#### REPORT OF THE SPEAKERS

Speakers' Report 01-A-24

Subject: Report of the Resolution Modernization Task Force Update Lisa Bohman Egbert, MD, Speaker, and John H. Armstrong, MD, Vice Speaker Presented by: Referred to: Reference Committee F **BACKGROUND** At the 2023 Annual Meeting, resolution 604 was adopted. Resolution 604 states: RESOLVED, That our American Medical Association form a Speakers Task Force on the Resolution Process to review the entire process of handling resolutions for our AMA House of Delegates, including but not limited to definitions of on time resolutions, emergency resolutions, and late resolutions, deadlines for submission of resolutions by all sections, processing and review of reference committee reports, and use of virtual meetings so that all on time resolutions can be submitted by the same deadline (Directive to Take Action); and be it further RESOLVED, That our AMA Speakers Task Force on the Resolution Process report back to our AMA House of Delegates by the 2024 Annual Meeting with recommendations regarding the resolution process. (Directive to Take Action) Pursuant to this policy, the Resolution Modernization Task Force (RMTF) was appointed by the Speaker with a broad representation in the House. The RMTF includes following nine members: David Henkes, MD, Chair, Texas Sarah Candler, MD, American College of Physicians Ronnie Dowling, MD, Arizona Medical Association Rachel Ekaireb, MD, Resident/Fellow Section, California Michael Hanak, MD, American Academy of Family Physicians Susan Hubbell, MD, American Academy of Physical Medicine and Rehabilitation Gary Pushkin, MD, The Maryland State Medical Society Kaylee Scarnati, Medical Student Section, Ohio Rachel Kyllo, MD, American Society for Dermatologic Surgery Lisa Bohman Egbert, MD, Speaker, Ohio John H. Armstrong, MD, Vice Speaker, American College of Surgeons The RMTF held their initial meeting on August 27, 2023, and developed an informational report, Speakers' Report 01-I-23, which delineated issues with the resolutions process. This report was used to guide the RMTF Open Forum which was held at the 2023 Interim Meeting to solicit input from House of Delegates (HOD) and other AMA members attending the meeting. In addition, an

RMTF email box was established and announced during the open forum to enable members to

continue to submit comments after I-23 adjourned. There was robust discussion during the open

1 2 3

4 5

6

7

8

9

10

11 12 13

14

15

16 17

18 19 20

21

22 23

24

25

26 27

28

29

30 31 32

33

3435

36

37

forum and many comments were received into the RMTF email box. The discussion topics at the open forum included:

- Unequal time for delegates to evaluate items for HOD business
- Avoiding Redundancy with Existing Policy
- Reference Committee Process
- Reference Committee Hearings

The RMTF met again in early January 2024 to review comments received. As was stated at their initial meeting, the task force, "...seeks to develop efficient processes that allow for all business before the House to be equally reviewed by all delegates with the ultimate goal of the best policy being developed for our AMA," and that remained their guiding principle in developing this report and its recommendations.

#### DISCUSSION

Based on comments heard at the open forum, there was general consensus that the resolution process is outdated, inefficient and requires modernization. The task force notes that the resolution submission process and policies have not been changed since 2012; however, the HOD office has begun significant technical improvements to PolicyFinder and to the procedures for submission and processing of resolutions. Because these technical improvements are ongoing, the RMTF focused on changes that would allow the consideration of HOD business to be more efficient, more inclusive to members, and more equitable so that all items of business receive adequate and equivalent consideration by the House. Therefore, the proposed recommendations address resolution deadlines, the online forum, reference committee reports, and reaffirmation.

### Resolution Deadlines

The resolution submission deadlines as stated in AMA Bylaws are as follows:

 2.11.3.1 Resolutions. To be considered as regular business, each resolution must be introduced by a delegate or organization represented in the House of Delegates and must have been submitted to the AMA not later than 30 days prior to the commencement of the meeting at which it is to be considered, with the following exceptions.

2.11.3.1.1 Exempted Resolutions. If any member organization's house of delegates or primary policy making body, as defined by the organization, adjourns during the 5-week period preceding commencement of an AMA House of Delegates meeting, the organization is allowed 7 days after the close of its meeting to submit resolutions to the AMA. All such resolutions must be received by noon of the day before the commencement of the AMA House of Delegates meeting. The presiding officer of the organization shall certify that the resolution was adopted at its just concluded meeting and that the body directed that the resolution be submitted to the AMA House of Delegates.

2.11.3.1.2 AMA Sections. Resolutions presented from the business meetings of the AMA Sections may be presented for consideration by the House of Delegates no later than the recess of the House of Delegates opening session to be accepted as regular business. Resolutions presented after the recess of the opening session of the House of Delegates will be accepted in accordance with Bylaw 2.11.3.1.4.

