

# **MSSNY House of Delegates Reference Manual**

**2025 Edition**

## Chapter 1: General Information on the MSSNY House of Delegates

The House of Delegates, also known as the “House” or the HOD, is MSSNY’s policymaking body. It is a democratic forum that represents the views and interests of a diverse group of member physicians and medical students who come together to establish broad policy on health, medical, professional and governance matters, as well as the broad principles within which MSSNY’s business activities are conducted.

### Composition of the House of Delegates

The HOD has over 300 voting delegates (and a corresponding number of alternate delegates), each selected by the organization being represented. All delegates are required to be MSSNY members. Specific roles and responsibilities are covered in Chapter 2.

The HOD is composed of:

- Component County Medical Society Delegates, allocated on a proportional basis based on MSSNY members or number of Assembly Districts in each County, whichever is greater with a minimum of one delegate per county and a maximum of thirty delegates per county.
- Statewide medical specialty organizations recognized by the Council (one delegate each).
- District Branch Delegates (one delegate each).
- The Officers, Councilors, and Trustees.
- The New York State Commissioner of Health, or a Deputy designated by the Commissioner.
- Section Delegates, allocated on a proportional basis based on section membership with a minimum of one delegate per section and a maximum of three delegates per section.
- Medical School Delegates (one delegate each).
- Officers, Trustees, and Speakers of the American Medical Association who are MSSNY Members.
- Past Presidents of MSSNY.
- Past Speakers of MSSNY.
- Past Executive Vice Presidents of MSSNY.
- Past Deputy Executive Vice Presidents of MSSNY who served for at least 3 years.
- Past Presidents of the American Medical Association who are MSSNY Members.

## Meeting Overview

The MSSNY Bylaws specify that the HOD shall meet annually. MSSNU Bylaws also outline the procedures under which special meetings of the HOD can occur. Information on the dates and location for each Annual and Interim meeting is available on the HOD website. Prior to each meeting, each represented society is responsible for providing the official roster of their delegates and alternate delegates to HOD Staff. The list of delegates is reviewed by the Committee on Rules, Credentials, and Order of Business and is ratified by the HOD at the Opening Session. A list of names of all delegates and alternate delegates is included in the HOD Handbook, and this becomes a part of the official meeting Proceedings.

## A Synopsis of the HOD Policy Development Process

In brief, voting delegates introduce business to the HOD through presentation of resolutions on behalf of their delegation, or as individuals. Business also includes reports from various convention committees. Nearly every report and resolution is referred to a reference committee for consideration, although exceptions are noted. A reference committee is a special committee that serves to expedite the business of the House—see Chapter 4 for additional information. Reference committee hearings are the venue at which delegates, alternate delegates and any other member of MSSNY can support, oppose, voice concern, or articulate their point of view on items of business under consideration. Disparate points of view expressed in the reference committee hearings are considered by the reference committee as the committee crafts its report. Reference committee recommendations are subsequently considered in a more formal manner by all HOD delegates. It is the HOD that acts on all items of business.

## Traditions, including Privilege of the Floor

Tradition governs a substantial portion of each formal session of the HOD. The invocation, National Anthem, addresses by outgoing and incoming Presidents, remarks by the Speaker, recognition of distinguished guests, and the like are in this category. The Speaker, is the chief presiding officer over the HOD. The Speaker has the prerogative to permit as many presentations as may be appropriate without unduly intruding on the time necessary for the HOD to accomplish its regular business. Unscheduled presentations may be arranged either through the Speaker or in response to a HOD request that receives a two-thirds vote of delegates present and voting.

## Chapter 2: Delegates and Alternates

HOD delegates and alternate delegates play a critical role in the democratic policymaking process that is the foundation of MSSNY. Their roles are multi-dimensional, and include:

- Advocacy for patients within the HOD to improve the health of the public and the health care system;
- Representation of the perspectives of their sponsoring organization to the HOD;
- Representation of their physician and medical student constituents in the decision-making process of the HOD;
- Representation of MSSNY and its HOD to member and non-member physicians, medical associations, and others; and
- Solicitation of input from and provision of feedback to constituents.

HOD delegates and alternate delegates are expected to foster a positive and useful two-way relationship between grassroots physicians and MSSNY leadership. The registration record of the Committee on Rules Credentials, and Order of Business constitutes the official roll call at each HOD meeting. It includes the physician/medical student's name and the name of the organization being represented, and becomes a part of the meeting Proceedings.

### Delegate Responsibilities

During the meeting, MSSNY delegates have a number of responsibilities and roles, including serving on HOD committees, participating in caucuses, and testifying at reference committee hearings on the merits of reports and resolutions. Also, after reference committees present their reports to the HOD, delegates can testify and vote on the recommendations of the reference committee for action. Delegates also have pre- and post-meeting responsibilities. They work with their colleagues to draft resolutions for consideration at HOD meetings and report highlights of HOD meetings verbally or in print to the leadership or membership of the organizations they represent. For example, they may present such information at meetings of their hospital medical staff, medical school, county medical society, district branch, or state specialty society meeting; or write articles for their community newspapers, hospital or medical society newsletters or journals. Delegates also cultivate promising leaders for all levels of organized medicine and informally recruit new members and help retain current members. Year-round, the delegates and alternate delegates serve as a key source of information on MSSNY activities, programs, and policies. As such, they are direct contacts for individual members to communicate with and contribute to the formulation of MSSNY policy positions, identify situations that might be addressed through other MSSNY efforts, and aid in implementing MSSNY policies

### Role of Alternate Delegates

Alternate delegates have many of the same overall roles and responsibilities as delegates during the HOD meetings – they testify on resolutions and reports in reference committees, participate in caucuses, and serve on HOD committees. But, because alternate delegates technically are not HOD members, they cannot introduce resolutions. However, they can be temporarily credentialed to substitute for a delegate, and thus speak and debate on the HOD floor, offer amendments to pending matters, and make

motions and vote on the outcome of items of business. In order to vote in elections, alternate delegates must be formally recredentialed as a delegate.

