of the College, and two additional members of the Finance Committee. A sixth member may be considered by the president and may or may not serve concurrently on the Finance Committee. The Audit Committee shall oversee the audit functions of the College as outlined in the Audit Committee Charter.

Summary of Asynchronous Testimony

Testimony expressed support for including the Audit Committee in the Bylaws but noted concerns about inconsistencies within the proposed language and the composition of the Audit Committee that should be resolved before being adopted as an amendment to the Bylaws.

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12. **RESOLUTION 15(26): Proposed Bylaws Changes – Bylaws Amendment**

RESOLVED, That the ACEP Bylaws be amended as follows:

ARTICLE IV – MEMBERSHIP
(No changes are proposed for Sections 1 – 4 or 6.)
Section 5 – Dues, Fees, and Assessments

Application fees and annual dues shall be determined annually by the Board of Directors. Assessments of members may not be levied except upon recommendation of the Board of Directors and by a majority vote of the Council. Notice of any proposed assessment shall be sent to each member of the College by mail**, electronic mail,** or **other** official **ACEP communication** at least 30 days before the meeting of the Council at which the proposed assessment will be considered. The Board of Directors shall establish uniform policies regarding dues, fees, and assessments.

ARTICLE VI – CHAPTERS
(No changes are proposed for Sections 1 or 3-6.)
Section 2 — Chapter Bylaws

A petition for the chartering of a chapter shall be accompanied by the proposed bylaws of the chapter. No charter shall be issued until such bylaws are approved by the Board of Directors of the College. Chartered chapters must ensure that their bylaws conform to the College Bylaws and current approved chapter bylaws guidance documents. Proposed amendments to the bylaws of a chapter shall be submitted in a format and manner designated by the College not later than 30 days following the adoption of such proposed amendments by the chapter, pursuant to its bylaws and procedures. No proposed amendment shall have any force or effect until it has been approved by the Board of Directors of the College **or its designee**. ~~A proposed amendment shall be considered approved if the Board of Directors or its designee fails to give written notice of any objection within 90 days of receipt as documented by the College.~~

No chapter is permitted to act on behalf of, or to appear to third parties to be acting on behalf of, the College. In accepting or retaining a charter as a chapter of the College, the chapter and its members acknowledge the fact that the chapter is not an agent of the College notwithstanding that the College has the authority to establish rules governing actions of the chapter which may give the appearance of a principal-agent relationship.

ARTICLE VIII – COUNCIL
(No changes are proposed for Sections 1, 2 or 5-8.)
Section 3 — Meetings

An annual meeting of the Council shall be held within or outside of the State of Texas at such time and place as determined by the Board of Directors **in conjunction with the Council officers**. Notice for the annual meeting is

not required. Whenever the term "annual meeting" is used in these Bylaws, it shall mean the annual meeting of the Council.

Special meetings of the Council may be held within or outside of the State of Texas and may be called by an affirmative vote of two-thirds of the entire Board of Directors, by the speaker with concurrence of a two-thirds vote of the entire Steering Committee, or by a petition of councillors comprised of signatures numbering one-third of the number of councillors present at the previous annual meeting, as certified in the final report of the chair of the Tellers, Credentials, & Elections Committee, provided that the time and place of such meeting shall be announced not less than ~~40~~ **10** nor more than ~~50~~ **60** days prior to the meeting.

Voting by proxy shall be allowed only at special meetings of the Council. The proxy of any councillor can be revoked by that councillor at any time. The results of any vote that includes proxy ballots will have the same force as any other vote of the Council.

Councillors eligible to vote at a special meeting of the Council are those who were credentialed by the Tellers, Credentials, & Elections Committee at the previous annual meeting of the Council.

All members of the College shall be notified of all Council meetings by mail**, electronic mail** or **other** official ~~publication~~ **ACEP communication**.

Section 4 — Quorum

A majority of the number of councillors credentialed by the Tellers, Credentials, and Elections Committee during each session of ~~the~~ **any** Council meeting shall constitute a quorum for that session. The vote of a majority of councillors voting in person or represented by proxy (if applicable) shall decide any question brought before such meeting, unless the question is one upon which a different vote is required by law, the Articles of Incorporation, or these Bylaws.

