

Minnesota Medical Association Procedures of the MMA House of Delegates



PREFACE

This document is adapted from the “Procedures of the House of Delegates” of the American Medical Association (AMA). It describes the general methods of procedure in handling and conducting the business brought before the Minnesota Medical Association (MMA) House of Delegates. .

The House of Delegates, through the procedures described herein, transacts its business according to a blend of rules imposed by the Minnesota Medical Association (MMA) Bylaws, established by tradition, and generally pursuant to the guidance of the current edition of The Standard Code of Parliamentary Procedure (Sturgis).

The majority opinion of the House in determining what it wants to do and how it wants to do it should always remain the ultimate determinant. It is the obligation of the Speaker to sense this will of the House, to preside accordingly, and to hold his or her rulings ever subject to challenge from and reversal by the assemblage. As such, this document is offered as a guide in the hope that it will contribute to the efficient operation of the MMA House of Delegates.

TABLE OF CONTENTS

Introduction of Business	4
Reports and Resolutions	4
Withdrawal of Resolutions.....	4
House of Delegates.....	4
Powers	4
Membership	5
Annual and Special Meetings	5
Notice of Meetings.....	5
Credentials.....	5
Reference Committees	6
Composition	6
Hearings/Testimony	6
Reference Committee Reports	6
Rules of the Floor in the House	8
Recognition.....	8
Voting.....	8
Reaffirmation Report.....	8
Consent Calendar Format.....	9
Elections.....	10
Procedure of Election of Officers	10
Geographic Trustees.....	10
At-Large Trustees.....	10
Ama Delegates and Alternate Delegates	11
Terms of Office	11

INTRODUCTION OF BUSINESS

REPORTS AND RESOLUTIONS

Resolutions considered as regular business shall be submitted to the office of the Association at least 30 days prior to the commencement of the House of Delegates meeting at which they are to be considered. A late resolution may be received upon permission of the Speaker of the House or upon a two-thirds vote of the House of Delegates.

Resolutions may be submitted by members of the House of Delegates, members of the Board of Trustees, component medical societies, or committees or sections of the Association.

Reports will be received from the President, Chairperson of the Board of Trustees, Trustees, and Secretary-Treasurer of the Association and from all committees and sections of the Association. Additional reports will be received from individuals or organizations as may be invited to report by the Speaker of the House. (*MMA Bylaws, 7.1(E)*)

WITHDRAWAL OF RESOLUTIONS

Before a resolution has been presented by the Speaker of the House at the House of Delegates' opening meeting, its introducer may withdraw it without the House of Delegates' permission, and any member of the House or the Speaker of the House may request that the introducer withdraw it.

After the Speaker has presented a resolution to the House of Delegates, it becomes the property of the House, and the author may withdraw it only if no objection is raised. If a member of the House objects, the introducer or some other member of the House may move that the introducer "be allowed to withdraw the resolution." This resolution is not debatable, can have no other motions applied to it, and requires a majority vote. The consent of the person who seconded the motion is not necessary.

A resolution can be withdrawn if there is no objection, or with permission from the House of Delegates, up to the moment the final vote on it is taken, even though other resolutions affecting it may be pending or debate has been limited or closed. When a resolution is withdrawn, all resolutions adhering to it are also withdrawn.

A resolution that is withdrawn after the Speaker of the House has presented it is recorded in the minutes with a statement that it was withdrawn. However, no mention is made in the minutes of a resolution that is withdrawn before the Speaker has presented it to the House of Delegates.

HOUSE OF DELEGATES

POWERS

The House of Delegates has the following authority:

- To function as the legislative body of the Association
- To bind members by adopting principles of medical ethics not inconsistent with or contrary to the Constitution and Bylaws of the American Medical Association or state and federal law (*see also MMA policy 240.09*)
- To recommend to the Board of Trustees, upon a two-thirds vote of the eligible Delegates, dues, assessments and other charges payable by members
- To consider and approve the MMA annual budget that is proposed by the MMA Board of Trustees

- To receive and consider reports and resolutions
- To adopt rules and procedures for the transaction of its business
- To judge the election and qualification of its members. (*MMA Bylaws, 7.1*)