2.11.3.1.3 Late Resolutions. Late resolutions may be presented by a delegate prior to the recess of the opening session of the House of Delegates, and will be accepted as business of the House of Delegates only upon two-thirds vote of delegates present and voting.

2.11.3.1.4 Emergency Resolutions. Resolutions of an emergency nature may be presented by a delegate any time after the opening session of the House of Delegates is recessed. Emergency resolutions will be accepted as business only upon a three-fourths vote of delegates present and voting, and if accepted shall be presented to the House of Delegates without consideration by a reference committee. A simple majority vote of the delegates present and voting shall be required for adoption.

Currently, it is difficult for staff, delegations and members to review and fully vet all items of business before the House due to the multiple exceptions to the "on-time" deadline as defined above. These multiple exceptions mean that business is being processed in an ongoing fashion and results in a fairly significant amount of "on-time" business being submitted after the 30-day deadline through the closing of the HOD Opening Session. Although exempted resolutions are posted on the website as soon as they are processed, they are not able to be included in the HOD Delegate Handbook or the Online Member Forums (forums) and are often not seen by delegations until the release of the "meeting tote" prior to the HOD Second Opening Session. These items of business are not available to undergo the same consideration as those submitted before the 30-day deadline. The inability to adequately review these late arriving "on-time" resolutions has been identified as a major frustration by delegations. The short timeframe for review also limits opportunities for collaboration and consensus building among delegations. Many suggestions to rectify this problem were offered at the open forum and by email. The majority favored having one set "on-time" deadline. Some delegates voiced concern for the Sections who meet and pass resolutions just prior to the meeting. However, representatives from the MSS and RFS stated that they have a very robust process for vetting their resolutions; by default, resolutions are deferred to the following HOD meeting, and only those of an urgent nature are immediately forwarded. Given that late resolutions are specifically reviewed for their timeliness and urgency, these resolutions would be well positioned to be recommended for consideration if submitted as such.

Therefore, the RMTF recommends that the "on-time" deadline for resolutions be set at 45 days prior to the commencement of the meeting at which it is to be considered. This recommendation discontinues the exemptions for late society meetings and AMA Sections. Resolutions will be considered "late" when received after the 45-day deadline and prior to the beginning of the HOD Opening Session. Late resolutions will continue to be under the purview of the Rules and Credentials Committee and the criteria for which late resolutions would be recommended for consideration will continue to include the resolution's timeliness and the urgency of the topic. Recommendations for consideration of late resolutions will continue to be included as a consent calendar on the Rules and Credentials Report presented at the Second Opening Session and require a two-thirds vote for consideration. The emergency resolution process would remain unchanged; however, any resolution submitted after the HOD Opening Session begins will be treated as an emergency resolution.

In summary, resolutions will fall into one of three categories: on time (45 days prior to the meeting), late (after the on-time deadline and before the Opening Session begins), or emergency (after the Opening Session begins). The Sections and organizations that hold their policy-making meetings after the on-time deadline would be encouraged to review their resolutions for timeliness and urgency and hold those not meeting this criteria for the next coming AMA meeting. Those

resolutions deemed timely and urgent could be submitted as late resolutions which will require a two-thirds vote for consideration. These adjusted deadlines would allow staff to more easily process items of business, prepare and post the HOD Delegate Handbook in its entirety, and post the entire handbook on the Online Member Forums. In turn, this should allow delegations more time to consider items of business without the scramble and frustration that the current process produces. Overall, these changes will level the playing field so that all resolutions will be able to be reviewed equally.

1 2

#### Reference Committees Hearings and Reports

 The Online Member Forums were identified as an area ripe for improvement. Many commenters noted experience from their own organizations in which a more robust virtual preliminary reference committee process led to a more efficient in-person process and ultimately to policy that has been more thoughtfully crafted and more thoroughly vetted. Additionally, Res. 606-I-21, established policy D-600.956 which called for a two-year trial requiring that reference committees, prior to the in-person reference committee hearing, produce a preliminary reference committee document based on the written online testimony. An evaluation to determine if this procedure should be continued is a directive of this policy. The RMTF was asked to conduct this evaluation as part of their overall review to modernize the HOD.

Assessing the success of the trial of the Online Member Forums is difficult. As noted above, the vast majority of the comments submitted to the RMTF suggested that these online forums should be utilized in a much more robust and productive way to move the business of the HOD forward. Polling of HOD delegates over a course of three meetings (A-22, I-22 and A-23), found that consistently around 70% of delegates had viewed at least a few items on the forums. The preliminary documents were found to be at least "somewhat helpful" by around 65% of those responding. This would suggest that, although delegates find the forums to be a useful tool to review items of business, they are currently being underutilized.

