This document will provide members of the MSSNY House of Delegates with an outline of information regarding how the business of the House is accomplished. Certainly, if you should have questions after reviewing this document, you may contact the Speakers for clarification.

PROCEDURES OF THE HOUSE OF DELEGATES

Reference Committees
If one were to pick out the most important work of the House of Delegates, it would have to be that of the reference committees. It is in the reference committee hearings that all members of the Medical Society of the State of New York have a forum in which they may express their views on any subject. To get through the large number of resolutions and, increasingly, reports at each meeting, the work of the House is divided among various reference committees. There are usually six reference committees at meetings of the House, although the Speakers have the authority to establish additional committees as they deem necessary to handle the business of the House. This is generally done when a large number of resolutions are submitted in a particular field, i.e., Governmental Affairs. Each committee consists of six members who have been selected by the Speaker to conduct open hearings on items of business before the House. Only delegates may serve on reference committees.

The committees are organized by topic areas, with each having a common set of topics to handle. The traditional reference committees are as follows:

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<th>Reference Committees</th>
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<td>House Committee on Bylaws</td>
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<td>Governmental Affairs and Legal Matters A and B</td>
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<td>Public Health &amp; Education</td>
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Reference committees provide an opportunity for extensive discussion and airing of views prior to consideration by the full House. Reference committee hearings are open to all members of MSSNY, guests, official observers, interested outsiders, and the press. MSSNY member physicians may speak on items of business before the reference committees, but the chairperson of the committee can call upon anyone attending the hearing if that person has information that would be helpful to the committee.

Every attempt will be made to refer resolutions, etc., to a Reference Committee which has its counterpart in the administrative staff so that staff are available to each Reference Committee during its deliberations.

Following its open hearing, each Reference Committee begins its executive session for deliberation and construction of its Report. It may call into executive session anyone the committee may wish to hear or question. The committee then writes its final Report; it is required that each member of the Reference Committee sign the draft of the Report which is the official copy. Minority Reports by members of Reference Committees are in order if so desired.

Before the House is convened by the Speaker or the Vice-Speaker, the Reference Committee members will be instructed in detail at a briefing session regarding the preparation of Reports.

Conflict of Interest
Members of the House of Delegates who have a substantial financial interest in a commercial enterprise, an interest in which would be materially affected by a matter before the House, must publicly disclose that interest before testifying at a Reference Committee on the matter; or speaking on the matter on the floor of the House of Delegates.
Resolutions
Business is introduced into the House through the presentation of resolutions by voting delegates on behalf of their constituents, or as individuals. Whenever possible, references will be provided on existing MSSNY policy, relative to the subject of the resolution.

Resolutions of an emergency nature, presented by voting delegates on the final day of the annual meeting of the House of Delegates, shall be referred by the Speaker to an appropriate Reference Committee, which shall then report to the House as to whether the matter involved is or is not of an emergency nature.

If the reference committee reports that the matter is of an emergency nature, it shall be presented to the House without further consideration by a reference committee. Favorable action shall require the affirmative vote of three-quarters of all delegates present and voting. If the Reference Committee reports that the matter is not of an emergency nature, the Speaker shall defer its introduction until the next annual meeting of the House of Delegates.

Late Resolutions
The Convention Committee on Rules, Credentials and Order of Business will review late resolutions and make recommendations to the House regarding their acceptance. The committee’s report suggests how the House should handle late resolutions. They are either accepted for business by the House or not accepted. If accepted, they are referred to a reference committee. Acceptance of late resolutions shall require two-thirds vote of the delegates for acceptance.

Withdrawal of a Resolution
The sponsor of a resolution may withdraw it from consideration before it is considered by a Reference Committee. If a resolution is withdrawn, the Chairman of the Reference Committee will announce that it has been withdrawn and no action will be taken on the resolution.

Once acted upon by a Reference Committee, however, a resolution becomes the property of the House and may be withdrawn only by a majority vote of the House.

Reports
On occasion, business will be introduced to the House through the presentation of Reports that will have been generated by prior House or Council action.

These reports will be referred to appropriate reference committees whose recommendations for final House action will be included in reference committee Reports.

Reaffirmation Consent Calendar
The report of the Convention Committee on Rules, Credentials and Order of Business also contains a consent calendar on reaffirmation resolutions. Reaffirmation resolutions are resolutions that would establish policies that are comparable to, or substantially identical to existing policies or Legislation Program directive. The Committee determines which resolutions are placed on the reaffirmation consent calendar.

Extractions can be made from this consent calendar, which places these items back into reference committees for discussion. If extracted, your Speaker will announce particular reference committee assignments and numbers assigned.