MEMBERSHIP

Delegates and alternate delegates to the MMA House of Delegates are elected annually by each component county medical society, one delegate for each 50 active members of the component society or any fraction thereof. An alternate is elected for each delegate and assumes the delegate's position if the regular delegate is unable to attend a session. The House may appoint an acting delegate from among the members of the component society who are present at the meeting, if the delegate and the alternate are absent. Acting delegates serve only during the absence of the delegates and alternate delegates from a society. (*MMA Bylaws 5.1(B)1, in part*)

For each Specialty Society that has been granted representation in the House by the MMA Board of Trustees, one delegate and one alternate delegate may be elected. For each Section that has been designated by the MMA Board of Trustees (i.e., Organized Medical Staff, Resident and Fellow, Medical Student, Young Physicians, Long Term Care Physicians Section, and Section on Medical Coroners and Medical Examiner's), one delegate and one alternate delegate may be designated. Additionally, the Dean of each Minnesota medical school may appoint a delegate and alternate delegate who are MMA members to represent that medical school in the House of Delegates. (*MMA Bylaws 5.1(C) & 5.1(D)*).

ANNUAL AND SPECIAL MEETINGS

The Annual Meeting of the House of Delegates shall be at a time and place the Board of Trustees shall determine. There shall be no annual meeting of the Association members. (*MMA Bylaws, 6.1*)

Special meetings of the House of Delegates may be called at any time by the Speaker or the Vice-Speaker and shall be called by the President at the request of two-thirds of the Trustees or if at least ten percent of the Delegates representing at least ten component or specialty societies sign, date and deliver to the President or the Secretary-Treasurer one or more written demands for the meeting describing the purpose for which it is to be held. (*MMA Bylaws, 6.2*)

NOTICE OF MEETINGS

Delegates must be notified in writing of the time and place of each Annual Meeting and of the time, place and purposes of each special meeting of the House of Delegates not less than five days prior to the scheduled time. (*MMA Bylaws, 6.3*)

CREDENTIALS

A delegate is seated in the House of Delegates upon presentation of the proper credentials to the Credentials Committee. A delegate may be seated without credentials if approved by the Credentials Committee.

The Credentials Committee, which shall consist of five members, reports the presence of a quorum to the Speaker of the House. A quorum consists of 30 or more delegates from 17 or more component or specialty societies or sections. If at any time enough delegates withdraw so that a quorum is no longer present, the proceedings must be suspended until a quorum is again reached.

During the meeting, the component society delegates and trustees are seated according to their Trustee District to facilitate consultation.

In the event no delegate or alternate delegate is present from a given component medical society, specialty society or section, the House of Delegates may appoint an acting delegate

from among the members present from that society, section or trustee district. The acting delegate serves only in the absence of the delegate or alternate delegate. (see *MMA Bylaws*, 7.2)

REFERENCE COMMITTEES

COMPOSITION

Reference Committees are comprised of 5 physicians (or medical students) assembled to conduct open hearings on matters of business of the Association. Committee members' responsibilities include: (a) attendance at the committee's open hearing, (b) participation in the committee's executive session(s), (c) being available to the Speakers and staff until the final language of the reference committee report has been approved by the reference committee chair, and (d) presentation of the reference committee report to the House of Delegates.

HEARINGS/TESTIMONY

Reference committee hearings are open to all members of the Association, guests, official observers, interested outsiders, and the press. Any member of the Association, or guest invited by the Speaker or Vice-Speaker of the House, may speak to the resolution or report under consideration. Non-member physicians, guests or interested outsiders, **upon recognition by the Speaker or Vice-Speaker of the House**, may be permitted to speak. The chair of the reference committee may *call* upon anyone attending the hearing if, in his or her opinion, the individual called may have information that would be helpful to the committee.

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. Use of photography, television filming, and recording devices are acceptable. It is recommended that reference committee chairs not ask for an expression of the sentiments of those attending the hearing by an informal vote on particular items. The committee members may ask questions to be sure that they understand the opinions being expressed, or may answer questions if a member seeks clarification; however, the committee members should not enter into arguments with speakers or express opinions during the hearings. It is the responsibility of the committee to listen carefully and evaluate all the opinions presented so that it may provide the voting body with a carefully considered recommendation.

