

South Carolina Medical Association Procedures for the Annual House of Delegates

We are excited to welcome you as a delegate to the 173rd meeting of the South Carolina Medical Association (SCMA) House of Delegates. Please use this document as a reference manual for the proceedings of the SCMA House of Delegates (HOD).

The intent of the SCMA HOD is to serve as a democratic process to allow our physician members to develop policy for the organization. This is done by dividing the state into 14 Medical Districts, with the ultimate goal of equal physician membership in each district. Each district is assigned a number of delegates to the HOD based on physician membership in the district. There are also additional delegates representing Association Sections, Specialty Societies, and other organizations making a robust HOD with appropriate representation, totaling over 120 delegates. Each year, the House of Delegates will elect the Association's Board of Trustees and officers for the coming year.

Another major duty of the House of Delegates is to accept, hear, debate, and vote on resolutions, reports, and recommendations that have been submitted over the prior year. The resolutions are submitted by SCMA officers, SCMA committees, County Societies (through their officers and delegates), and specialty societies. Each year the HOD will consider around 30-40 items of business. This can be a monumental task, so to expedite the process while still allowing for healthy debate and the membership's voice to be heard, the resolution, or recommendation, is assigned to a Reference Committee.

Each Reference Committee is composed of 3-5 delegates who have been assigned by the Speaker of the House. During the Reference Committee hearings on the first day of the HOD, members will have the opportunity to express his or her opinion on the resolution. After an adequate testimony has been heard, each Reference Committee evaluates the opinions offered and drafts a report that will be submitted to the House recommending a course of action for each of the resolutions heard by that committee. On Sunday at the reconvening of the HOD, the recommendations from each Reference Committee are heard, discussed, and voted on by the House of Delegates. With an affirming vote, the House sets the SCMA's policy.

The SCMA House of Delegates exists to give our physician members a voice to express your ideas and the opportunity to have those ideas implemented into action by creating policy that drives the practice of medicine in our state.

Standard Code of Parliamentary Procedure

There are many functions of the House of Delegates that follow a traditional and formal process. There will be addresses to the House by the Chief Executive Officer, President, various representatives, remarks from the Speaker, and others. It is the prerogative of the Speaker of the House to allow other sessions and formalities at the House of Delegates including keynote speakers and other invited guests. The intent is not to intrude on the formal business of the House, but to hold a professional meeting that brings value to the membership. In order for the House to accomplish this as well as many other assigned tasks, there must be a formal process. Therefore, the SCMA will offer a formal Order of Business that will be published and distributed to the delegation. The Speaker will attempt to maintain an orderly schedule that does not allow for last-minute additions, although they may be heard upon request and with consent from the Board of Trustees.

The South Carolina Medical Association has adopted the standards of the American Institute of Parliamentarians “Standard Code of Parliamentary Procedure” as the guideline for the parliamentary procedure used to keep order for the proceedings. The goal is to perform the will of the House while also maintaining a voice for the minority of the delegates.

Procedures of the House of Delegates

As mentioned previously, resolutions are submitted to the SCMA from Delegates, County Societies, Specialty Societies, or other active SCMA members. The SCMA officers, trustees, Chairperson, committees, and other representatives will offer an annual report to be accepted by the House.

Resolutions

The resolutions serve as the method by which membership offers ideas to be considered as policy. The essential element of a resolution is the final “Resolved” clause that should accurately state the request of the resolution author. **A resolution should have a singular clear request** so as not to lead to denial of one “Resolved” clause due to the denial of another request in the same resolution. In other words, one decision must be rendered for the resolution in entirety, thus each request must be written as its own separate resolution and not grouped. If the resolution is adopted, the only part of the resolution that becomes policy is the “Resolved” statement, so it should be able to stand alone and convey all concepts of the request.

Multiple clauses called “Whereas” statements precede the “Resolved” statement. The “Whereas” statements should contain information that clarifies the request of the “Resolved” statement, offers details including statistics, and strengthens the overall “Resolved” request. Because the “Whereas” statements will not be part of the final adopted resolution, there is no need to amend the language outside of the “Resolved” statement.

The policy will only be determined from the “Resolved” statement and will stand as the official item of business. Therefore, the presenting question before the House will be how to handle the specific “Resolved” statement.