In their current state, the comments received on the forums are viewed by many to not carry the same importance as in person testimony which is multifactorial in origin. A significant factor, as discussed above, is that many "on-time" resolutions are not even posted on the forums. In addition, the current process for developing a preliminary document, as defined in policy D-600.956, gives very little insight into the direction of the reference committee's actions. By explicitly treating this as an official reference committee hearing with a report, the RMTF believes this will drive greater utilization of this valuable tool by elevating the importance of contributing to the online discussion. This change would thus give equal weight to the testimony gathered online. In addition, there are multiple advantages to online testimony which include:

- The ability to submit amendments and/or supporting documentation with unlimited text which allows for consideration and comment by other delegations.
- More time and opportunity for delegates and delegations to collaborate to improve proposed resolutions.
- The opportunity for the entire AMA membership to submit comments, offering a wider voice in the development of AMA policy.
- Increased inclusivity by allowing those unable or who prefer not to travel to meetings the opportunity to participate.
- The opportunity for small delegations to provide input on all items of business by avoiding the inherent difficulty of presenting at concurrent in-person reference committee hearings.

Therefore, the RMTF recommends that the Online Member Forums be renamed the Online Reference Committee Hearings. These online ref coms will open 10 days following the 45-day resolution submission deadline and be open for 21 days. As noted above, this 10-day window will allow adequate time for staff processing of resolutions, the development of the HOD Handbook, the review of the Resolution Committee for Interim, and the posting of resolutions on the Online Reference Committees which currently is a lengthy process. This also extends the online ref coms by one week beyond the current two-week window. For these reasons, the RMTF chose 45 days for the "on-time" deadline. All items of business received by the resolution deadline will be included in the Online Reference Committee Hearings.

The RMTF recommends that reference committees convene virtually after the online ref com 21-day window closes, to develop a Preliminary Reference Committee Report. The task force further recommends that the bylaws be amended so that the term for all committees of the House shall commence upon their formation and shall continue throughout the meeting for which they were appointed unless otherwise directed by the HOD, such as Reference Committee F.

The Preliminary Reference Committee Report will follow the same format as the reference committee reports which are produced following the in-person hearings with the exception that they shall not be consent calendars. The reports would include recommended actions by the reference committee with items grouped by action, a summary of testimony to date, and a rationale for the action recommended. The reports would be posted to the HOD website at least four days prior to the opening of the HOD meeting for which they were submitted.

The in-person reference committee hearings will continue to hear testimony on each item before the reference committee with the exception that the order of business would follow the order listed on the Preliminary Reference Committee Report. Therefore, those items recommended for adoption would go first followed by those recommended for adoption as amended and so forth, with items for reaffirmation in lieu of being heard last. Although the preliminary reports will offer recommendations for action for each item, this does not preclude discussion of the original item and/or alternate actions or the submission of supporting documentation for the reference committee to consider. Following the in-person hearing, the reference committees will convene to review the in-person testimony and make necessary adjustments to their reports taking both online ref com and in-person testimony into consideration. The final reference committee report to be considered at the HOD will then be posted in the usual fashion.

In prior discussions of preliminary reports, concerns included that recommendations contained in the report would be based on insufficient input or include recommendations that bias the outcome of an item of business. However, those with experience with such a preliminary report with recommendations noted that the inclusion of recommendations actually led to more robust online discussions and thus more accurate initial recommendations. Additionally, as previously stated, the recommendations included in the preliminary report are based on initial testimony only and would be updated to reflect the totality of testimony from both the online and in-person testimony and that stating a preliminary action does not preclude discussion of the original item or alternative actions at the in-person hearing. Reference committee members should be trusted to incorporate in-person testimony and change recommendations as warranted.

 The task force believes this iterative process affords delegates and delegations the time to collaborate on language and to fully review topics that are more complicated in nature and provides the opportunity to perfect reference committee recommendations for their final report. Ultimately, reference committee reports are not definitive until the House acts, and this process provides ample

opportunity to discuss each item of business to achieve the goal of developing the best possible policy of our AMA.

# Reaffirmation

The reaffirmation process was universally identified as a significant problem to be addressed and was generally described as "broken." This was highlighted at I-23 when all of the items placed on the consent calendar were subsequently removed from it. In their discussions, the task force identified some of the sources of items recommended for reaffirmation which include:

- Policy exists but the authors are either not aware of the policy or current AMA activity to achieve the goals of the existing policy.
- Some delegations have a directive to their delegation from their parent organization to submit all resolutions earmarked to go to the AMA for consideration, even when they are aware that there is current existing policy.
- There is current AMA policy on the subject, but authors are not satisfied with AMA activity as a result of the existing policy.