REFERENCE COMMITTEE REPORTS

The reference committee's report is the tool the committee uses to communicate its recommendations on the reports, resolutions, or other matters it has considered back to the House.

Following its open hearings, a reference committee will go into executive (closed) session for deliberation and construction of its report. The Speaker, or a majority of the delegates present, shall have authority to declare which sessions of the House of Delegates shall be executive sessions and to invite persons who are not delegates to be present at executive sessions. (*MMA Bylaws*, 7.4(A))

Reference committee reports comprise the bulk of the official business of the House of Delegates. They are made available to the delegates on the morning of the day of the second session of the House of Delegates.

Reference committees have wide latitude in their efforts to facilitate expression of their recommendations on the matters before them and to give credence to the testimony they hear. They may amend resolutions, consolidate two or more resolutions by constructing substitutes,

and they may recommend the following **procedures for disposition** of the business before them:

- **FILE** - To file is a common method of disposition of a report. A report that is filed is not binding on the Association but is available for information and may be considered again at any time. An expression of thanks or other commendation may be combined with a recommendation to file a report.

Filed reports can be "filed as amended" noting small technical changes made to the report. Resolutions cannot be filed.

- **ADOPT** - Once adopted by the House, a resolution, or those portions of a report which outline actions, commit the MMA. *Only the "resolved" items of a resolution or the action items of a report become MMA policy; the "whereas" portions or preambles are informational or explanatory only.*
- **ADOPT AS AMENDED OR SUBSTITUTED** - The reference committee may recommend amendments to the resolution that reflect suggestions proposed during open hearings or suggestions identified during executive session.

When the resolution is recommended to be amended, the reference committee report should recommend that the resolution be adopted as amended. The proposed new language should be underlined and recommended language to be deleted should be shown as a strike thru (e.g., ~~strike~~).

A recommendation to adopt a **substitute** signifies that the reference committee is reporting on two or more similar resolutions and it wishes to recommend a substitution of those resolutions into a single resolution. The report should reflect the recommendation as follows: Substitute Resolution X be adopted in lieu of Resolution Y and Resolution Z.

- **REFER TO THE MMA BOARD OF TRUSTEES** - To refer to the MMA Board of Trustees is a recommendation by the reference committee that further consideration should be given to the resolution.

Upon approval by the House of Delegates, the item is considered referred. Note, however, that referral to the MMA Board of Trustees by the House of Delegates does not mean that the resolution has been adopted as MMA policy. Rather, referred items will become part of the ongoing business of the Association as conducted by the Board of Trustees during periods between annual meetings of the House.

Absent specific direction by the House above and beyond the referral, the Board retains discretion to act upon the item in the order of priority it determines best to the conduct of its business. Otherwise, the House can direct that the Board of Trustees report back to the House of Delegates concerning the specifics of its study of the matter at the House next convened following completion of the study, or by a date certain. When the House so directs, it is signaling to the Board of Trustees that it is reserving its right to take action on the particular matter following completion of the Board's study.

If the motion to refer is adopted, all pending or adopted amendments as well as the subject are referred. All referrals to specific committees are made through the Board of Trustees.

- **NOT TO ADOPT** - Not to adopt indicates to the House of Delegates that the reference committee does not endorse the recommendations contained in the "resolved" section of the resolution.

- **RESCIND** - Used to repeal (cancel, nullify, void) a resolution passed at a previous meeting, effective the date of the adoption of the resolution to rescind by the House of Delegates.

RULES OF THE FLOOR IN THE HOUSE

RECOGNITION

For the conduct of orderly business of the MMA House of Delegates, each individual speaking to an issue must be of recognized by the Speaker and be at a microphone. Each individual speaking to an issue on the floor of the House of Delegates should identify him/herself, the delegation he/she represents, and any conflicts of interest he/she may have with respect to the issue at hand.