Whenever the term "present" is used in these Bylaws to determine a quorum present, with respect to councillor voting, "present" is defined as either in person or participating by approved remote communication technology.

ARTICLE IX – BOARD OF DIRECTORS

(No changes are proposed for Sections 1, 2, 4, or 5.)

Section 3 – Meetings

The Board of Directors shall meet at least three times annually. One of these meetings shall take place not later than 30 days following the annual meeting of the ~~College~~ **Council**. The other meetings shall take place at such other times and places as the Board may determine. Meetings may take place within or outside of the State of Texas. A majority of the Board shall constitute a quorum.

Subject to the provisions of these Bylaws with respect to notice of meetings of the Board of Directors, members of the Board of Directors may participate in and hold additional meetings of such Board by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this section shall constitute presence in person at such meeting, except where a director participates in such meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if a consent in writing, setting forth the action to be taken, shall be signed by all of the members of the Board of Directors and Council officers, and such a consent shall have the same force and effect as a unanimous vote of the members of the Board of Directors at a meeting of the Board of Directors.

Special meetings of the Board of Directors may be called by the president or the chair of the Board with not less than 48 hours notice to each director, either personally or by other appropriate means of communication. Special meetings also may be called by one-third of the current members of the Board in like manner and on like notice. Such

notice of a special meeting of the Board of Directors shall specify the business to be transacted at, and the purpose of, such special meeting.

ARTICLE X — OFFICERS/EXECUTIVE DIRECTOR

(No changes are proposed for Sections 1-4, 6, or 8-13.)

Section 5 — President

The president shall be a member of the Board of Directors, and shall additionally hold ex-officio membership in all committees. The president's term of office shall begin at the conclusion of the first ensuing annual meeting of the Council following the meeting at which the election as president-elect occurred and shall end at the conclusion of the next annual meeting of the Council, or when a successor is seated. **No president may serve more than one term as president.**

Section 7 — Vice Presidents

There shall be two vice president positions. The vice presidents shall be members of the Board of Directors. A director shall be eligible for election to a position of vice president if at least one year remains as an elected director on the Board and shall be elected at the first Board of Directors meeting following the annual meeting of the Council. A vice president's term of office shall begin at the conclusion of the meeting at which the election as a vice president occurs and shall end at the conclusion of the first Board of Directors meeting following the next annual meeting of the Council or when a successor is elected. **Vice Presidents may serve unlimited terms.**

~~**Section 14 — Assistant Secretary-Treasurer**~~

~~Annually, the ACEP Board of Directors shall appoint an individual to serve as assistant secretary-treasurer. The assistant secretary-treasurer shall serve as an officer of the corporation without authority to act on behalf of the corporation, except (i) to execute and file required corporate and financial administrative and franchise type reports to state, local, and federal authorities, or (ii) pursuant to any authority granted in writing by the secretary-treasurer. All other duties of the secretary-treasurer are specifically omitted from this authority and are reserved for the duly elected secretary-treasurer. The assistant secretary-treasurer shall not be a member of the Board of Directors.~~

ARTICLE XI — COMMITTEES

(No changes are proposed for Sections 2 or 5-7.)

Section 1 — General Committees

The president shall ~~annually~~ appoint committees and task forces **annually** to address issues pertinent to the College as deemed advisable. The members thereof need not consist of members of the Board, nor shall it be necessary that the chair of a committee be a member of the Board. A majority of the voting membership of a committee shall constitute a quorum.

The president shall appoint annually committees on ~~Compensation,~~ Bylaws, **Compensation, and** Finance.

Section 3 — Steering Committee

A Steering Committee of the Council shall be appointed by the speaker of the Council. The committee shall consist of at least 15 members, each appointed annually for a one-year term. It shall be the function of the committee to
represent the Council between Council meetings. The committee shall ~~be required to~~ meet at least two times annually, and all action taken by the committee shall be subject to final approval by the Council at the next regularly scheduled session. The speaker of the Council shall be the chair of the Steering Committee.

