

## How to do a MedChi resolution

A resolution must meet the following requirements:

***Sponsorship:*** It must be sponsored by at least one of the following:

- Five members;
- A MedChi Council;
- A MedChi Committee;
- A Component Medical Society
- A MedChi Section

***Timely submission:***

- It must be filed with the CEO of MedChi not less than **thirty** days prior to the House of Delegates meeting at which it is to be considered

**OR**

- It must be filed with the CEO of MedChi no later than **seven** days prior to the first day of the meeting if
  - ▶ The sponsor is a Component Society or Section
  - and**
  - ▶ has met to consider the resolution within the thirty day period prior to the meeting

**OR**

- The House agrees to consider the resolution by a **two-thirds** vote (However, resolutions may not be presented orally from the floor of the House)

*If a resolution is not submitted to the CEO at least thirty days prior to the start of the meeting, the sponsors must print and distribute the resolution to the delegates after providing the CEO with a copy for numbering, formatting, and assignment to a reference committee.*

*Resolutions submitted less than thirty days prior to the meeting may, but need not, be assigned by the Speaker to the Credentials Committee or a reference committee.*

### ***Resolutions to be presented to the AMA***

Take the form of a resolution by the MedChi House of Delegates (if there is time — otherwise the matter can be submitted to the MedChi Board of Trustees)

Sponsor must research prior to introduction, especially including prior AMA policy

Must be submitted in a timely manner

#### Contents of a resolution

##### ***Resolve***

- Must contain at least one resolve, setting forth a specific action to be undertaken by MedChi

##### ***Whereas***

- May contain “Whereas” clauses, which identify and explain the issues involved.
- These are not formally considered and adopted by the House of Delegates and therefore should not be referenced in the resolves.

##### ***Fiscal Note***

- If its implementation would require the expenditure of funds, a resolution must include a fiscal note, indicating a specific dollar amount where possible.
- MedChi staff assistance in calculating the cost can be obtained if the request is made **sixty** days in advance of the meeting.

A resolution’s sponsor should plan to actively support its passage, including being present at the meeting where it is considered and testifying at any reference committee meetings at which it is considered.

## ***Pertinent material from the MedChi Rules***

### **RULE 5.2 RESOLUTIONS**

Business shall be introduced into the House through the presentation of resolutions. Resolutions are required to be sponsored by (a) five members of Med Chi; (b) a Component Society of Med Chi; (c) a Section; (d) a Council; or (e) a Committee of Med Chi. All resolutions shall be filed with the Chief Executive Officer not later than 30 days prior to the next scheduled meeting of the House of Delegates, except that a Component Society or Section may file a resolution no later than seven days prior to the first day of the meeting if the Component or Section has met to consider the resolution within the thirty day period prior to the meeting, and except further that, by a two-thirds vote, the House may agree to consider any resolution without prior notice. Submission of resolutions to the Chief Executive Officer by personal delivery, first class mail or facsimile transmission are acceptable.

Resolutions introducing new business to the House that are presented less than 30 days prior to commencement of the session must be printed and distributed to the Delegates by the sponsors. The sponsors shall provide Med Chi with a copy of the resolution for formatting, numbering and assigning to a Reference Committee prior to distribution. The Speaker may, but need not, convene the Credentials Committee or the appropriate Reference Committee to consider the appropriateness of such a resolution, or to hold hearings on it.

"Late resolutions" presented orally from the floor of the House are out of order, and will not be considered.

#### **5.2.1 Fiscal Note**

All resolutions presented to the House of Delegates whose implementation necessitates an expenditure of funds must include a fiscal note. No resolution requiring finances may be considered by the House without the attachment of such fiscal note. The following guidelines will be used in the development of appropriate fiscal information:

- (a) Resolutions requiring the expenditure of funds should show a specific dollar amount where possible.

(b) The Chief Operating Officer's office, the Finance Committee, the Comptroller's office, or any other Committee having appropriate jurisdiction may assist sponsors with the development of fiscal information, but requests of this nature should be forwarded at least 30 days in advance of the 30 day deadline for submitting resolutions.

(c) Resolutions which call for the institution of legal action, the repeal of legislation, or similar action for which a precise cost estimate cannot be determined should indicate that a substantial commitment of resources may be necessary for implementation.

(d) Resolutions which establish or reaffirm policy and do not require other specific action beyond that which would be covered by Med Chi's routine work will be marked "no significant fiscal impact."

