

**Emergency Care Quality Measures Consortium (ECQMC)
OPERATIONAL GUIDELINES**

*Subject to Approval of the ACEP Board of Directors
And
Emergency Care Quality Measures Consortium Board of Governors*

1 In October 2019, the American College of Emergency Physicians (ACEP) convened a meeting to discuss the creation
2 of an industry-leading coalition referred to as the Emergency Care Quality Measures Consortium (ECQMC). The
3 purpose of ECQMC is to improve the quality, safety, and transparency of emergency care by ensuring the
4 development of meaningful measures designed to improve patient outcomes and reduce cost while promoting quality
5 measure alignment, reducing the burden of measurement, and avoiding duplication of effort.

6 ECQMC will potentially include ACEP members, physician groups, health insurance payers, medical associations,
7 and academic and research leaders, all working together to recommend and align core sets of quality measures in
8 emergency and acute, unscheduled care. The leadership of ECQMC contributors or their designees will be the
9 spokespersons for their respective groups and organizations. Notwithstanding the intent of ECQMC to bring unity of
10 purpose on certain issues, it is understood that any ECQMC contributor may choose to have a separate position on
11 particular issues to the extent it deems it advisable including a distinct quality measure development initiative.

12 ECQMC is a coalition of ACEP members, physician groups, health insurance payers, medical associations and
13 academic and research leaders (each a “Member” and collectively the “Members”), and will be managed within
14 ACEP’s corporate structure to ensure operations and accounting are governed in accordance with these Operational
15 Guidelines. ECQMC is subject to the terms and conditions of ACEP’s bylaws and other applicable ACEP governing
16 documents and policies, as well as all laws and regulations applicable to ACEP. Stewardship and accountability for
17 funds donated to ECQMC rests with ACEP. Participation in ECQMC by stakeholders in emergency medicine is
18 voluntary, and contributing organizations, groups, and individuals may choose to withdraw from ECQMC at any
19 time.

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21 These Operational Guidelines are intended to facilitate ECQMC’s governance and operation.

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23 1. **Name**

24 The name of the coalition shall be the Emergency Care Quality Measures Consortium.

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26 2. **Purpose**

27 The overarching purpose of ECQMC is to develop and promulgate high-value, high-impact, evidence-based
28 measures that promote better patient outcomes and provide useful information for quality improvement,
29 medical decision-making and value-based payment as approved the ECQMC Board of Governors (or
30 “BOG”). Funds contributed to ECQMC shall be restricted to expenditures that would reasonably be

31 expected to qualify as tax-deductible under relevant guidelines of the Internal Revenue Service in order to
32 encourage contributions by emergency medicine entities.

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34 **3. Objectives**

35 ECQMC shall:

- 36 3.1 Develop and promulgate high-value, high-impact, evidence-based measures that promote better
37 patient outcomes and provide useful information for quality improvement, medical decision-making
38 and value-based payment.
- 39 3.2 Align measures and data dictionaries across the emergency medicine specialty and across public
40 and private payers to achieve congruence and transparency in the measures being used for quality
41 improvement and payment purposes.
- 42 3.3 Reduce the burden of measurement by eliminating low-value metrics, redundancies, and
43 inconsistencies in measure specifications and quality measure reporting requirements across payers.
- 44 3.4 Provide ongoing maintenance of the existing core measure sets to reflect the changing measurement
45 landscape, including, but not limited to, changes in clinical practice guidelines, data sources, or risk
46 adjustment.
- 47 3.5 Facilitate the creation and maintenance of Measures within guidelines set by the BOG and in
48 compliance with CMS' and other governmental regulations.

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50 **4. Intellectual Property**

- 51 4.1 ACEP owns all right, title and interest, including all intellectual property rights, to future measures,
52 reports and other works (Measures) developed on behalf of ECQMC. ACEP grants members of the
53 ECQMC Board of Governors a non-transferable, non-exclusive, irrevocable, worldwide license for
54 access to and use of the Measures developed (including any changes or improvements made thereto)
55 during the term of their membership in ECQMC. Such license shall be for the duration of their term on
56 the Board of Governors. In the event a Member leaves ECQMC, such license shall be extended for three
57 (3) years following the date of termination of membership.
- 58 4.2 Members of ECQMC own all right, title and interest, including all intellectual property rights, to their
59 own pre-existing measures, reports, platforms, websites, practices, protocols and other materials ("Pre-
60 Existing Materials"). In addition, Members may develop new materials ("New Materials") outside of
61 work on Measures. Each Member owns all right, title and interest, including all intellectual property
62 rights, to any New Materials created solely by that Member, without the use of any other Members' Pre-
63 Existing Materials or the Measures, during or after the term of its membership in ECQMC. Each
64 Member may choose, in its own discretion, to license its Pre-Existing or New Materials to other
65 Members or others under the terms of separate agreements.
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69 5. **Governance**

70 ECQMC shall initially be governed by a Board of Governors, consisting of voting and non-voting members.
71 The size of the Board of Governors shall be flexible to allow for expansion based on additional Members.
72 The initial year will include a \$5,000 commitment from each voting Member for the ECQMS to develop one
73 test measure. It is anticipated that financial commitments will increase in the future as the ECQMC seeks to
74 develop more measures in future years. Voting positions can be held by representatives of a physician
75 provider group or representatives of “Coalitions” of ACEP members, physician groups, health insurance
76 payers’ medical associations, academic and research leaders who are working together to recommend and
77 align core sets of quality measures in emergency and acute, unscheduled care, each of which shall be a single
78 Member of ECQMC.

