

Governing rules of the Council on Ethical and Judicial Affairs (CEJA)

Rule I. Administration

A. Meetings

The Council on Ethical and Judicial Affairs (CEJA) will meet during the Annual and Interim Meetings of the American Medical Association. Other meetings of the council may be called, on reasonable notice, by the chair of the council; or they shall be called, on reasonable notice, by the executive vice president of the American Medical Association on the written request of at least 5 members of the council.

B. Chair and vice chair

At the reorganization meeting of the council which shall be held during each Annual Meeting of the AMA after election of members to the council, the Council on Ethical and Judicial Affairs shall elect a chair and a vice-chair from among its members except that the resident physician and medical student members of the council shall not be eligible to serve as chair or vice-chair. The chair and the vice-chair shall retain the right to vote on all matters. No member of the council shall serve more than 2 consecutive years as chair or 2 consecutive years as vice-chair.

The chair and vice-chair to be so elected shall be elected on separate, secret ballots. The balloting and voting for chair shall be completed and a chair elected before the balloting and voting for the vice-chair begins. A majority vote of the entire council shall be required to so elect either a chair or a vice-chair, with balloting and voting to be repeated, if necessary, until a member is elected to each position.

In the event that the position of chair becomes permanently vacant for any reason during the term of the then currently serving chair, the then currently serving vice-chair shall immediately assume the position of chair for the remainder of the term. A new vice-chair shall then be elected by secret ballot at the ensuing meeting of the council to serve the remainder of the immediately preceding vice-chair's term. A majority vote of the entire council, as then constituted, shall be required to so elect a vice-chair, with balloting and voting to be repeated, if necessary, until a member is elected vice-chair. The serving of the balance of a term as chair or vice-chair due to such a vacancy shall not be counted in determining whether a member of the council has served more than 2 consecutive years as chair or 2 consecutive years as vice-chair.

In the event that the position of vice-chair becomes permanently vacant for any reason during the term of the then currently serving vice-chair, a new vice-chair shall be elected by secret ballot at the ensuing meeting of the council to serve the remainder of the immediately preceding vice-chair's term. A majority vote of the entire council, as then constituted, shall be required to so elect a vice-chair, with balloting and voting to be repeated, if necessary, until a member is elected vice-chair. The serving of the balance of a term as vice-chair due to such a vacancy shall not be counted in determining whether a member of the council has served more than 2 consecutive years as vice-chair.

C. Student members

The medical student member of the council shall participate as a regular member in the interpretation of the Principles of Medical Ethics of the American Medical Association, the interpretation of the constitution, bylaws and rules of the association, and the investigation of general ethical conditions and all matters pertaining to the relations of physicians to one another or to the public. The medical student member of the council shall have the right to participate in disciplinary matters and in matters relating to membership only if a medical student is the subject of the disciplinary matter or is the applicant for membership.

D. Quorum

A majority of the members of the Council on Ethical and Judicial Affairs eligible to vote on a matter shall constitute a quorum and shall be required to adopt any action.

E. Confidentiality

All matters under consideration for adoption by the council shall be treated as confidential until adopted by the council.

Rule II. Applications for membership

A. Active membership

Applications for membership in the American Medical Association will be considered by the Council on Ethical and Judicial Affairs at any meeting upon presentation of the applications by the executive vice president of the association.

B. Affiliate membership

Applications for affiliate membership submitted by (1) physicians in foreign countries who have attained distinction in medicine and who are members of the national medical society or such other organization as will verify their professional credentials, (2) American physicians located in foreign countries or possessions of the United States and engaged in medical missionary, educational or philanthropic endeavors, (3) dentists who hold the degree of DDS or DMD, who are members of the American Dental Association and their state and local dental societies, (4) pharmacists who are active members of the American Pharmaceutical Association, (5) teachers of medicine or of the sciences allied to medicine who are citizens of the United States and are ineligible for active or associate membership, or (6) individuals engaged in scientific endeavors allied to medicine and others who have attained distinction in their fields of endeavor who are not otherwise eligible for membership, may be considered at any meeting of the council on presentation of the applications by the executive vice president of the association. The council will consider and approve only those applications which are accompanied by a statement of a responsible and qualified individual attesting to the requirements set forth above. (Employees of the AMA or any AMA affiliate or subsidiary may be eligible affiliate members under subsection (6). They must have 5 years of employment at the AMA, affiliate, or subsidiary and their distinction in their field of endeavor must be certified by an AMA senior vice president, or if the employee is a senior vice president, the executive vice president.)