#### Delegates/Alternate Delegates Certification and Registration

At least 30 days prior to each HOD Meeting, an official of each group represented in the HOD is responsible for sending the roster of delegates and alternate delegates from their respective associations to the HOD staff to ensure that they can be timely credentialed. While this is the responsibility of the society represented in the HOD, delegates and alternate delegates may wish to check with their societies to ensure that their credentials have been confirmed. Registration is a separate process from credentialing/certification. Every attendee, including delegates, alternate delegates, staff, and guests, needs to register at each meeting. At each HOD meeting, each delegate receives a delegate badge and a credential that can be given to an alternate delegate should the delegate need to be out of the room at the time a vote is taken. Each alternate delegate also receives an alternate delegate badge. Each guest also receives a guest badge. All badges may be picked up at the registration area.

#### Temporary re-credentialing

When a delegate or alternate delegate is unable to attend an HOD meeting, the officials of the organization may substitute a delegate, who on presenting proper credentials as outlined above, is eligible to serve as a delegate to the HOD for that meeting only. A delegate whose credentials have been accepted by the HOD Committee on Rules, Credentials, and Order of Business and whose name has been placed on the HOD's official call remains a delegate until final adjournment of that meeting. If a delegate is absent for part of a day, the delegate may give the voting badge to an alternate delegate or a substitute alternate delegate. If the delegate must leave the meeting or is absent for more than a full day, the delegate must formally transfer their credentials to either an alternate delegate or a substitute alternate delegate at the Registration area. The person who takes the place of the delegate must comply with the formal recredentialing procedures established by the Committee on Rules, Credentials, and Order of Business for such purpose and shall be known as a temporary substitute delegate. A temporary substitute delegate has all the rights and privileges of a delegate, including the right to vote on items of business and vote in any election.

#### Seating of Delegates

Delegate seating for the HOD Business Meetings rotates from meeting to meeting. Delegates are allocated seats grouped by their County of Membership. The counties are grouped by district branch membership. The seating chart for each HOD meeting is included in the HOD Handbook. Alternate delegates sit apart from the delegates in a reserved seating area during the formal HOD sessions in seats that are not pre-assigned. Seating at reference committee hearings and other programming is unassigned for all participants. Meetings begin promptly. Delegates, alternate delegates, and guests are urged to arrive early and be in their seats 15 minutes before the stated time. Similarly, delegates are urged to schedule their departures after the meeting adjourns on the last day, so that they can give full consideration to that day's business items.

#### Conflicts of Interest

Immediately prior to testifying before the HOD or a Reference Committee, every individual must publicly disclose their actual or potential conflicts of interest, if any. A disclosable "conflict of interest" is an

interest that is or may be material to the matter being considered and that would reasonably be expected to impair the objectivity of the individual who is testifying. Conflicts of interest, however, do not include an interest that results solely from the fact the testifying individual is a physician or medical student, in recognition that most testifying individuals have the same interest. When in doubt as to whether a conflict of interest exists or is disclosable, your Speakers recommend that individuals err on the side of caution and disclose any actual or potential conflicts to preserve the integrity of our process. Upon disclosure of any conflicts of interest, an individual may testify without encumbrance. A Delegate who thinks or knows that a testifying individual has an undisclosed actual or potential conflict of interest may ask the Speakers or the Chair of the Reference Committee, as applicable, to have the testifying individual disclose their conflict. The Speakers or the Chair, as applicable, have sole discretion to decide all matters related to the appropriate disclosure and management of conflicts of interests before the HOD or Reference Committee, respectively. The Speakers and Reference Committee Chairs may consult the General Counsel and appropriate others as needed to decide the matter. Delegates ratify The Conflict of Interest policy as part of the HOD Standing Rules (see Chapter 8).

## Chapter 3: Roles and Duties of the Speaker and Vice Speaker

The Speaker presides over HOD meetings and performs such duties as custom and parliamentary usage require, or as mandated by the MSSNY Bylaws. The goal is to keep the HOD meeting moving in a fashion that facilitates debate. Per MSSNY Bylaws, the Vice Speaker officiates for the Speaker in the Speaker's absence or at their request. Typically, the Speaker and Vice Speaker work as a team in meeting preparations, communications with HOD members, and conducting the meeting. Because the Speaker and Vice Speaker work together so closely, they are referred to as "the Speakers." Every year, the Speakers are elected, each to serve for one year in the elected position or until a successor is elected and installed. On election, the Speakers continue to be members of the HOD, with all of the associated rights and privileges. An individual elected as Speaker or Vice Speaker may serve a maximum tenure of 5 years.

### Speakers' Letters and other Communications from the Speakers

Throughout the year, the Speakers communicate with HOD members, with updates also posted online on the HOD website. It is imperative that the HOD office has accurate contact information, particularly a current email address, for all delegates and alternate delegates so that this information can reach them. A Speakers' Letter is widely distributed prior to each HOD meeting and is also available online. It includes important information about the items of business in the Handbook, the meeting schedule, educational programs, and other events. The Speakers shall, when appropriate, issue reports to the HOD including reconciliation reports regarding policies that have been countermanded by subsequent HOD action.

### Speaker Appointments

The Speaker is responsible for several appointments throughout the year. They include:

- Members of Reference Committees;
- Members of the Committee on Rules, Credentials, and Order of Business;
- Members of any special committees of the HOD; and
- The Chief Teller and Assistant Tellers.
- Members of the EVP Search Committee (when necessary) in conjunction with the President and the Chair of The Board of Trustees

HOD members who are interested in being considered for any of these appointments are encouraged to make their wishes known to the Speaker or to the AMA Office of HOD office. More details about the roles and responsibilities of the various HOD committees, and their composition, are provided in Chapter 4.