The Steering Committee cannot overrule resolutions, actions, or appropriations enacted by the Council. The Steering Committee may amend such instructions of the Council, or approve amendments proposed by the Board of Directors, provided that such amendment shall not change the intent or basic content of the instructions. Such actions to amend, or approve amendment, can only be by a three-quarters vote of all the members of the Steering Committee and must include the position and vote of each member of the Steering Committee. Notice by mail or official

publication shall be given to the membership regarding such amendment, or approval of amendment, of the Council's instructions. Such notice shall contain the position and vote of each member of the Steering Committee regarding amendment of or approval of amendment.

Section 4 — Bylaws Interpretation Committee

In addition to the College Bylaws Committee, there shall also be a Bylaws Interpretation Committee, appointed ~~annually~~ **when petitioned** and consisting of five ACEP members. The president shall appoint two of the members and the Council speaker shall appoint three members. The chair of this committee shall be chosen by a vote of its members. When petitioned to do so, the Bylaws Interpretation Committee shall be charged with the definitive interpretation of Articles VIII – Council, IX – Board of Directors, X – Officers/Executive Director, XI – Committees, and XIII – Amendments, of these Bylaws. Interpretation of other articles of these Bylaws shall be by the Board of Directors.

Any member shall have the right to petition the Bylaws Interpretation Committee for an opinion on any issue within its purview. If the petition alleges an occurrence of improper action, inaction, or omission, such petition must be received by the executive director no more than 60 days after the occurrence. In the event of a question regarding whether the subject of the petition is addressed by a portion of the Bylaws which falls within the committee's jurisdiction, or a question of whether the time limit has been met, such question shall be resolved jointly by the president and the speaker. The committee shall then respond with an interpretation within 30 days of receipt of the petition. An urgent interpretation can be requested by the president, the Board of Directors, the speaker, or the Council in which case the interpretation of the committee shall be provided within 14 days. The Board shall provide the necessary funds, if requested by the committee, to assist the committee in the gathering of appropriate data and opinions for development of any interpretation. The Bylaws Interpretation Committee shall render its response to the petitioner as a written interpretation of that portion of the Bylaws in question. That response shall be forwarded to the petitioner, the officers of the Council, and the Board of Directors.

ARTICLE XIII — AMENDMENTS

(No changes are proposed for Sections 1-3.)

Section 4 — Contested Amendment

If an Amendment Under Initial Consideration fails to receive an affirmative vote of at least two-thirds of the members of the Board of Directors, then such proposed Bylaws amendment shall be deemed a Contested Amendment. The positions and vote of each member of the Board regarding such Contested Amendment shall be presented to the Council's Steering Committee at the Steering Committee's first meeting following said vote of the Board of Directors. The Council's component bodies and councillors shall be notified within 30 days of the Board action. The Steering Committee shall not have the authority to amend or adopt a Contested Amendment. The speaker may call a special meeting of the Council to consider a Contested Amendment. The time and place of such meeting shall be announced no less than ~~40~~ **10** and no more than ~~50~~ **60** days prior to the meeting.

The Contested Amendment, identical in every way to its parent Amendment Under Initial Consideration, and the positions and vote of each member of the Board of Directors regarding such Contested Amendment, shall be presented to the Council at the Council's first meeting following said vote of the Board of Directors.

If the unmodified Contested Amendment receives the affirmative vote of at least two-thirds of the councillors present at that Council meeting, as certified by the chair of the Tellers, Credentials, & Elections Committee, then such proposed Bylaws amendment shall be adopted, and these Bylaws shall be ~~so~~ amended immediately.

If a Contested Amendment is modified in any way, and then receives the affirmative vote of at least two-thirds of the councillors present at that Council meeting, as certified by the Tellers, Credentials, & Elections Committee, such Contested Amendment shall then be deemed an Amendment Under Initial Consideration and be subject to the process for adoption defined herein.

Summary of Asynchronous Testimony

Testimony raised questions regarding the proposed amendments noting perceived inconsistencies in the

amendments. Additional amendments were suggested in testimony that could be incorporated after further consideration by the Bylaws Committee and the Board of Directors.

Mr. Speaker, this concludes the preliminary report of Reference Committee A. I would like to thank Jacob M. Altholz, MD; Marina N. Boushra-Freiberg, MD; Daniel S. Udrea, MD, FACEP; Will Weber, MD, MPH, FACEP; Sandra Williams, DO, MPH, FACEP; Laura Lang, JD; and Amber Williams, MSOL for their excellent work in developing this preliminary report.