The task force noted that many members consider reaffirmation a "defeat" of their resolution. On the contrary the task force believes that reaffirmation should be seen as a "win" as it resets the sunset clock and brings the issue back to the attention of our leadership and management team.

The RMTF spent significant time discussing the current process and potential improvements for it. Ultimately, the task force decided that the current process of having resolutions placed on a reaffirmation calendar should be discontinued and that the recommended firm on-time deadline along with the implementation of the online ref coms with subsequent preliminary reports, would be the best method to handle the identification of items for reaffirmation. As envisioned, the process would be as follows: AMA content experts would continue to review submitted resolutions and identify relevant current policy which is included as background information. These policies would also be posted on the online reference committee hearing and, when appropriate, a notation would be added that an identified policy may be reaffirmed in lieu of the resolution. Online comments regarding these so identified items could then proceed regarding the merits of reaffirmation along with the merits of the item itself. The reference committee will then have the option to recommend "reaffirmation in lieu of" for these or any other item it deems appropriate on its preliminary reference committee report. Further discussion of the handling of these items will then be entertained at the in-person hearing.

#### **CONCLUSION:**

The RMTF recommends the establishment of a firm deadline of 45 days prior to the start of a meeting for on-time resolutions with all resolutions received after this deadline and prior to the start of the meeting considered late. This strict deadline will allow for all on-time resolutions to be included in the Online Reference Committee Hearings (renamed from the Online Member Forums) and for these online ref coms to remain open for 21 days rather than the current 14. The online ref coms will produce Preliminary Reference Committee Reports which will include preliminary recommendations. Recommendations regarding reaffirmation in lieu of a resolution will be included in the Preliminary Reference Committee Report rather than a reaffirmation calendar so that comments regarding reaffirmation can be made in the online ref coms and discussed further at the in-person hearings. Delegations and Sections that meet after the 45 day on-time deadline will have the opportunity to present late resolutions which they deem timely and urgent to the Rules and Credentials Committee which will in turn recommend for or against consideration based on these

criteria. These changes will allow for equal consideration of all on-time resolutions as well as equal application of the timeliness and urgency considerations for all late resolutions. It will eliminate the current "broken" reaffirmation process and allow for open discussion of the merits of reaffirmation on any given item.

The objective of the task force was to increase the efficiency of the resolution process but also paramount was to maintain member input and the voice of the minority. The task force tried to individually look at each of the issues identified at the town hall meeting and the email box but found that the issues and solutions were integrated. Your task force believes that all of the proposed recommendations work together to provide the fairest, most effective, and efficient manner to develop the best policy for our AMA. The RMTF expresses the need for caution in that changes in one recommendation may reduce the effectiveness of others and urges the House to accept the proposed recommendations in aggregate to achieve these goals.

#### **RECOMMENDATIONS:**

The Resolution Modification Task Force recommends that the following be adopted to be implemented for Interim 2024 and the remainder of the report be filed:

1. The bylaws be amended so that the resolution submission deadline be 45 days prior to the opening session of the House of Delegates. (Directive to take Action)

2. The bylaws be amended so that the definition of a late resolution shall be all resolutions submitted after the resolution submission deadline and prior to the beginning of the Opening Session of the House of Delegates. (Directive to take Action)

3. The bylaws be amended so that the definition of an emergency resolution shall be all resolutions submitted after the beginning of the Opening Session of the House of Delegates. (Directive to take Action)

4. The bylaws be amended so that the term of committees of the House of Delegates shall commence upon their formation and shall conclude at the end of the meeting for which they were appointed, unless otherwise directed by the House of Delegates. (Directive to take Action)

 That our AMA will convene Online Reference Committee Hearings prior to each House of Delegates meeting. These hearings shall open 10 days following the resolution submission deadline and remain open for 21 days. This shall be accomplished in lieu of Policy G-600.045. (New HOD Policy)

6. Prior to House of Delegates meetings, reference committees will convene after the close of the Online Reference Committee Hearings to develop a Preliminary Reference Committee Report. These reports shall include preliminary recommendations and will serve as the agenda for the in-person reference committee hearing. This shall be accomplished in lieu of Policy G-600.060(8). (New HOD Policy)

7. That Policy D-600.956 be rescinded. (Rescind HOD Policy)

## **Relevant AMA Policy:**

1 2 3

4

5

6

9

# Increasing the Effectiveness of Online Reference Committee Testimony Policy D-600.956

- 1. Our AMA will conduct a trial of two-years during which all reference committees, prior to the in-person reference committee hearing, produce a preliminary reference committee document based on the written online testimony.
- 7 2. The preliminary reference committee document will be used to inform the discussion at the in-8 person reference committee.
  - 3. There be an evaluation to determine if this procedure should continue.
- 4. The period for online testimony will be no longer than 14 days.
- 5. The trial established by Policy D-600.956 be continued through Annual 2024.