## Chapter 4: HOD Committees

## Roles and Responsibilities

A number of committees are constituted to serve in conjunction with the meetings of the HOD. Only credentialed Delegates are eligible to serve on HOD Committees. Delegates who are interested in serving on these committees need to complete an application that can be found on the HOD website or for more information email [hod@mssny.org](mailto:hod@mssny.org). In choosing members for HOD committee service, the Speaker is encouraged to appoint a committee diverse in terms of specialty, geographic representation, gender, age, and ethnicity.

### Convention Committee on Rules, Credentials, and Order of Business

The Committee on Rules, Credentials, and Order of Business consists of 7 members, 5 are appointed by the Speaker. By tradition, the Speaker and the Vice Speaker also serve on this committee. A majority of the committee constitutes a quorum. The Committee on Rules, Credentials, and Order of Business is responsible for considering all matters relating to the registration and certification of delegates, proposing rules of conduct and procedure for the orderly transaction of HOD business, proposing election and balloting procedures, and issuing reports that HOD delegates act upon. The committee chair, appointed by the Speaker, has additional responsibilities: verbally stating that a quorum exists by presenting the number of registered delegates at the beginning of each HOD Business session, and overseeing and presenting the committee's reports to the HOD. At every meeting, the committee presents the Standing Rules (this document) and the Temporary Rules (of the HOD) in a report, which the HOD adopts. The committee presents one or more Supplementary Reports, which make recommendations on acceptance of Late Resolutions, and identifies resolutions that the Committee believes should be considered as "reaffirmation resolutions." The committee is not a reference committee and does not normally hold open hearings, but does provide sponsors of "late resolutions" an opportunity to explain the reasons for the lateness of their resolution. Lastly, the Committee on Rules and Credentials oversees MSSNY elections, in conjunction with Sargent at Arms and Tellers.

### Convention Committee of Tellers and Sargent at Arms

The Speaker appoints an HOD member to serve as the Sargent at Arms (aka Chief Teller) to assist in administering the election and review the vote totals. Tellers are appointed to assist the Sargent at Arms. The Tellers and Sargent at arms also assist the Speaker in tallying any votes as needed.

### Reference Committees

The Bylaws provide for reference committees that conduct open hearings on pending matters of business and prepare reports with recommendations to the HOD for final action. More specific information on the open hearing and the reference committee report is included in Chapter 7. The Speaker appoints the Chair and other members of all reference committees. Membership on reference committees is restricted to delegates. One or more MSSNY staff persons provide staff support for each reference committee. The subject matter referred to each reference committee is discussed in Chapter 5. The Speakers also have discretion, depending on the volume of items under consideration on a particular subject matter, for convening any reference committee. The Speaker has the authority to appoint a special Reference Committee to consider a specific issue. The role of each reference committee is to conduct an open hearing that provides an initial opportunity for discussion and debate on items of



business assigned to it, and to prepare a report with recommendations to HOD members regarding the final disposition of all items. Committee members' responsibilities include:

- Pre-meeting review of all resolutions and reports that have been assigned to the reference committee, as well as pertinent background information, previous HOD actions, and MSSNY policies;
- Participation in pre-meeting reference committee's conference call(s);
- Attendance at the reference committee's open hearing(s);
- Participation in the reference committee's executive session(s);
- Being available to the Speakers and AMA staff until the final language of the reference committee report has been approved by the reference committee chair; and
- Presentation of the reference committee report to the HOD.

The chair of each reference committee has additional responsibilities that include attending an orientation meeting with the Speakers and the other reference committee chairs and staff, and preparing an order of business that denotes the order in which the items of business will be discussed.

#### House Committee on Bylaws

The Speaker appoints the member of the House Committee on Bylaws annually. It consists of at least five members, including a chairperson. The President, Secretary, and Speaker are all ex-officio members of the Bylaws Committee. The Executive Vice President, Deputy Executive Vice President, and General Counsel of MSSNY are all ex-officio members of the committee with voice but no vote.

#### Special Committees

The HOD may also create special committees. The number of members and the functions of these special committees are in accordance with the terms of the motions authorizing their appointment. The Speaker or other officer presiding pro tempore over the meeting at which the committee is authorized is responsible for appointing their members.

## Chapter 5: HOD Business Items

The business of the HOD consists primarily of resolutions, reports for action, and informational reports. Most resolutions and reports are referred to a reference committee for open discussion and to allow the reference committee to propose its recommendation for HOD action. If adopted by the HOD, the resolution or report may become the foundation of a new MSSNY program, establish or modify policy on an issue, or become a new directive for action. Delegates submit resolutions on behalf of their component county medical society, district branch, New York State medical specialty medical society, medical school, MSSNY Section, or as individuals. Reports, either for HOD action or informational in nature, come from the Council, District Branches, Officers or Trustees.

### Resolutions

A resolution is fundamentally a way to express an idea or to identify a problem or opportunity. Although resolutions may deal with complex issues, most begin simply when a member of MSSNY recognizes a problem and attempts to suggest a solution. Resolutions are structured to express the background of the problem in “whereas” clauses and to specify a specific position or course of action in one or more “resolved” statement(s). Each Resolved statement should make adjustment, addition or elaboration to existing policy rather than creating possibly redundant policy. In addition to its “whereas” clauses and “resolved” recommendations, each resolution includes:

- A title that is appropriate and concisely reflects the action for which the resolution calls.
- Resolution number (generated by MSSNY Staff).
- The name of the individual delegate or delegation that submits the resolution.
- The name of the reference committee to which the resolution has been assigned for its open hearing (assigned by the Speakers).
- Citations of previous MSSNY policy and AMA policy, when relevant, to facilitate independent review by delegates of pending resolutions. This does not preclude new policy on new issues.
- Reference citations, if possible or applicable.
- A fiscal note indicating the financial implications of the recommendations contained in the resolution (generated by MSSNY Staff).
- A conflict of interest disclosure, if applicable.

Each “resolved statement” should also be categorized as follows:

- New HOD Policy
- Modify Current HOD Policy.
- Modify Bylaws.
- Rescind HOD Policy.
- Consolidate Existing HOD Policy.

- Reaffirm HOD Policy.
- Directive to Take Action.