79
80 The Board of Governors may also consist of certain non-voting members, such as but not limited to,
81 organizations with an interest in the success of Emergency Medicine, governmental and regulatory agencies,
82 or Standards Development Organizations (SDOs), to be appointed by a majority vote of the Board of
83 Governors.

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85 ECQMC members of the Board of Governors are selected for their willingness and ability to contribute to
86 ECQMC mission and provide a wide range of experience. Each member of the Board of Governors must
87 comply with ACEP’s Conflict of Interest Policy.

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89 The Board of Governors shall function as follows:

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- 91 5.1 Each voting member of the Board of Governors shall be entitled to one (1) vote. Each member of the
92 Board of Governors shall be entitled to designate an alternate that meets all the same criteria as that
93 BOG member to vote in his/her absence.
 - 94 5.2 Actions by the Board of Governors shall be by majority vote.
 - 95 5.3 The Board of Governors will work collaboratively to establish and fund ECQMC measure priorities.
 - 96 5.4 Members of the Board of Governors shall serve a one-year term subject to renewal by the entity that
97 they represent provided the entity continues to be entitled to a position on the ECQMC Board of
98 Governors as set forth in Section 6.
 - 99 5.5 All requests for ACEP staff and other resources shall be coordinated through the ACEP Executive
100 Director or his/her designee.
 - 101 5.6 No single entity or group (including any “Coalition”) shall have more than one (1) seat on the Board
102 of Governors, irrespective of the amount of its contributions to ECQMC.
 - 103 5.7 In the unlikely event that ACEP’s Board of Directors disagrees strongly with decisions by ECQMC’s
104 Board of Governors, such decisions and actions may be overturned only by a three-fourths (3/4) vote
105 of ACEP’s Board of Directors no later than ninety (90) days from the date of the decision.
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107 6. **Board of Governors Eligibility**

- 108 6.1 Each fiscal year, voting Members must donate an amount to be determined by the Board of
109 Governors in order to be eligible to hold a seat on the Board of Governors. The initial Membership
110 contribution of \$5,000 is for 2020 and is subject to change for future years. The Board of Governors
111 may approve exceptions to this rule for groups or individuals whose non-financial contributions are
112 valuable to ECQMC but without the ability to contribute the minimum required donation.
- 113 6.2 Pharmaceutical companies, medical device manufacturers, and health insurance, IT, and data
114 companies shall not be eligible to be voting Members of ECQMC.
- 115 6.3 The Board of Governors may vote to temporarily waive or delay contribution requirements for any
116 fiscal year by a majority vote of its Members.

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118 7. **Officers**

- 119 7.1 The Officers of the Board of Governors shall be the Chair, Vice Chair, and Treasurer/Secretary
120 Officers shall be selected from members of the Board of Governors and their service as an Officer is
121 contingent on their continued representation of a Member as a member of the Board of Governors.
122 The Officers of the Board of Governors shall serve for a (1) year term. Officers may not serve more
123 than two (2) consecutive terms in the same office.
- 124 7.2 The election of Officers shall be elected by majority vote at its annual meeting.
- 125 7.3 ECQMC's Officers' terms shall begin January 1 and end December 31 of each year.

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127 8. **Duties of the Officers**

- 128 8.1 Duties of the Chair:
- 129 8.1.1 May attend ACEP Board of Directors meetings at his/her own expense or participate by
130 telephone. However, if ECQMC's Chair is specifically invited by the ACEP Board of
131 Directors to conduct official ECQMC business at an ACEP Board meeting, ECQMC will
132 reimburse travel expenses related to the attendance of the Chair or his/her designee from the
133 ECQMC Board.
- 134 8.1.2 Shall keep the ACEP Board of Directors and Executive Director informed of ECQMC
135 activities through quarterly reports, correspondence, agendas, meeting minutes, and other
136 means as necessary.
- 137 8.1.3 Shall oversee the development of an annual report to ACEP's President and Executive
138 Director by June 1 of each year. The annual report shall consist of a list of ECQMC
139 achievements and activities of the past year and goals and objectives for the coming year and
140 shall be provided to the ACEP Board of Directors prior to its June meeting.
- 141 8.1.4 Shall preside over all meetings of the Board of Governors.
- 142 8.1.5 Shall appoint committees or subcommittees to carry out ECQMC's activities.
- 143 8.1.6 Shall keep an adequate and proper account of the funds of ECQMC.
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- 145 8.2 Duties of the Vice Chair:
146 8.2.1 Assists Chair in the execution of his or her duties.
147 8.2.2 Shall carry out such other duties as are assigned by the Chair.
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149 8.3 Duties of the Treasurer/Secretary:

150 8.3.1 Prepares the budget and maintains accounts books for ECQMC. Prepares agenda, minutes,
151 and action log for ECQMC.