### **5.2.2 Deferred Resolution**

The Speaker may designate a resolution as a "deferred" resolution if the resolution presents a legal problem which is not capable of being remedied prior to the commencement of the session of the House of Delegates. The Credentials Committee, in conjunction with the Legal Office and the sponsor will meet to discuss the resolution, and will recommend that the House either accept or not accept the resolution. A majority vote of the House only is required for acceptance.

### **5.2.3 Structure of Resolutions**

The essential element of a resolution is its portion expressed as one or more "resolved" sections setting forth its specific intent. A resolution may carry with it prefatory statements, or preamble, explaining the rationale of the resolution, as a series of "whereas" statements. It shall not be necessary for a resolution to have such a preamble or "whereas" clauses when the full significance of the "resolved" portion seems apparent. Such introductory "whereas" statements are not to be considered an action item of the resolution, and are solely for the purpose of identification and explanation of the matters to be addressed by the resolution.

In adopting a resolution, the House shall formally adopt only the "resolved" section. It shall therefore be out of order to propose formal amendments to the working of accessory statements, or to the language of the reference committee report in making its recommendations.

The following guidelines shall be applied when preparing resolutions:

(a) The title of the resolution shall appropriately reflect the action for which it calls.

(b) Information contained in the resolution shall be checked for accuracy,

and inflammatory statements or other language that reflect poorly upon Med Chi or any of its Components will not be permitted.

(c) The "resolved" clauses shall stand alone and not refer back to the prefatory statement, since the House shall adopt only the "resolved" clauses and the "whereases" do not appear in the Proceedings.

(d) Fiscal notes shall be added when appropriate and shall set forth the estimated cost, if any, of the policy, program or action proposed by resolution.

#### **5.2.4 Emergency Resolutions**

Resolutions of an emergency nature may be presented by a voting delegate after the opening of the House. The Speaker shall refer all such emergency resolutions to the Credentials Committee, which shall then report to the House as to whether the matter involved is or is not of an emergency nature. If the Credentials 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 an affirmative vote of three-quarters of the Delegates present and voting. If the Committee reports that the matter is not of an emergency nature, the Speaker shall defer its introduction until the next meeting of the House of Delegates, where it shall be subject to the filing requirements set forth in Rule 5.2.

#### **5.2.5 Withdrawal of Resolution**

At any time prior to the acceptance of a resolution as the business of the House, with referral to a reference committee, the sponsor may withdraw the resolution and it does not become the business of the House. After referral to a reference committee, it is the business of the House. During the reference committee hearings, upon suggestion of the sponsor, the reference committee may recommend to the House in its report on the matter that leave to withdraw be accorded by the House. In this situation, the Speaker, having confirmed approval by the sponsor, places the question on granting leave to withdraw. A majority vote of the House in the affirmative accomplishes withdrawal.

#### **5.2.6 Referral to Reference Committee**

All resolutions subject to the filing requirements of Rule 5.2, and all late resolutions with the exception of emergency resolutions, shall be referred to a Reference Committee as provided in Subtitle 5.3 below.

### **RULE 5.3 REFERENCE COMMITTEES**

The Speaker shall select one or more Reference Committees, designated by letter, consisting of groups of at least five Delegates or alternate Delegates, to conduct open hearings on matters of business of the Association. Following discussion on all subjects before it, the Reference Committee shall meet in executive session to draw up a report,

with recommendations to the House for disposition of each item of business presented to it.

### **5.3.1 Hearings**

Reference Committee hearings shall be held prior to the business session of the House, at a time set by the Speaker, or in his or her absence, the Vice-speaker. Hearings are open to members of Med Chi, guests, official observers, and interested outsiders. Any member of Med Chi is privileged to speak on the resolution or report under consideration. Non-members may, upon recognition by the Chair, be permitted to speak, and the Chair is privileged to call upon anyone attending the hearing if, in his or her opinion, the individual called upon may have information which would be helpful to the Reference Committee. Committee members may ask questions of any person speaking before the Committee. The Committee, through its Chair, may establish its own rules on the presentation of testimony with respect to limitations of time, repetitive statements, and the like. The Chair also has jurisdiction over such matters as photography, television filming, the presence of the press, and the introduction of recording devices. It is the responsibility of the Committee to listen carefully and evaluate all opinions presented so that it may provide the voting body with carefully considered recommendations. The Speaker, Vice Speaker or Chair of each Reference Committee may designate members of the Staff of Med Chi, or others, to attend hearings and executive sessions of each Reference Committee to provide appropriate technical assistance to the Reference Committees.

### **5.3.2. Executive Session**

Following its open hearings, a Reference Committee will go into Executive Session for deliberation and construction of its report. It may call into such Executive Session anyone whom it may wish to hear or question.