Ideally, policies and directives should not be “mixed” in the same resolution. To enhance the clarity of resolutions, the HOD office has designed a Resolution Template and instructions for use by the sponsors of resolutions to assist in the proper formatting of resolutions. Complete resolutions are published on the MSSNY Website by the HOD office for review by members of the HOD. However, it is only the resolved statements that are adopted and published in meeting proceedings and become a policy statement or directive.

Resolutions are further classified as follows:

#### On-time Resolutions

Under MSSNY Bylaws, on-time resolutions are those received at least 30 days in advance of the annual HOD meeting. The only exception is for resolutions authored by MSSNY Sections whose annual meetings are held less than 30 days in advance of the annual meeting. Those Section resolutions may be presented for HOD consideration at any time before the opening session to be accepted as regular business

#### Late Resolutions

Late resolutions are those received after the announced resolution deadlines and that do not fall the exemption noted above for “on time resolutions” but before the final day of the HOD. Late resolutions are not accepted automatically as HOD business, but rather are distributed to the delegates and referred to the Committee on Rules, Credentials, and Order of Business for review and its recommendations for acceptance or nonacceptance. The Committee is not a reference committee and does not hold open hearings but does provide sponsors of late resolutions an opportunity to explain the reasons for the lateness of their resolution. HOD delegates accept late resolutions as business of the House by a two-thirds vote of those present and voting. If accepted, the Speaker assigns each resolution to a reference committee. Late resolutions presented orally from the floor are out of order.

#### Memorial Resolutions

Memorial resolutions remember a physician or nonphysician who has made significant contributions to MSSNY, a component county medical society, a NYS medical specialty society, a NYS medical school, or the practice of medicine in New York. All memorial resolutions for distribution at an HOD meeting must be received by the HOD office one business day in advance of the HOD’s Opening Session, so that they subsequently can be distributed.

#### Emergency Resolutions

Resolutions of an emergency nature may be presented by a delegate only on the final day of the annual meeting of the HOD. Emergency resolutions will be referred by the Speaker to a reference committee which shall report to the HOD whether or not the matter involved is of an emergency nature without any hearings. If the committee determines by majority vote that the resolution is of an emergency nature it shall be presented directly to the HO without further consideration by a reference committee. A three quarters majority vote of the delegates present and voting shall be required for adoption. If the

reference committee determines that the matter is not of an emergency nature, the Speaker shall defer its introduction until the next annual meeting of the HOD.

## Reports

Reports calling for action or informational in nature come from the Officers, Board of Trustees, District Branches, Judicial Council, Council commissions and committees, and other officials of the society. As these are not resolutions, Reports are accepted for business if they are presented prior to the opening session. Informational items are not referred to a reference committee. Although the full text of all reports is made available to delegates and published in the meeting Proceedings, it is only the recommendations that are subject to amendment, and only the recommendations adopted by the HOD that subsequently become AMA policy. The HOD typically files informational reports, the text of which are subsequently published in their entirety in the meeting Proceedings. The HOD also has two other options to dispose of an informational report: refer and not accept. Furthermore, the HOD may also amend an informational report, like any other report, for clarification and/or accuracy with the concurrence of the author. If an informational report is amended for action, however, it is no longer considered an informational report. The HOD may also grant the author leave to withdraw an informational report. Any informational report that the HOD votes to not accept will not be published in the Proceedings but be clearly labelled as not adopted.

## Reports from the Committee on Rules, Credentials, an Order of Business

The Committee on Rules, Credentials, and Order of Business presents several reports to the HOD during each HOD meeting regarding:

- Credentials;
- Rules;
- Late Resolutions; and
- Reaffirmation Resolutions;

The committee also routinely issues verbal reports related to the existence of a quorum during the HOD meetings.

## Reports from Reference Committee

During a typical meeting, the HOD is presented with requests for action on consent calendars developed by each reference committee. These consent calendars are described in detail in other sections of this publication.

## Reports from the Committee on Bylaws

The Committee on Bylaws presents its report at the subsequent year's annual meeting. It takes a two thirds majority of delegates present and voting to adopt a bylaws resolution.

## **Chapter 6: Sessions of the AMA House of Delegates**

The Order of Business of HOD meetings is outlined in the Bylaws and may be altered by the Speaker in consultation with the Committee on Rules, Credentials, and Order of Business subject to approval by the HOD.

The order of business outlined in the Bylaws consists following elements:

- Call to order by the Speaker
- Invocation
- National Anthem
- Report of the Committee on Rules, Credentials, and Order of Business
- Report by the Secretary as to the presence or absence of a quorum
- Remarks from the Speaker and Speaker Announcements
- Reading of the minutes of the previous meeting by title
- Address by the President
- Report of the House Committee on Bylaws
- Report of the Judicial Council
- Report of Council commissions and committees
- Report of the Secretary
- Report of the Treasurer
- Report of the Board of Trustees
- Report of the Executive Vice President
- Reports of the District Branches
- Reports of Special Committees
- Reports of Reference Committees
- Elections
- Recess for Annual Meeting of the State Society
- Unfinished business
- New business
- Adjournment

## Chapter 7: Reference Committee Hearings and Reports

To get through the large volume of reports and resolutions at each meeting, the work of the HOD is divided among reference committees. Each reference committee conducts open hearings on items of business that have been referred to it. Reference committees provide an opportunity for extensive discussion and airing of views prior to consideration by the full House. Issues assigned to each Reference Committee The reference committees are organized by topic areas, with each having a common set of topics to handle. The traditional reference committees are Governmental Affairs A, Governmental Affairs B, Public Health and Education, Reports of Officers and Administrative Matters, and Sociomedical Economics.

### Reference Committee Schedules

Following the Opening Session of the HOD, reference committee hearings begin. The time and location of each reference committee hearing is announced by the Speaker and posted on the MSSNY Website.