C. Refusal of approval

An applicant for membership in the American Medical Association whose application has not been approved by the Council on Ethical and Judicial Affairs will be promptly notified of such fact.

Rule III. Physicians denied membership in component or constituent associations

Pursuant to 6.5.2.4 of the bylaws, any physician whose application for membership in a component

and/or constituent association has allegedly been denied unfairly because of color, creed, race, religion, ethnic origin, national origin or sex may appeal to the Council on Ethical and Judicial Affairs. The council shall determine the facts in the case and report the findings to the AMA House of Delegates (HOD). If the council determines that the allegations are indeed true, it shall admonish, censure or, in the event of repeated violations, recommend to the AMA-HOD that the state association involved be declared to be no longer a constituent member of the American Medical Association.

Proceedings for such determination shall be initiated by a written statement. Such statement shall: (1) identify the parties to the case, (2) show that the appellant has exhausted remedies made available by the constitution and bylaws of the component society and the state association, and (3) include a concise factual resume of the case in sufficient detail to enable the council to ascertain the facts. The appellant should also furnish such other information as may be requested by or helpful to the council in determining the facts of the bylaws.

Rule IV. Original controversies

Original proceedings before the Council on Ethical and Judicial Affairs shall be initiated by a written statement. Such statement shall include information (1) identifying the parties to the controversy, including membership affiliations, if applicable, and (2) explaining the nature of the controversy, setting forth the provisions of the constitution, bylaws, rules or Principles of Medical Ethics concerned.

Rule V. Appeals

Appellate proceedings before the Council on Ethical and Judicial Affairs shall be perfected by a written statement of appeal. Such statement shall include information (1) identifying the parties to the case and indicating membership affiliations when appropriate, (2) showing that the appellant has exhausted remedies made available by the constitution and bylaws of the component society and the state association, and (3) describing the error of law or procedure which is believed to have occurred during the proceedings. The statement shall also include a concise, factual resume of the case. Appellant shall submit with the statement the charges, complaints, findings, opinions, and decisions previously entered in the case.

Rule VI. Interpretation of the constitution, bylaws, rules and principles of medical ethics of the American Medical

Association

A. Requests for interpretation

Requests for interpretation of the constitution, bylaws, rules, or Principles of Medical Ethics of the American Medical Association shall be in writing and shall describe the matter to be interpreted in sufficient detail to enable the members of the Council on Ethical and Judicial Affairs to evaluate the request in all its aspects.

B. Interpretations initiated by the council

The Council on Ethical and Judicial Affairs, on its own motion, may render an opinion concerning the interpretation or application of the constitution, bylaws, rules or Principles of Medical Ethics of the American Medical Association and may, on its own motion, consider and decide the constitutionality and validity of all rules and regulations adopted by councils and committees of the association pursuant to the bylaws of the association.

C. Discretionary power

The Council on Ethical and Judicial Affairs may, in its own discretion, refuse to consider requests for interpretation of the Principles of Medical Ethics which in the opinion of the council should be resolved by a component society or a state association. Requests for interpretation of the Principles of Medical Ethics which are not of national interest and relate to the observance of local customs and ideals may be readdressed to the component society or constituent association primarily responsible for knowledge of the requirements of such local customs and recognized ideals.

Rule VII. Jurisdiction

The Council on Ethical and Judicial Affairs may, on its own motion or on the motion of any party, determine the question of jurisdiction at any stage of the proceedings.