The existing, pertinent MSSNY policy will be deemed to be reaffirmed in lieu of any submitted resolutions not extracted from the Reaffirmation Consent Calendar.
How the House Sets Policy
Reference Committee Reports comprise the bulk of the official business of the House of Delegates. They need to be constructed swiftly and succinctly after completion of the hearings so that they may be processed and made available to the delegates as far in advance of formal presentation as possible.

Reference Committees have wide latitude in their efforts to express the will of the majority on the matters before them, and to give credence to the testimony they hear.

At the time the Committee Report is presented to the House, each resolution and report that has been accepted by the House as its business is the matter before the House for disposition, together with the Committee recommendations in this respect. In the event that a number of closely related items of business have been considered by the committee, and a consolidation or substitution has been proposed by the committee, the reference committee substitute will be the matter before the House for discussion.

Your Speakers recommend that each item referred to a Reference Committee be reported to the House as follows:

Identify resolutions by title and number, and reports by MSSNY Division/Department, number and Subject (i.e., GA (B) Report -HOD-2010, Subject: Final Report of the Subcommittee on Health System Reform).

State concisely the committee's recommendations and, if recommended, include any Substitute or Amended Resolve.

Present a summary of the issue(s) under consideration.

Comment, as appropriate, on the testimony presented at the hearings, and incorporate supporting evidence of the recommendation of the committee.

The recommendations of the reference committee shall be set in italics (e.g. Adopt, Not Adopt, Refer To Council, Substitute Resolution, etc.), and the text of the recommended Resolve clauses shall be set in bold type.

If the committee's recommendation is for reaffirmation of current MSSNY Policy or adoption of AMA Policy as MSSNY Policy, the text of the policy must be included.

Consent Calendar
Reference Committee Reports will begin with the Consent Calendar which will list the Committees' recommendations for the disposition of all matters as follows:

- Recommended for Adoption
- Recommended for Adoption as Amended or Substituted
- Recommended for Referral to the Council
- Recommended Not For Adoption

Your Speakers will ask the House if it wishes to accept the Report as submitted by the Reference Committee, or if there are any matters that a delegate wishes to extract. Items extracted will then be debated in the usual manner.

Items dealing with amendments to the Bylaws should not be placed on the Consent Calendar as Bylaws must be amended by a two-thirds vote of the delegates present and voting.

Only items extracted from the Consent Calendar will be open for discussion, and the remainder of the reference committee report will be accepted as MSSNY policy as presented. The effect is to
permit full consideration of the business at hand. Any appropriate motion for amendment or disposition may be made from the floor.

HOUSE ACTION

On Resolutions
In the interest of clarity the following recommendations are offered so that the House may accomplish its intent without misunderstanding.

The Speaker will advise the House that the Consent Calendar as presented by the Reference Committee is before it for acceptance and ask if there are any items the delegates wish to extract. Extracted items will be discussed by the House and definite action taken.

If an item is extracted from the Consent Calendar and the reference committee recommends that the House:

- **ADOPT** the resolution:
  The original resolution stands as the main motion and can be treated as any main motion.

- **NOT ADOPT** the resolution:
  The original resolution stands as the main motion and can be treated as any main motion.

- **REFER TO COUNCIL**:
  The original resolution then becomes the main motion and can be treated as any main motion.

- **AMEND** the original resolution by **ADDITION OR DELETION**:
  Then, the amended resolution is before the House and only a second order amendment can apply. However, the second order amendment can be a substitution of the original language.

- **OFFER A SUBSTITUTE RESOLUTION IN LIEU OF** the original resolution (one resolution):
  Then if extracted, this becomes the motion on the floor of the House and both first and second order amendments can be applied. One of these amendments can be a substitution of the original language.

- **OFFER A SUBSTITUTE RESOLUTION IN LIEU OF** Multiple Resolutions:
  This too can have both first and second order amendments attached. In this case, if the substitute resolution offered by the reference committee is defeated, then there is NO motion on the floor. If desired, a delegate may then make a motion to move one of the original resolutions, and if seconded, the delegate may speak to that motion (original resolution) on the floor.

Multiple Resolves On A Resolution
Each resolve shall be handled independently unless it is clear and readily apparent that they are dependent on each other. Some resolves can stand alone; some cannot.

Each resolve is a part of the main motion or the entire resolution and a change in one of the resolves is an amendment. At no time can there be more than a second order amendment to the resolution as a whole.
**Limitation on Debate**
There shall be a 5-minute limit per person on the resolution (or item) under discussion at a given time. This is subject to the discretion of the Speaker who may waive the rule for just cause or if requested by the House.

**On Reports**
When the House wishes to acknowledge that a report has been received and considered, but that no action upon it is either necessary or desirable, the appropriate proposal for action is that the Report be *FILED FOR INFORMATION*. For example, a report that explains a government program or regulation, or clarifies the issue in a controversial matter, may properly be *FILED FOR INFORMATION*. This does not have the effect of placing the Society on record as approving or accepting responsibility for any material in the Report. When it appears that there is no debate, the Chairperson may declare it *FILED FOR INFORMATION* without the necessity of a formal vote. Such a statement records the action and concludes such an item of business.