Sessions of the House of Delegates are open to all members of the Association, guests, official observers, interested outsiders and the press. Unless otherwise recognized by the Speaker or Vice-Speaker of the House, only delegates, alternate delegates and acting delegates will be recognized to speak before the House. The privilege of the floor, except attendance at executive session, but no right to vote is granted to the MMA and AMA Presidents, Presidents-Elect, Trustees, Secretaries, Treasurers, Past-Presidents, the Speaker and Vice-Speaker of the AMA House of Delegates, the AMA Trustees, and MMA Delegates and Alternate Delegates to the American Medical Association unless those persons are also delegates to the House of Delegates. (*MMA Bylaws, 7.4(B)*)

VOTING

Each qualified delegate, alternate delegate or acting delegate is entitled to one vote. The Speaker and Vice-Speaker shall not vote except in the case of a tie, in which case the Speaker may cast one vote. (*MMA Bylaws, 7.5*)

REAFFIRMATION REPORT

At the 2007 MMA House of Delegates meeting, delegates strongly supported the development of a reaffirmation process to better manage resolutions on topics for which the MMA already has existing policy.

Reaffirmation of existing policy means that the policies reaffirmed remain active policies within the MMA policy compendium. Reaffirmation will also reset the “sunset clock,” so such policies will remain viable for 10 years from the date of reaffirmation.

The reaffirmation process is based on the following steps:

1. MMA staff reviews all submitted resolutions.
2. MMA staff researches current MMA (and AMA) policy and relevant policy is printed on the bottom of each resolution.
3. MMA staff identifies those resolutions for which current MMA policy is identical to, or substantially similar to, the policy proposed in the resolution.
4. The MMA Executive Committee reviews and acts upon the resolutions identified by staff for development of a Reaffirmation Report.
5. The Reaffirmation Report is presented at the opening session of the House of Delegates.

6. Any delegate may extract a resolution included in the Reaffirmation Report; resolutions extracted will not be debated, but instead will be automatically referred to the appropriate reference committee for consideration.
7. The House of Delegates will act on the final Reaffirmation Report at the opening session of the House of Delegates.

CONSENT CALENDAR FORMAT

The entire report of the reference committee is presented on a Consent Calendar, with the items of business grouped together according to the committee's recommended courses of action. Any member of the House of Delegates may extract any item of business from the Consent Calendar for vote by the House.

The Speaker will open for discussion the matter that is the immediate subject of the reference committee report. The effect is to permit full consideration of the business at hand, unrestricted to any specific motion for its disposal. Your Speakers suggest that the reference committee report not contain a direct motion, and any appropriate motion may be made from the floor. *In the absence of a motion from the floor, the Speaker will state the question in accordance with the recommendation of the reference committee.*

Six common examples employing this procedure are as follows:

1. **Informational.** The reference committee is reporting on informational material provided to the House that encompasses no specific proposal for action. The reference committee expresses appreciation of the report and recommends that the matter be filed. When it appears that there is no debate, the Speaker may declare it "**filed**" without the necessity of a formal vote. Such a statement records the action and concludes such an item of business.
2. **Adopt.** The reference committee is reporting on a resolution which, in its opinion, should be adopted without change, and it so recommends. The Speaker places the *resolution* before the House for discussion. In the absence of other motions from the floor (e.g., to amend or refer), the Speaker, at the appropriate time, places the question on adoption of the resolution consistent with the recommendation of the reference committee.
3. **Not Adopt.** The reference committee is reporting on a resolution which, in its opinion, should not be adopted, and it so recommends. The Speaker places the *resolution* before the House for discussion. In the absence of other motions from the floor (e.g., to amend or refer), the Speaker, at the appropriate time, places the question on adoption of the resolution, making it clear that the reference committee has recommended a vote in the negative. **This process is adopted to avoid the confusion of voting "yes" to say no (to not adopt).**
4. **Referral.** The reference committee is reporting on a resolution it believes should be transmitted for further consideration to the Board of Trustees, or through the Board to an appropriate committee, and it so recommends. The Speaker places the *original matter* before the House for discussion. It may be that the House prefers to adopt this matter, amend it, or the House may wish to follow the reference committee's recommendation.