### **5.3.3 Reference Committee Reports**

Reference Committees shall have wide latitude in their efforts to facilitate expression of the will of the majority on the matters before them and to give credence to the testimony that they hear. They may amend resolutions, consolidate kindred resolutions by constructing substitutes, and they may recommend the usual parliamentary procedure for disposition of the business before them, such as adoption, rejection, amendment, referral and the like. Minority reports from Reference Committees are in order. In the event that a resolution, presented to the Reference Committee, has been amended or consolidated with a related item of business, or in the event that a substitution has been proposed by the Reference Committee, the recommendation of the Reference Committee in this respect will be the matter before the House for discussion.

Each item referred to a Reference Committee shall be reported to the House as follows:

- (a) a resolution shall be identified by number and title, and reports by letter and name of the Council or Board of Trustees;
- (b) the Report shall state concisely the Committee's recommendation;
- (c) the Reference Committee Chair, as appropriate, shall comment to the House on the testimony presented at the hearings;
- (d) evidence supporting the recommendations of the Committee shall be incorporated in the Report, as appropriate; and
- (e) if appropriate, there shall be a Consent Calendar (see Rule 5.3.4 below).

#### **5.3.4 Consent Calendar**

Those items referred to the Reference Committee which are of a non-controversial or informational nature, or which generate little or no debate during the hearings, may be placed on the Consent Calendar. These items shall be listed at the end of the Reference Committee report with the Committee's recommendation for adoption, referral or rejection. At the time of presentation of the Consent Calendar, a request may be made for removal of any item for debate or individual action, which removal shall be automatic. Items dealing with amendments to the Bylaws shall not be placed on the Consent Calendar.

#### **5.3.5 Reference Committee Reports--Direct Motion**

The Reference Committee Report should be in the form of a recommendation, and should not contain a direct motion.

#### **5.3.6 Action by House on Reference Committee Reports**

The House may take the following action on Reference Committee Reports:

- (a) 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 the action is that the Report be FILED. Filing a report does not have the effect of placing Med Chi on record as approving or accepting responsibility for any of the material in the report.
- (b) If a report offers recommendations for action, these recommendations may be ADOPTED, APPROVED or ACCEPTED, each of which has the effect of making Med Chi responsible for the matter.
- (c) If the House does not wish to assume responsibility for the recommendation of a report in its existing form, it may refer the report back to the Reference Committee, or refer the report elsewhere, reject the report in its entirety or in specific part, or adopt the report as amended.

(d) Where the recommendation of the Reference Committee is "no action," the Chair of the Reference Committee may place such a resolution on the Consent Calendar in a category designated "no action." Such a position, if adopted, is the equivalent of a motion to postpone indefinitely, and results in suppression of the resolution for the current meeting and, in effect, quashes it.

(e) If the Reference Committee reports on a resolution which calls for a policy position contrary to or at variance with existing policy, the Reference Committee may recommend reaffirmation of existing policy as an amendment by substitution in lieu of the original resolution, or rejection of a resolution that is contrary to existing policy, or the Reference Committee may recommend adoption, approval or acceptance of a resolution that is contrary to existing policy, provided that the House of Delegates should have the benefit of a thorough review of existing policy before adopting such a resolution.

#### **5.3.7 Sunset Policy**

Policy (adopted resolutions) calling for legislative action (and not accomplished) shall be reviewed every year at the spring House of Delegates meeting, and policy (adopted resolutions) not dealing with legislative action shall be reviewed every five years at the spring House of Delegates meeting, to determine if policy should continue.

### **RULE 5.9 RESOLUTIONS TO BE SUBMITTED TO AMA'S HOUSE OF DELEGATES**

#### **5.9.1 Research by Sponsor**

All resolutions should be researched by the sponsor prior to submission to Med Chi to include reviewing AMA's policy compendium. (Developing Resolutions to the House of Delegates, Suggested Guidelines, April 1993.)

#### **5.9.2 House of Delegates Approval**

The House of Delegates must approve the resolution prior to submission to the Maryland AMA Delegation to begin working on finding a mechanism for getting the resolution passed.

#### **5.9.3 Submission to the AMA**

The resolution must be submitted to the AMA in a timely manner.

#### **5.9.4 Urgent Resolutions**

Resolutions of an urgent nature should be so marked by the sponsor and indicate immediate referral to the Maryland AMA Delegation for immediate action and forwarding to the AMA.



### **5.9.5 Late Resolutions**

Late resolutions, which are to supported by the Maryland AMA Delegation and do not have the opportunity to go through Med Chi's House of Delegates, should be submitted to the Board of Trustees for decision about submission and support for the resolution.