152 8.3.2 Fills the office of Chair in the event of both Chair's/Vice Chairs absence, resignation or
153 death.

154 8.3.3 Shall carry out such other duties as are assigned by the Chair.
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156 9. **Elections**

157 9.1 Unless otherwise set forth in these Operational Guidelines, nominees for officers shall be presented,
158 in writing, to the Board of Governors and ACEP's Board of Directors at least thirty (30) days prior to
159 ECQMC's annual meeting.

160 9.2 The election of Officers shall be by a majority vote of the Board of Governors present and entitled to
161 vote at the annual meeting.
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163 10. **Meetings**

164 10.1 The annual meeting of the Board of Governors shall be held during ACEP's annual Scientific
165 Assembly.

166 10.2 Except for executive sessions, the annual meeting shall be open to all members of ACEP and
167 ECQMC Member entities and other invited guests at the discretion and consent of the Board of
168 Governors.

169 10.3 Other meetings may be held on an as-needed basis throughout the year by teleconference or in
170 person, if appropriate, as determined by ECQMC's Officers.

171 10.4 Each Member shall be responsible for the travel and other ancillary expenses incurred for its selected
172 representative to attend meetings of the ECQMC Board of Governors.
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174 11. **Parliamentary Authority**

175 The parliamentary authority for all meetings of the Board of Governors shall be the parliamentary authority
176 approved for use for ACEP proceedings. However, should conflicts or inconsistencies arise between the
177 parliamentary authority and this instrument, this instrument shall govern.
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182 12. **ECQMC Activities**

- 183 12.1 For each objective for which the consortium funds are proposed to be dispersed, a plan of action
184 **(Plan)** shall be developed by the Chair, ACEP’s Chief Financial Officer, and the Associate
185 Executive Director of Quality, or their designees. The Plan shall consist of:
186 12.1.1 A recommendation;
187 12.1.2 A brief discussion/background of issues and the political and emergency medicine
188 environment; and
189 12.1.3 The fiscal impact of the activity.
190 12.2 The Plan shall be submitted to the Board of Governors for review and approval.
191 12.3 The Board of Governors shall consider the following factors when reviewing a Plan for possible
192 funding including but not limited to:
193 12.3.1 Current and future emergency medicine interests impacted by the Plan;
194 12.3.2 Costs/risks vs. benefits;
195 12.3.3 Likelihood of success;
196 12.3.4 Potential opportunities for collaboration with other stakeholders; and
197 12.3.5 Availability of funds.
198 12.4 All activities and related expenditures shall be in compliance with all applicable federal and state
199 laws and regulations.
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201 13. **Voting**

- 202 13.1 Voting on any issue, except the election of the Officers and/or amendments to these Operational
203 Guidelines, may be accomplished either during the annual meeting, other in-person meetings, or by
204 teleconference or mail (including email ballot). The Chair shall determine which method is
205 appropriate for each item coming before the Board of Governors.
206 13.2 Voting by email:
207 13.2.1 Email or electronic voting software may be used to email the ballots and tally the results.
208 13.2.2 An email notice shall be sent to all members of the Board of Governors at least three (3)
209 days prior to transmittal of a ballot. Such notice shall provide the Board of Governors
210 background information necessary to make an informed decision about the issue upon which
211 they are requested to vote.
212 13.2.3 The ballot shall be emailed once to all voting members with a due date for return by email
213 within a time specified by the Chair.
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215 14. **Amendments**

- 216 14.1 Any member of the Board of Governors or ACEP’s Board of Directors may originate a proposed
217 change in these Operational Guidelines. Proposed amendments to the Operational Guidelines must
218 be submitted in writing to the ECQMC Chair, with a copy to ACEP’s Executive Director, at least
219 thirty (30) days prior to any scheduled meeting of the Board of Governors.

220 14.2 Proposed amendments shall be submitted in writing by email to the Board of Governors at least
221 fourteen (14) days prior to the scheduled meeting and will be placed on the agenda of the meeting of
222 the Board of Governors. Any proposed amendment must be approved by two-thirds (2/3) of the
223 members of the Board of Governors present and entitled to vote, during the meeting. The adopted
224 amendments shall then be forwarded to ACEP's Board of Directors for review at its next scheduled
225 meeting. In order to take effect, the amendments must be approved by a majority of the members of
226 the Board of Directors present and entitled to vote at the meeting.

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228 15. **Fiscal Year**

229 For purposes of determining representation on the ECQMC Board of Governors, the contribution period shall
230 be annually from July 1 – June 30.