If there is no motion from the floor, the Speaker will put the motion on the recommendation of the reference committee "to refer." If this fails to pass, the motion is again on the adoption of the resolution or report.

5. **Amended.** The reference committee is reporting on a resolution that it wishes to amend by addition and/or deletion. In order to permit the normal procedures for parliamentary handling, the matter which is placed before the House for discussion is the *amended version* as presented by the reference committee together with the recommendation for its adoption. It is then in order for the House to apply amendments of the first and second order in the usual fashion to this reference committee version. Such procedure is clear and orderly and does not preclude the possibility that someone may wish to restore the matter to its original non-amended form. This may be accomplished by a motion to amend the reference committee version by restoring the original language.
6. **Substitution.** The reference committee is reporting on two or more similar resolutions and it wishes to recommend a substitution into a single resolution. For orderly handling, the matter before the House for consideration is the recommendation of the reference committee of the *substitute version*. A motion to adopt this substitute is treated as a main motion. If the reference committee's version is not adopted, the entire group of proposals has been rejected. However, it is in order for any delegate to propose consideration and adoption of any one of the original items.

ELECTIONS

PROCEDURE OF ELECTION OF OFFICERS

The Credentials Committee shall conduct the balloting and count the ballots.

The Nominating and Leadership Development Committee will report to the House of Delegates at each Annual Meeting a slate of candidates for the office of Speaker, Vice-Speaker, President-Elect, and Secretary-Treasurer.

All voting shall take place in writing. The nominees will be listed alphabetically on a written ballot. Nominations for all offices shall be accepted by the Speaker of the House from any delegate prior to printing of the ballot.

A majority of the vote cast is required to elect a nominee. A run-off shall be conducted until one nominee receives a majority vote. After the second ballot, the nominee with the fewest votes is dropped from each subsequent ballot. (*MMA Bylaws, 5.2(C)*)

GEOGRAPHIC TRUSTEES

At each annual meeting, the House of Delegates shall elect trustees to fill the terms of those whose term expires at the end of that annual meeting. Nominees are selected by the trustee district and submitted to the House of Delegates for its consideration. Other nominations for the office of trustee representing geographic trustee districts may be made from the floor, but only by one of the component medical societies in the applicable trustee district or by an individual member of one of the component medical societies in the applicable trustee district. No person may be nominated for or elected to the office of trustee for any trustee district unless the person is a member of the component medical society or one of the component medical societies in the applicable trustee district and a member of the Association. (*MMA Bylaws, 5.3(A)*)

AT-LARGE TRUSTEES

At each Annual Meeting of the House of Delegates, if the Nominating and Leadership Development Committee forwards nominations for any at-large trustee positions to the House of

Delegates, the House of Delegates shall vote for the candidate(s) nominated by the Nominating and Leadership Development Committee and any candidates as nominated by the House of Delegates. (*MMA Bylaws 5.3(C)*)

AMA DELEGATES AND ALTERNATE DELEGATES

The Nominating and Leadership Development Committee shall report to the Annual Meeting of the House of Delegates a slate of candidates from among the members of the MMA for delegates and alternate delegates to the AMA. All nominees must be AMA members. No officer or trustee, except the President-Elect, President or Immediate Past President, shall also serve concurrently as an American Medical Association Delegate or Alternate Delegate. (*MMA Bylaws, 5.4*)

Elections by the House of Delegates for AMA delegates (as well as for alternates) shall be held in the following order:

- AMA Delegates to be elected for a full term
- AMA Delegates to be elected to fill an unexpired term
- Unsuccessful nominees for the election of AMA Delegates to be elected for a full term shall automatically be nominated for the election of AMA Delegates to fill an unexpired term.

TERMS OF OFFICE

The President-Elect, following election, shall serve as President-Elect until the end of the next Annual Meeting following the Annual Meeting at which the election occurred, at which time he/she shall become President.

The President shall serve until the end of the next Annual Meeting at which time he/she shall become Immediate Past President and serve as such for a period of one year.

Each other officer shall serve for a period of one year beginning at the end of the Annual Meeting at which the election occurred and until a qualified successor is elected. No officer shall serve more than 12 years in any single office, not including election or appointment to fill a vacancy.