### Order of Business

Each Reference Committee prepares an Order of Business, which lists the order in which the items of business (reports and resolutions) assigned to the committee will be considered. The sequence of the Order of Business generally consists of items of business having similar topics, thus is not necessarily the same as the numbering of the resolutions themselves. Also, similar items may be combined into a single item of business, at the discretion of the committee chair. Orders of Business for all reference committee hearings are available on the HOD website and announced at the beginning of each reference committee hearing. A monitor is present at the front of each hearing room which displays the following information from

### Rules Governing Reference Committee Hearings

Equitable hearings are the responsibility of the committee chair, and the committee may establish its own rules on the presentation of testimony with respect to limitations of time, repetitive statements, etc. Reference committee chairs are instructed not to ask for an expression of the sentiments of the overall group attending the hearing by an informal vote on particular items (i.e., "straw vote"). Committee members may ask questions to be sure that they understand the opinions being expressed, or may answer questions if a member seeks clarification, but they may not argue with those presenting testimony or express opinions during the hearings. Their responsibility is to listen carefully and evaluate all the opinions presented so that the reference committee may provide the voting body with a carefully considered recommendation. Hearings are open to all MSSNY members, MSSNY staff, county and specialty society staff, guests, and the press. Any member of MSSNY is privileged to speak on the resolution or report under consideration. Non-member physicians, guests or interested outsiders may be permitted to speak, upon the discretion of the committee chairperson with prior approval by the HOD office. Each reference committee chair has the privilege of calling on anyone attending the hearing if the individual called may have information that would be helpful to the committee.

### Testimony

Each individual speaking to an issue must be recognized by the reference committee chair while at a microphone. When called upon, the individual should:

- Identify oneself by name;
- Specify whether testifying as an individual, or offering testimony on behalf of a delegation, caucus or Section (and if so, state the name of the group);
- Disclose any conflicts of interest with respect to the issue at hand. (See Chapter 2 for further information on conflicts of interest.
- Clearly state their intent in offering comments – support or opposition.
- Offer general background or propose alternative language, if appropriate; and
- Direct testimony to the Reference Committee Chairperson, not to other hearing participants.

Wording for alternative language must also be submitted in writing to reference committee staff. The preferred method of submission is via email using the designated email address that shall be announced during the hearing. Other written material that accompanies the testimony may also be presented to the reference committee staff for discussion at the committee's executive session.

#### Executive Session

Following an open hearing, each reference committee goes into executive session to deliberate and to construct its report. It has the prerogative to call into its executive session anyone it may wish to hear or question. The reference committee reviews the testimony that was submitted, and discusses its options for disposing of each item. During the executive session, the reference committee may review existing MSSNY policy and directives, background material from other sources, or medical journals. The reference committee may also consider alternative language that was presented during the open hearing. A reference committee has wide latitude in its efforts to facilitate expression of its recommendations on assigned business and to give credence to the testimony. A reference committee may choose to amend a resolution, consolidate kindred resolutions by constructing a single alternative, or recommend that an item be adopted, not adopted, referred or reaffirm existing policy in lieu of one or more resolutions.

#### Reference Committee Report

Each reference committee prepares a report, which then becomes the basis for upcoming House debate and action. In order that they may be made available to the delegates as far in advance of formal presentation to the House as possible, reports are constructed swiftly and succinctly after completion of the hearings and the executive session. Each reference committee reports to the House each item referred to it as follows:

- The resolution number and title, or the number and name of the report;
- A concise statement of the reference committee's recommendation;
- A summary of the issue under consideration;
- A summary of the debate, as appropriate; and
- Rationale for the committee's recommendations.

The entire reference committee reviews the draft report and works with staff to finalize it. The draft report also is reviewed by the Speakers for parliamentary correctness and clarity of the rationale given for the recommended action. A minority report from one or more reference committee members is allowed. Any committee member who intends to make a minority report does not sign the majority report and must make their intention known to the other members of the reference committee while it is in executive session and the Speaker prior to the presentation of the majority report to the HOD.

#### Consent Calendar

Each reference committee report includes a consent calendar that groups all items under one of several recommended actions. The order of categories for the consent calendar is as follows:

- Recommended for Adoption
- Recommended for Adoption as Amended
- Recommended for Adoption in Lieu of
- Recommended for Referral
- Recommended for Not Adoption
- Recommended for Reaffirmation in Lieu of
- Recommended for Filing
- Recommended for Not Accept (an Informational Report only).

Grouping like actions on a consent calendar also facilitates House action on those items. Chapter 8 discusses the meanings of the recommended actions above, as well as how the reports are presented using a consent calendar format.

#### Reference Committee Report Availability and Distribution

As soon as reference committee reports are finalized, they are posted online.

#### Schedule of Reference Committee Report Presentations

The Speakers determine the order in which the various reference committee reports will be considered by the HOD. This schedule specifying the order is distributed along with the reference committee reports.

#### Amendments

The language of any amendments should be submitted to the HOD office via a mechanism that shall be announced by the Speaker. Proposed amendments should be submitted (with underlines/strikethroughs highlighted) within the language from the reference committee report. As staff prepares the amendments in the proper format for display in the House, submitters will need to provide a cell phone number and location to facilitate contact with the author of the amendment. If a delegate plans to



amend a recommendation by proposing only a minor editorial change of 3 words or less, a written amendment is not required. Note that any amendment previously offered to a reference committee but not incorporated into the reference committee report must be resubmitted if one wishes to offer that same amendment on the floor of the HOD.

## Chapter 8: Parliamentary Procedure and the House of Delegates

An Overview [Chapter/paragraph #s that correspond to AIPSC (2nd ed.) are included for easy reference] The House of Delegates (HOD) transacts its business according to a blend of rules imposed by the MSSNY Bylaws, this document, and the current edition of the American Institute of Parliamentarians Standard Code of Parliamentary Procedure) [hereinafter AIPSC (2nd ed.)]. Use of parliamentary procedure allows the HOD to transact its business in an orderly, expeditious and equitable manner. The majority opinion of the HOD determines what it wants to do and how it wants to do it and should always remain the ultimate determinant. The Speakers have an obligation to sense the will of the HOD, to preside accordingly, and to hold their rulings ever subject to challenge from and reversal by the HOD. HOD Rules of Order [AIPSC (2nd ed.) 4.41-4.57] The following are the Standing Rules for each HOD meeting:

1. Credentials: There are \_\_\_ delegates credentialed and entitled to vote; there are no disputed delegations. This constitutes a quorum (if  $\geq 100$ ). The registration record of this Convention Committee shall constitute the official roll call during the House of Delegates.