When a Report offers recommendations for action, these recommendations may be *ADOPTED*, or *APPROVED*, or *ACCEPTED*, each of which has the effect of making the Society responsible for the matter. In the interest of clarity the use of the terms, *ACCEPT FOR INFORMATION* or *APPROVE IN PRINCIPLE*, should be avoided.

**House Committee on Bylaws**
In accordance with Article X, Section 2 of the Bylaws, the House Committee on Bylaws shall be appointed annually by the Speaker. It shall consist of at least five members, including a chairman, all of whom shall be members of the House. The President, Secretary, and the Speakers shall be ex-officio members with voice and vote. The Executive Vice-President and General Counsel of the Medical Society of the State of New York shall be members of the committee with voice but without vote.

It shall be the duty of the committee to study all proposed amendments to the Bylaws and the *Principles of Professional Conduct of the Medical Society of the State of New York* and to report thereon at the annual meeting of the House of Delegates following the meeting at which such amendments are proposed. The committee shall include in its Report recommendations for action on the proposed amendments with reasons for such recommendations.

It shall be the duty of the committee to suggest amendments to or revisions of the Bylaws and the *Principles of Professional Conduct of the Medical Society of the State of New York*.

The Report of the House Committee on Bylaws shall be presented directly to the House, without referral to a Reference Committee.

Beginning with the 2004 House of Delegates, the House Committee on Bylaws assumed the duties of the Reference Committee on Bylaws.

**How to Change the Bylaws**
Article XX of the Bylaws states: Amendments to the Bylaws or to the *Principles of Professional Conduct*, except such as are obligatory by law, shall be made only at an annual meeting of the House of Delegates after having been submitted in writing at a previous annual meeting and having been published in the official publication of the Medical Society of the State of New York, at least once, and at least one month before the annual meeting at which action shall be taken.

The affirmative vote of two-thirds of the House of Delegates present and voting shall be necessary for adoption of any amendment. However, amendments made necessary by law shall be made either by the Council or House of Delegates whenever such necessity exists.
**Parliamentary Procedure in the House:**

**Transaction of Business**
A quorum shall consist of 100 members of the House of Delegates.

It is necessary in an assembly of over 300 delegates to insist that each individual speaking on an issue be recognized by the Speaker, be at a microphone, and be properly identified for the information of those who transcribe the proceedings.

In the absence of specific provisions to the contrary in the Bylaws of the Society, the House shall be governed by *Sturgis Standard Code of Parliamentary Procedure - Fourth Edition*.

For your information and to help you in the deliberations of parliamentary procedure, we are attaching a page from *Sturgis Principal Rules Governing Motions*.

Not enough can be said about the importance of the House of Delegates in expressing freely its ability to represent the members of MSSNY.

An effective delegate is one who familiarizes him/herself with the materials which have been provided before arriving at the meeting of the House of Delegates.

The House of Delegates is the final authority on all activities of the Medical Society of the State of New York.

The Board of Trustees, however, does maintain control in all financial matters. Concurrence of the Board is required in any action of the House pertaining to expenditures. Should the Board of Trustees disapprove of the expenditure of any funds voted for by the House of Delegates or the Council, then, and in that event, the Board of Trustees shall return the matter to either the House of Delegates or the Council if the House of Delegates is not in session, either of which may override such disapproval by a three-fourths vote and direct the expenditure of such funds.

The Council acts in place of the House of Delegates in all matters which occur that require action during the year. The Council’s resolutions and actions are decisive and final, except that all resolutions and actions of the Council are subject to review by the House of Delegates.

**Memorial Resolutions**
The House of Delegates may receive memorial resolutions to remember a person who has made significant contributions to MSSNY. Memorial resolutions are printed and distributed, but not read. The Speaker will announce the memorial resolutions and call for a moment of silence.

**The ultimate purpose of the House is to determine the desires of the majority.** The Speakers have a very important job in sensing the will of the House and should preside accordingly. Speakers’ rulings, however, are subject to challenge and reversal by the House. There are many traditions which have evolved in our House of Delegates and much of our business is governed by adherence to these traditions. Addresses by outgoing and incoming presidents, remarks by the Speakers, and recognition of distinguished guests are some of the traditions to which we adhere.

Your Speakers may permit appropriate courtesies and ceremonies. Once the Reports of the Reference Committees start, the Speaker makes every attempt to carry out this order of business without interference. However, circumstances often force the Speakers to interrupt the Reports of Reference Committees for emergency matters, or for unexpected or delayed distinguished visitors.