Reference Committee Proceedings

All reports, resolutions, and recommendations are referred to a Reference Committee (with minimal exceptions for special considerations). All hearings and discussion on the resolutions should be heard and considered prior to the final vote at the House of Delegates. This process maximizes the opportunity for the membership to be heard and their opinion to be considered.

Reference Committees contain 3-5 delegates selected by the Speaker of the House and are formed to conduct open hearings on matters of business before the House. Each Reference Committee is constructed to hear resolutions that pertain to similar topics. For example, resolutions requesting changes in legislative action are heard by one Reference Committee while resolutions focused on education will be heard by a separate Reference Committee. The South Carolina Medical Association has created three Reference Committees that divide topics of focus as follows:

Reference Committee A, B, G, H:

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|---------------------------|-------------------------------------|
| A) Credentials | B) Reports of Trustees and Officers |
| G) Miscellaneous Business | H) Constitution and Bylaws |

Reference Committee C, E, F

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|-----------------------------------|------------------------------------|
| C) Public and Occupational Health | E) Medical Education and Hospitals |
| F) Medical Services and Insurance | |

Reference Committee D

- D) Legislative Activities and Public Relations

All members of the SCMA who are in attendance are welcome to attend the Reference Committee hearings. Members are also encouraged to offer their opinion on a resolution if so inclined. Non-members are permitted to speak if recognized by the Reference Committee Chairperson.

Hearings will be led by the Reference Committee Chairperson. The Chairperson will disclose the guidelines for the Reference Committee to appropriately hear testimony from the attendees in a manner that allows for appropriate discussion. The Reference Committee Chairperson may establish rules, as necessary, to respect the time of the session, limit repetitive statements, and to respect the consideration of the testimony.

Following the open hearing of the Reference Committee, the committee will enter executive session to deliberate the opinions heard and form the formal report that is submitted to the House of Delegates.

The Reference Committee may call in anyone deemed necessary to hear additional testimony or question information further to appropriately convey the intent of the membership in the hearings.

After considering all testimony and meeting in executive session, the Reference Committee will submit a unanimous report to the House of Delegates which contains the recommendation for each of the items assigned to review in the Reference Committee Hearing.

Reference Committee Report

Reference Committee Report consideration comprises the bulk of the official business of the final day of the House of Delegates. Reference Committees will give strong consideration to the testimony heard and will have the option to suggest various actions to the House, as outlined later in this document. Options include accepting the recommendation, consolidating resolutions, amending resolutions, referral, and other options that may be specific to the item at hand.

According to the Standard Code of Parliamentary Procedure, the following actions can be taken by the reference committee:

- a. Adoption (accepting the “resolved” statement as worded)
- b. Adoption as amended (with amendments drafted by the Reference Committee)
- c. Adoption by substitution (offering a substitute resolution drafted by the Reference Committee)
- d. Not to be adopted (essentially rejecting the resolution)
- e. To be filed (generally reserved for reports)
- f. Referral to the Board of Trustees (or another committee)

The Reference Committee Reports containing the recommendations will be available to delegates as soon as they are completed and reviewed.

It should be known that Reference Committee recommendations are just that, *recommendations only*, and do not become SCMA policy until acted upon by the House of Delegates. A Reference Committee recommendation is to be considered the main motion (primary discussion point) when brought before the House.

A Brief Review of Parliamentary Procedure

This section is to offer a brief review of parliamentary procedure but is not inclusive of all procedures. To review a full set of parliamentary procedures, please refer to the *American Institute of Parliamentary Procedure by the American Institute of Parliamentarians*.

Motions

Business is brought before the House by a “Motion” that serves as a formal question or statement for consideration. Motions can be considered (in the order of privilege):

1. Privileged Motions
 - a. Adjourn
 - b. Recess
 - c. Question of Privilege
2. Subsidiary Motions
 - a. Table
 - b. Close debate
 - c. Limit or extend debate
 - d. Postpone to a certain time
 - e. Refer to committee
 - f. Amend
3. Main Motions
 - a. Main motion and specific main motions

When a motion is brought forth and is being considered, any motion of higher rank (see above) may be considered, but no motion of lower rank may be proposed. Motions are considered and voted on in reverse order of their proposal (most recent motion voted on first).

*Incidental Motions (including Appeal, Suspend Rules, Consider Informally, Point of Order, Inquiries, Withdrawal of Motion, Division of Motion and Call for Division of Assembly) have no order or ranking.