Geographic trustees may serve no more than three terms of three years each, not including election or appointment to fill a vacancy. Accordingly, Trustees may serve up to three terms of three years each as a Trustee representing a geographic Trustee District, or a combination of two terms of three years each as a Trustee representing a geographic Trustee District, and one three year term as an At-Large Trustee.

At-Large trustees shall serve for a term of three years beginning at the conclusion of the Annual Meeting during which the Trustee is elected. Terms of the At-Large Trustees will be arranged so that, as nearly as possible, one-third of the At-Large Trustees are elected each year. Trustees shall serve no more than one term of three years as an At-Large Trustee, not including election or appointment to fill a vacancy. The term of an At-Large Trustee may be more than three years but not more than five years if it is to assure that terms are staggered. An At-Large Trustee may be elected as a Trustee representing a geographic Trustee District upon completion of his/her term of office, or upon resignation, as an At-Large Trustee

AMA Delegates and AMA Alternate Delegates shall serve two-year terms, but no more than 12 years in any single office, not including election or appointment to fill a vacancy.

PRINCIPAL RULES GOVERNING MOTIONS

Order of Precedence ¹	Can Interrupt?	Requires Second?	Debatable?	Amendable ?	Vote Required?	Applies to what other motions?	Can have what other motions applied to it? ⁴
<i>Privileged Motions</i>							
1. Adjourn	No	Yes	Yes ³	Yes ³	Majority	None	Amend
2. Recess	No	Yes	Yes ³	Yes ³	Majority	None	Amend ³
3. Question of privilege	Yes	No	No	No	None	None	None
<i>Subsidiary Motions</i>							
4. Postpone temporarily (Table)	No	Yes	No	No	Majority ²	Main motion	None
5. Close debate	No	Yes	No	No	2/3	Debatable motions	None
6. Limit Debate	No	Yes	Yes ³	Yes ³	2/3	Debatable motions	Amend ³
7. Postpone to a certain time	No	Yes	Yes ³	Yes ³	Majority	Main motion	Amend ³ , close debate, limit debate
8. Refer	No	Yes	Yes ³	Yes ³	Majority	Main motion	Amend ³ , close debate, limit debate
9. Amend	No	Yes	Yes	Yes	Majority	Rewordable motions	Close debate, limit debate, amend
<i>Main Motions</i>							
10a. The Main Motion	No	Yes	Yes	Yes	Majority	None	Restorative, subsidiary
10b. Restorative Main Motions							
Amend a previous action	No	Yes	Yes	Yes		Main motion	Subsidiary, restorative
Ratify	No	Yes	Yes	Yes		Previous action	Subsidiary
Reconsider	Yes	Yes	Yes ³	No	Majority	Main motion	Close debate, limit debate
Rescind	No	Yes	Yes	No	Majority	Main motion	Close debate, limit debate
Resume Consideration	No	Yes	No	No	Majority	Main motion	None

INCIDENTAL MOTIONS

No Order of Precedence	Can Interrupt?	Requires Second?	Debatable?	Amendable ?	Vote Required?	Applies to what other motions?	Can have what other motions applied to it?
<i>Motions</i>							
Appeal	Yes	Yes	Yes	No	Majority	Decision of Chair	Close debate, limit debate
Suspend Rules	No	Yes	No	No	2/3	None	None
Consider Informally	No	Yes	No	No	Majority	Main motion	None
<i>Requests</i>							
Point of order	Yes	No	No	No	None	Any error	None
Parliamentary inquiry	Yes	No	No	No	None	All motions	None
Withdraw a motion	Yes	No	No	No	None	All motions	None
Division of question	No	No	No	No	None	Main motion	None
Division of assembly	Yes	No	No	No	None	Indecisive vote	None

¹ Motions are in order only if no motion higher on the list is pending. Thus, if a motion to close debate is pending, a motion to amend would be out of order; but a motion to recess would be in order, since it outranks the pending motion.

² Requires two-thirds vote when it would suppress a motion without debate.

³ Restricted.

⁴ Withdraw may be applied to all motions.