2. Order of Business: The order of business as published in the Handbook shall be the official order of business for all sessions of the HOD. This may be varied by the Speaker if, in their judgment, it will expedite the business of the House, subject to any objection sustained by the House.

### 3. House Security

Maximum security shall be maintained at all times to prevent disruptions of the HOD, and only those individuals who have been properly credentialed and registered will be permitted to attend. Badges must be worn during in person sessions.

### 4. Privilege of the Floor

Only delegates and alternate delegates temporarily substituting for a delegate are entitled to the privilege of the floor. In addition, the Speaker may grant the privilege of the floor to others who may expedite the business of the House, subject to objection sustained by the House.

### 5. Procedures of the House of Delegates

The current edition of the "MSSNY House of Delegates Reference Manual" shall be the official method of procedure in handling and conducting the business before the HOD.

### 6. Conflict of Interest

Members of the HOD who have an interest that is or may be material to the matter being considered and that would reasonably be expected to impair the objectivity of the individual who is testifying, must publicly disclose that interest immediately prior to testifying at a reference committee on the matter or speaking on the floor of the HOD on the matter.

### 7. Respectful Behavior

Courteous, collegial and respectful behavior in all interactions with others, including delegates, staff, and other parties, are expected of all attendees at HOD meetings, including social events apart from HOD meetings themselves.

## 8. Nominations and Elections

The HOD shall receive the Report of the Nominating Committee at the Opening Session of the HOD. Potential candidates who are not named in the Report of the Nominating Committee must obtain written endorsement from a minimum of ten credentialed delegates to the HOD office in order to become a prefatory nominee. All nominees must submit a conflict of interest statement to the HOD office. The deadline for submitting this information shall be \_\_\_\_\_. This committee will review each prefatory nominee to ensure they meet the endorsement threshold and are eligible to hold the office they seek.

All nominees shall have the opportunity to provide a written statement of interest and their background information for distribution to the HOD as per MSSNY policy 207.976 Informed Choices for MSSNY Elections.

At the Election Session, the Speaker shall direct the Secretary to cast one ballot for those whose candidacy is unopposed. All other ballots shall be electronic.

It shall take a majority of legal votes cast to be elected officer, councilor, or trustee.

Half the full number of AMA Delegates and AMA Alternate Delegates are elected each year for a two year term. In addition, one Resident or Fellow physician shall be elected AMA delegate and one Medical Student shall be elected AMA alternate delegate for a one year term (odd numbered years). In addition, one Resident or Fellow physician shall be elected AMA alternate delegate and one Medical Student shall be elected AMA delegate for a one year term (even numbered years).

For the election of the NY Delegation to the AMA the delegates shall be declared elected in the order of the highest number of legal votes cast until the allotted number shall have been chosen. A corresponding number in the next highest order of votes shall be declared elected alternate delegates. It shall take a majority of legal votes cast to be elected medical student and resident or fellow physician member of the New York Delegation to the AMA.

Per AIPSC (2nd ed.), temporary rules may be adopted at each meeting and apply only to that meeting. The HOD's temporary rules include the following plus any others deemed necessary by the Committee on Rules, Credentials, and Order of Business.

1. Specifying the Limitation on Debate There will be a limitation on debate per presentation as presented in a Rules Report by the Committee on Rules and Credentials for each meeting, subject to waiver by the Speaker for just cause.

### Introduction of Business

Earlier chapters discuss the resolution submission process. It is important to note that despite advance distribution of these items, the HOD must officially accept them as business through a formal process that takes place during the Opening Session of the HOD. Once accepted as business of the HOD, items become the property of the HOD. Up to that point, a resolution sponsor or report author can withdraw their item from consideration. But after the HOD has formally accepted an item as business, permission is required for withdrawal. Once the HOD formally accepts the items of business and routine matters are handled, the HOD recesses and reference committee hearings are convened. Chapter 7 provides information on the reference committee hearings and process.

## Presentation of the Reference Committee Reports [AIPSC (2nd ed.) 25.42-25.58]

After deliberation each reference committee prepares a report of its recommendations for HOD consideration. Reference committee reports comprise the bulk of the official business of the HOD. The reference committee report makes specific recommendations on each item of business that was assigned to it, although in some cases it may combine related items into a single item of business. Each report is formatted as a consent calendar with the items of business grouped together according to the committee's recommended course of action. Options for recommended action include the following and explanatory comments are provided later in this chapter:

- Adopt (as submitted)
- Adopt as Amended
- Adopt in Lieu of (one item adopted as written in lieu of one or more others; one item amended and adopted in lieu of one or more others; alternate resolution in lieu of)
- Refer
- Not Adopt
- Reaffirm in Lieu of
- File (informational reports only)
- Not Accept (informational reports only)

The specific recommendations follow in the body of the report along with the original language of the resolution resolve clauses or report recommendations and commentary describing the rationale for the committee's recommendation(s). The reference committee's recommendations are treated as motions when the report is considered. When the reference committee recommendation is to Not Adopt or Not Accept, the original resolution will be placed before the HOD as the main motion and the Speakers will note that the reference committee has recommended a "no" vote. The Speakers determine and announce the order of consideration of all reference committee reports. The chair of each reference committee introduces the committee's report at which point the Speaker asks if there are extractions from the consent calendar. Any delegate or properly credentialed alternate delegate may extract an item of business from the consent calendar for debate or individual treatment without the need for a second, a vote, or permission to separate it from the other items. The effect is to permit full consideration of the business at hand, unrestricted to any specific motion for its disposal. It should be emphasized that it is only the recommendations of the reference committee that should be debated on the floor of the HOD, and the title of the item under discussion. It is out of order to seek to amend language in the report describing the item or the committee's rationale for its recommendation. Once items are extracted from the consent calendar, the Speaker calls for a vote to accept the remainder of the items in the manner recommended by the reference committee. If there are items on the consent calendar that require a two-thirds vote for adoption, the Speaker notes that adoption of the consent calendar constitutes the required vote.

