

REPORTS OF COUNCIL ON CONSTITUTION AND BYLAWS

The following reports, 1-2, were presented by Richert E. Quinn, Jr., MD, Chair:

1. RESIDENT AND FELLOW SECTION - BUSINESS MEETING REPRESENTATIVES EDITORIAL CORRECTION TO THE BYLAWS

HOUSE ACTION: FILED

INTRODUCTION

This report, submitted for the information of the House of Delegates, explains an editorial correction to the American Medical Association Bylaws made by the Council on Constitution and Bylaws.

BACKGROUND

In its review of the Bylaws, the Council on Constitution and Bylaws noted that a Bylaw amendment adopted by the House of Delegates at the 1998 Interim Meeting had not been completely transcribed into the printed version of the revised Bylaws.

At the 1998 Annual Meeting, the House of Delegates adopted the recommendations of Board of Trustees Report 11, calling for a modification of AMA Policy H-550.999 (AMA Policy Database). This policy sets out the definition of Resident, as applied to qualifications for membership in the Resident Physicians Section (now known as the Resident and Fellow Section). The House agreed to modify the policy and expand the Section to include physicians who are participating in a structured educational program post medical training. The House also renamed the Section to reflect the inclusion of Fellows.

At the 1998 Interim Meeting, the Council on Constitution and Bylaws proposed amendments to implement the House of Delegates action. The following amendment to B-7.1312 (formerly 7.1412), in part, was proposed and adopted:

7.1312 Direct Members. Resident physicians serving in approved training programs or fellowships, members serving as their primary occupation in a structured educational program begun immediately upon completion of medical school, residency or fellowship training, who are direct members of the AMA may be selected as representatives to the Business Meeting of the Resident ~~Physicians and Fellows~~ Section upon application to the Governing Council for the Resident ~~Physicians and Fellows~~ Section.
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The Council has noted that the expanded definition set forth in this amendment was not incorporated into the printed version of the revised Bylaws.

CONCLUSION

The Council has inserted the language as adopted by the House, in B-7.1312 of the printed Bylaws dated July 2001, as an editorial correction. The Council notes that additional changes in terminology used in this section were adopted by the House at the 2001 Annual Meeting, and are also reflected in the Bylaws dated July 2001.

2. APPORTIONMENT OF MEDICAL STUDENT REGION DELEGATES

HOUSE ACTION: RECOMMENDATIONS ADOPTED, BYLAWS AMENDED ACCORDINGLY, AND REMAINDER OF REPORT FILED

As part of its fact-finding responsibility to review the Bylaws of the American Medical Association and recommend amendments when necessary, the Council on Constitution and Bylaws noted that the Bylaws specifying the timing of the selection and seating of the Medical Student Region Delegates may require clarification to ensure that they are read as internally consistent and in accord with the established process for selection and seating of such delegates.

Bylaws 2.162, 2.1621, and 2.163, adopted in June 2001, currently read as follows:

- 2.162 Apportionment.** The apportionment of delegates for each Medical Student Region is one delegate for each two thousand (2,000) active medical student members of the American Medical Association enrolled in a Liaison Committee on Medical Education or American Osteopathic Association accredited program located within the jurisdiction of each Medical Student Region, as recorded in the office of the Executive Vice President of the AMA on December 31 of each year.
- 2.1621 Effective Date.** Such apportionment shall take effect the ensuing January 1 and shall remain effective for one year thereafter. In January of each year the Executive Vice President of the American Medical Association shall notify the Medical Student Section Governing Council of the number of seats in the House of Delegates to which each Medical Student Region is entitled during the current year.
- 2.163 Election.** To be eligible for election, a medical student member must receive the written endorsement of the constituent association representing the jurisdiction within which such medical student's Liaison Committee on Medical Education or American Osteopathic Association accredited program is located. Delegates and alternate delegates for each Medical Student Region shall be elected by the Medical Student Section in accordance with procedures adopted by said Section. Delegates and alternate delegates shall be elected at the Business Meeting of the Medical Student Section prior to the Interim Meeting of the House of Delegates. Delegates and alternate delegates shall be seated at the Annual Meeting of the House of Delegates.

According to these Bylaws, the apportionment of delegates is determined on December 31 of each year. The Medical Student Section Governing Council is notified of the apportionment on January 1 of the following year, and the apportionment is effective for January 1 through December 31 of that year. The Medical Student Region Delegate elections are held in December, immediately prior to the Interim Meeting. Elected delegates are seated at the following Annual Meeting.

The following example sets forth the schedule for 2002-03 under the current Bylaws:

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| Apportionment determined: | December 31, 2001 |
| MSS Governing Council notified of the apportionment: | January 1, 2002 |
| Apportionment effective: | January 1, 2002-December 31, 2002 |
| Medical Student Region delegates elected: | December 2002 |
| Medical Student Region delegates seated: | June 2003 |

The Council believes that a clarification to the apportionment period in Bylaw 2.1621 would be appropriate to clearly include the period in which the Medical Student Region delegates will be seated. The Council proposes that Bylaw 2.1621 be clarified to provide that the apportionment is effective for the year following the year in which the Medical Student Section Governing Council is notified.

The following example sets forth the schedule for 2002-03 under the Bylaws proposed by the Council.

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| Apportionment determined: | December 31, 2001 |
| MSS Governing Council notified of the apportionment: | January 1, 2002 |
| Apportionment effective: | January 1, 2003-December 31, 2003 |
| Medical Student Region delegates elected: | December 2002 |
| Medical Student Region delegates seated: | June 2003 |

The Council on Constitution and Bylaws has prepared appropriate amendments for consideration by the House of Delegates.

RECOMMENDATIONS

The Council on Constitution and Bylaws recommends:

1. That the following amendments to the AMA Bylaws be adopted:

2.162 Apportionment. The apportionment of delegates for each Medical Student Region is one delegate for each two thousand (2,000) active medical student members of the American Medical Association enrolled in a Liaison Committee on Medical Education or American Osteopathic Association accredited program located within the jurisdiction of each Medical Student Region, as recorded in the office of the Executive Vice President of the AMA on December 31 of each year.

2.1621 Effective Date. ~~Such apportionment shall take effect the ensuing January 1 and shall remain effective for one year thereafter.~~ In January of each year the Executive Vice President of the American Medical Association shall notify the Medical Student Section Governing Council of the number of seats in the House of Delegates to which each Medical Student Region is entitled ~~during the current year.~~ Such apportionment shall take effect on January 1 of the following year and shall remain effective for one year.

2.163 Election. To be eligible for election, a medical student member must receive the written endorsement of the constituent association representing the jurisdiction within which such medical student's Liaison Committee on Medical Education or American Osteopathic Association accredited program is located. Delegates and alternate delegates for each Medical Student Region shall be elected by the Medical Student Section in accordance with procedures adopted by said Section. Delegates and alternate delegates shall be elected at the Business Meeting of the Medical Student Section prior to the Interim Meeting of the House of Delegates. Delegates and alternate delegates shall be seated at the Annual Meeting of the House of Delegates.

2. That the remainder of this report be filed.