A few considerations for motions:

1. Motions require a “Second”: essentially confirming the proposal. If no “second” is made, the motion does not proceed.
2. Is the motion debatable: Main motions and most secondary motions permit debate. The subsidiary motion to table does not allow for debate.
3. A motion can be amended if the wording of the motion allows for amendment.
4. The discussion and statements before the House should be pertaining to the “Motion at Hand” meaning the motion that is currently under debate. Therefore, if an amendment has been made, the discussion should be on the amendment, not the main motion.
5. When coming forward to speak on a motion, the delegate should state his or her name, who he or she is speaking on behalf of (self or organization), and if the comments are for or against the main motion. The Speaker will request that “For” comments are followed by “Against” comments and vice-versa to decrease repetitive comments and allow for a full debate.

Main Motions

Steps in Presenting a Motion

1. A member will rise and address the presiding officer (Speaker or Vice Speaker of the House)
2. The member is recognized by the presiding officer
3. The member proposes a motion
4. Another member seconds the motion
5. The presiding officer states the motion to the House

Steps in Voting on a Motion

1. The presiding officer restates the pending question
2. The presiding officer takes the 'Affirmative' vote
3. The presiding officer takes the 'Negative' vote
4. The presiding officer announces which side has prevailed and whether the motion was adopted or defeated
5. The presiding officer announces what will be done as a result of the vote then introduces the next item of business

Amendments

A motion may be modified so that it will more satisfactorily express the will of the House. When a motion is to be amended, there are four types of amendments:

1. Amend by inserting (addition of information)
2. Amend by striking out (deletion of information)
3. Amend by striking out and inserting
4. Amend by substitution

The only motions that may be amended are the main motion and the subsidiary motion to amend. Amendments have two rankings:

1. Amendments to the main motion are of the 'First Rank.' The amendments must relate directly to the motion to be amended.
2. Amendments to the pending amendment are of 'Second Rank.' The amendments must relate directly to the pending amendment.

Amendments of third rank are not in order. Only one amendment of each rank can be pending at one time. Therefore, when a primary amendment is pending another primary amendment (to the main motion) is not in order, but there can be an amendment to the second rank (amendment to the amendment). There cannot be two 'second-rank' amendments at the same time. However, when one second-rank amendment is voted (or withdrawn), another may be introduced.

Question of Privilege

At times there are questions that deal with basic member rights, actions requiring immediate attention, or actions of the assembly as a whole. Privileged motions do not relate to pending business but, when moved, take priority over any main motion or pending subsidiary motion (may include asking members to speak into the microphone, change the temperature in the room, or point of personal privilege). The following rules govern the questions of privilege:

1. Can interrupt a speaker if it requires immediate decision and action
2. Requires no second because it is a request
3. Is not debatable as it is decided by the presiding officer
4. Cannot be amended
5. Requires no vote
6. Takes precedence over all motions except to adjourn or recess

Basic Rules Governing Motions

Main Motions

1. Cannot interrupt a speaker
2. Requires a second
3. Is debatable and can be amended
4. Requires a MAJORITY vote
5. Does not take precedence over other motions
6. Can have all subsidiary motions applied

Motion to Amend

1. Cannot interrupt a speaker
2. Requires a second
3. Is debatable (unless applies to an undebatable motion)
4. Can be amended
5. Requires a MAJORITY vote, even if the higher-level motion requires a higher-level vote
6. Takes precedence over the main motion (when applied to other motions, it takes precedence over that motion)
7. Can have subsidiary motions applied

Motion to Refer

1. Cannot interrupt a speaker
2. Requires a second
3. Debate restricted to a brief discussion on the advisability of referring (and to which committee selected)
4. Amendments restricted to details such as the committee selected, membership or duties of the committee

5. Requires a MAJORITY vote
6. Takes precedence over the main motion and a motion to amend the main motion
7. Applies to main motions only

Motions to Limit or Extend Debate

1. Cannot interrupt a speaker
2. Requires a second
3. Debate restricted to type and time of limitations
4. Requires TWO-THIRDS vote because it limits freedom of debate
5. Takes precedence over amendments and the main motion
6. Applies to debatable motions only

Motions to Close Debate and Vote Immediately

1. Cannot interrupt a speaker
2. Requires a second
3. Not debatable
4. Cannot be amended
5. Requires TWO-THIRDS vote because it limits freedom of debate
6. Takes precedence over all subsidiary motions except to table
7. Applies to debatable motions only