### Debate on Extracted Items

After the consent calendar has been handled, each extracted item is brought before the HOD for debate and action, and in the absence of other motions, the Speaker asks the reference committee chair to read the reference committee's recommendation. If a particular item has multiple recommendations, each is handled in turn. The reference committee chair does not describe the rationale for the committee's recommendation, although the Speaker may request the chair to make comments during debate. The most important point to remember is that the reference committee's recommendation is the starting point for any debate that ensues in the HOD. Thus comments—debate, motions—should deal with the particular recommendation being considered, regardless of the number of recommendations on the same item of business from the reference committee. Delegates who wish to speak to a particular item should line up at a microphone and wait to be recognized by the Speaker, who will call on a specific microphone by number (generally 1–3). The Speaker should be addressed as “Doctor Speaker,” “Madam Speaker,” or “Mister Speaker,” and when recognized, a delegate should identify themselves by name and indicate whether speaking as an individual or on behalf of a delegation or caucus. This self-introduction should be provided each time they speak, whether on the same or a different item and regardless of how recently they were at the microphone. The delegate should also disclose any conflicts of interest they (or the delegation being represented) have with respect to the issue at hand (see Chapter 2 for more information on Conflicts of Interest). All comments should be addressed to the Speaker. The delegate then should make a specific motion or provide further debate. If a motion is made on behalf of a delegation, a second is not needed and the Speaker acknowledges that fact. If it is an individual making a motion as an individual, the Speaker calls for a second. If a second is received or not needed, the delegate may continue to comment. Typically, there is a limitation on debate per delegate speaking on each item of business, which is established when the HOD ratifies the Rules Report from the Committee on Rules, Credentials, and Order of Business. The Speaker may waive the rule for just cause. If proposing an amendment, the amendment should be submitted in advance to the HOD office. If the amendment is relatively minor, a change of three words or less, a written amendment may not need to be submitted, but the wording changes still need to be projected. The process for submitting amendments is described in Chapter 7.

## HOD Motions

While following the debate can be confusing, the point of parliamentary procedure is to ensure that business is transacted in an orderly fashion, ensuring that decisions are made by the majority while protecting minority interests. It is helpful to remember that each recommendation in a report or resolve clause in a resolution is a motion and a well-formed recommendation or resolve clause will stand alone, not requiring reference to accompanying statements to be understood. From a parliamentary point of view, each recommendation/resolve is a main motion. That is, the motion is a proposal from its sponsor for the HOD to take a specific action or declare its position. The reference committee's recommendations are treated as specific-purpose main motions. Motions have an order of precedence as outlined in the AIPSC (2<sup>nd</sup> ed.). In addition, the Speaker may rule that the motion is not in order (e.g., it may not be timely). Definitions of motions and suggested language can be found in the AIPSC (2<sup>nd</sup> ed.). All motions that are referred shall be referred to the Council who has the authority to dispose of them as they see fit when the HOD is not in session, except that motions to amend the bylaws must be referred to the House Committee on Bylaws.

## Understanding House Action

In the interest of clarity, the Speakers provide the following explanatory comments so that the HOD clearly understands the precise effect of the language used in disposing of items of business, whether using a consent calendar or considered individually on the floor of the House.

- **Adopted:** The HOD acknowledges that the recommendations of a report or a resolution have been considered and on adoption will be implemented according to what is stated in the recommendation(s) or resolution. [The body of a report is never adopted but rather filed; only the recommendations are adopted. For resolutions, only the resolved statements become policy and are subsequently published in the HOD Proceedings].
- **Adopted as Amended:** The HOD acknowledges that the recommendations of a report or a resolution or a title as amended by the reference committee or the HOD have been considered and on adoption will be implemented according to what is stated in the amended recommendation(s) or resolution.
- **Adopted in Lieu of:** The HOD acknowledges that one item has been adopted as written in lieu of one or more other items, or that one item was amended and adopted in lieu of one or more other items. Adoption in lieu of can also mean that the HOD acknowledges that it adopted alternate language in lieu of the original or amended item, or that it is reaffirming existing policy in lieu of the pending item(s).
- **Referred:** The HOD acknowledges that it does not wish to make a final decision on a report's recommendation(s) or the resolution(s) in its (their) existing form(s), and it wishes to delegate to the Council the decision as to determine what action is appropriate. Once the Council determines the appropriate action, the Board subsequently will inform the HOD of the action via the Report of the Vice Speaker.
- **Reaffirmed in Lieu of:** The House acknowledges that existing policy has been reaffirmed. This resets the sunset review clock for 10 years.
- **Withdrawn:** The HOD acknowledges that a report or resolutions was withdrawn. As previously noted, a resolution's sponsor may withdraw a resolution without HOD action prior to it being formally accepted for business at the Opening Session of the HOD. However, a request for withdrawal after that time requires HOD approval. If the HOD approves this action, the resolution is withdrawn and is recorded in the minutes of the meeting as having been withdrawn without action.
- **Filed:** The HOD acknowledges that a report has been received and considered, but that no formal position upon it is either necessary or desirable. This does not establish HOD policy or have the effect of placing the society on record as approving or accepting responsibility for any of the material in the report. This action dispenses with informational reports (those reports with no recommendations) or the body of reports that have recommendations.
- **Not Accepted:** This action is used only for informational reports that the HOD votes not to accept and is an action equivalent to "not adopt" for a resolution.