12 13

14 15

16 17

18 19

20

21 22

## Online Member Forums in the House of Delegates G-600.045

- 1. Online member forums should be incorporated into every House of Delegates policymaking meeting, using the following parameters: a. Each reference committee should participate in the online member forum process; b. Each online member forum should cover as many items of business as possible, including, at minimum, those items that appear in the initial compilation of the Delegate Handbook; c. Comments submitted to an online member forum should be used to prepare a summary report that reflects the comments received up to that point; d. Full, free and complete testimony should be allowed in the onsite hearings; and e. The Speakers should experiment with alternative procedures to enhance and improve the overall online member forum process.
- 23 2. Our American Medical Association will form a Speakers Task Force on the Resolution Process 24 to review the entire process of handling resolutions for our AMA House of Delegates, including 25 but not limited to definitions of on time resolutions, emergency resolutions, and late resolutions, 26 deadlines for submission of resolutions by all sections, processing and review of reference 27 committee reports, and use of virtual meetings so that all on time resolutions can be submitted by 28 the same deadline.

3. Our AMA Speakers Task Force on the Resolution Process will report back to our AMA House of Delegates by the 2024 Annual Meeting with recommendations regarding the resolution process.

30 31 32

33 34

35 36

37

29

### **Introducing Business to the AMA House G-600.060**

- AMA policy on introducing business to our AMA House includes the following:
- 1. Delegates submitting resolutions have a responsibility to review the Resolution checklist and verify that the resolution is in compliance. The Resolution checklist shall be distributed to all delegates and organizations in the HOD prior to each meeting, as well as be posted on the HOD website.
- 2. An Information Statement can be used to bring an issue to the awareness of the HOD or the public, draw attention to existing policy for purposes of emphasis, or simply make a statement.
- 40 Such items will be included in the section of the HOD Handbook for informational items and
- 41 include appropriate attribution but will not go through the reference committee process, be voted
- on in the HOD or be incorporated into the Proceedings. If an information statement is extracted,
- however, it will be managed by the Speaker in an appropriate manner, which may include a simple editorial correction up to and including withdrawal of the information statement.
- 3. Required information on the budget will be provided to the HOD at a time and format more relevant to the AMA budget process.
- 4. At the time the resolution is submitted, delegates introducing an item of business for
- 48 consideration of the House of Delegates must declare any commercial or financial conflict of
- interest they have as individuals and any such conflict of interest must be noted on the resolution at
- 50 the time of its distribution.

## Speaker's Rep. 01-A-24 -- page 9 of 9

- 5. The submission of resolutions calling for similar action to what is already existing AMA policy
- 2 is discouraged. Organizations represented in the House of Delegates are responsible to search for
- 3 alternative ways to obtain AMA action on established AMA policy, especially by communicating
- 4 with the Executive Vice President. The EVP will submit a report to the House detailing the items
- 5 of business received from organizations represented in the House which he or she considers
- 6 significant or when requested to do so by the organization, and the actions taken in response to
- 7 such contacts.
- 8 6. Our AMA will continue to safeguard the democratic process in our AMA House of Delegates
- 9 and ensure that individual delegates are not barred from submitting a resolution directly to the
- House of Delegates.
- 7. Our AMA encourages organizations and Sections of the House of Delegates to exercise restraint
- in submitting items on the day preceding the opening of the House.
- 8. Resolutions will be placed on the Reaffirmation Consent Calendar when they are identical or
- substantially identical to existing AMA policy. For resolutions placed on the Reaffirmation
- 15 Consent Calendar, the pertinent existing policy will be clearly identified by reference to the Policy
- Database identification number. When practical, the Reaffirmation Consent Calendar should also
- include a listing of the actions that have been taken on the current AMA policies that are equivalent
- 18 to the resolutions listed. For resolutions on the Reaffirmation Consent Calendar which are not
- extracted, the existing, pertinent AMA policy will be deemed to be reaffirmed in lieu of the
- submitted resolution which resets the sunset clock for ten years.
- 21 9. Updates on referred resolutions are included in the chart entitled "Implementation of
- Resolutions," which is made available to the House.