

AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 205
(I-22)

Introduced by: Missouri

Subject: Waiver of Due Process Clauses

Referred to: Reference Committee B

1 Whereas, Due process is a fundamental right of employment and due process protections are
2 essential to allow healthcare workers to act in the best interest of their patients and co-workers;
3 and
4
5 Whereas, When due process is waived by an employee, that employee's power to advocate for
6 their patients and co-workers is constrained by a reasonable fear of loss of employment; and
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8 Whereas, Some healthcare employers insert "Waiver of Due Process" clauses into the
9 employment contracts; and
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11 Whereas, It is in the interest of society for healthcare workers to be able to freely raise patient
12 and healthcare worker safety concerns; and
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14 Whereas, Federal legislation proposing to ban Waiver of Due Process provisions in health care
15 worker employment contracts was introduced in the 116th Congress of the United States of
16 America, the "ER Hero and Patient Safety Act", also known as HR 6910; therefore be it
17
18 RESOLVED, That our American Medical Association support legislation that bans the use of
19 "Waiver of Due Process" provisions within employment contracts and declares such current
20 provisions to be declared void. (New HOD Policy)

Fiscal Note: Minimal - less than \$1,000

Received: 09/07/22