#### Voting Options/Methods

A simple majority vote of the HOD is required for most items of business (with exceptions clarified in a later chapter). The affirmative vote is taken first, followed by the negative vote. The Speakers utilize one of 2 voting methods to establish the will of the HOD on how it wishes to handle a particular item: 1) Oral (voice) vote; 2) Electronic vote; or 3) Roll Call vote. When the vote is taken by oral vote and after the

Speaker has announced the result, the Speaker or any HOD member may ask for “division of the House” or simply “division,” meaning an electronic counted vote. Alternatively, an incidental motion for a Roll Call vote can be ordered by a majority of delegates present and voting. For a Roll Call vote the Secretary shall read the official roll call established in the credentials report and each delegate shall respond with their vote when their name is called. In a roll call vote, the Speakers shall vote last and only vote if their vote(s) make or break a tie.

## Chapter 9: Nominations and Elections

This chapter focuses exclusively on positions that are elected by the HOD. Each MSSNY Section also holds elections for its governing council. That information has not been included here and can be found in each section's internal operating procedures, which are approved by the Council. Officers, Trustees, Councilors, and the New York Delegation to the AMA are elected at each annual meeting of the HOD. Campaigns can be spirited and are conducted under rules established by the HOD, rules that may be modified from time to time. This democratic process allows delegates ample opportunity to become acquainted with the candidates and their views. The elections are conducted during a special Election Session under the supervision of the Committee on Rules, Credentials, and Order of Business in conjunction with the Committee on Credentials and the Sargent at Arms, who are appointed by the speakers. The Speaker and the Vice Speaker are responsible for overall administration of the elections. Voting is conducted by secret ballot.

### Role of the Nominating Committee

As per MSSNY Bylaws, the President is responsible for appointing the Nominating Committee from a list of names submitted by the respective district branches. The Nominating Committee shall consist of eleven members, one from each district branch and two members at large. Counties, districts, sections, and individual members can submit recommendations to the Nominating Committee. The Nominating Committee traditionally meets in the winter and is responsible to nominate one or more members of MSSNY to fill all the vacancies to be filled at the ensuing annual meeting of the HOD and ensuring that each individual they nominate is eligible to hold the position they are nominated for.

### Prefatory Nominees

To ensure that delegates have adequate time to review the credentials of all candidates a process has been established for individuals who are not nominated by the Nominating Committee to have their names placed on the ballot as a prefatory nominee. To become a prefatory nominee the HOD office must receive written endorsements from a minimum of ten credentialed delegates. The Committee on Rules, Credentials and, Order of Business shall review each prefatory nominee to ensure that they are eligible for the position they wish to run for and have received the minimum amount of written endorsements from credentialed delegates. The deadline to receive written endorsements for the purpose of prefatory nominations shall be no later than one day prior to the meeting of the Committee on Rules, Credentials, and Order of Business.

### Requirements of Nominees

All nominees shall complete a conflict of interest statement no later than one day prior to the election session. In addition all nominees have the opportunity to provide a written statement of interest and background information to be distributed to the HOD as per established MSSNY Policy. Candidates in contested elections shall also be provided the opportunity to address the HOD via a method to be determined by the Speakers.

### Terms

All MSSNY Officers serve one year terms, with a term limit of five years. MSSNY Councilor terms are three years, with a term limit of two terms, except that the Councilors representing the Resident and



Fellow Section serve one year terms. All MSSNY Trustees serve five year terms, with a term limit of one term. Individuals who are elected to serve unexpired terms do not have the partial term count towards their term limit. The term lengths of the members of the New York Delegation to the AMA are determined by the AMA. There are no term limits for members of the New York Delegation to the AMA>

#### New York Delegation to the American Medical Association

The size of the New York Delegation to the AMA is subject to change annually based on the apportionment of AMA Delegates to all state medical societies. As current AMA rules state that AMA Delegates serve two year terms (except resident/fellows and medical students), half of the delegation is elected each year. As per MSSNY bylaws in odd numbered years one Resident or Fellow physician shall be elected AMA delegate and one Medical Student shall be elected AMA alternate delegate for a one year term and in even numbered years one Resident or Fellow physician shall be elected AMA alternate delegate and one Medical Student shall be elected AMA alternate for a one year term.

#### Vacancies

If an officer, councilor, or trustee position becomes vacant when the HOD is not in session, the MSSNY Council may elect an eligible member to fill the vacancy until the vacant term expires. If such vacancy occurs while the HOD is in session, the HOD shall fill the vacancy. The MSSNY President can appoint any eligible member to temporarily fill a vacancy in the New York Delegation to the AMA at a meeting of the AMA HOD where the full quota of delegates and alternate delegates New York is entitled to are not available at that meeting only.

## **Chapter 10: Post Meeting Reports**

Reports of the Reference Committee, annotated with final action of the HOD, are posted online as soon as possible. Only the official Proceedings of the House of Delegates reflect official action of the House of Delegates.

### **Sunset Process**

Each MSSNY policy is reviewed for relevance at least every ten years. A sunset mechanism is in place to review every policy that is 10 years old, and to issue a report to the HOD to rescind or retain the policy. The objective is to ensure that the MSSNY policy database is current, coherent, and relevant by eliminating outmoded, duplicative, and inconsistent policies. Also, when an existing policy is reaffirmed in lieu of a resolution or report recommendation, that resets the “sunset clock” so such policies will remain viable for 10 years from the date of reaffirmation. Note, however, that a policy may be altered or rescinded at any time.

### **Proceedings**

Only the Proceedings of the House of Delegates reflect official policy of the Association. The Proceedings include the disposition of all resolutions and reports. Resolutions appear with the ratified “Resolved” clauses.

### **Updates on Items Referred**

The Vice Speaker prepares a report to the HOD at the annual meeting to report the disposition of items referred to Council or the American Medical Association during the prior years annual meeting any subsequent special meeting. Adoption of this report ratifies the actions taken by Council when the HOD was not in session, thus it is a debatable action item. Should the House disapprove of any reversible action taken by the Council they may amend the report by majority vote to overrule the Council. The summary of actions taken by the American Medical Association is informational only.