

## REPORTS OF THE COUNCIL ON CONSTITUTION AND BYLAWS

The following reports were presented by Kevin Reilly, Sr., MD, Chair:

### 1. AMA BYLAWS--GENDER NEUTRAL LANGUAGE AND MISCELLANEOUS UPDATE

*Reference committee hearing: see report of Reference Committee on Amendments to Constitution and Bylaws.*

#### HOUSE ACTION: **RECOMMENDATIONS ADOPTED AS FOLLOWS** **REMAINDER OF REPORT FILED**

*Bylaws amended*

The AMA Constitution establishes the basic principles of our AMA and the AMA Bylaws provide the framework for the governance and administration of the Association. Our AMA membership, like the population of physicians practicing in the United States, has become increasingly diverse. Language plays a major role in shaping culture and social attitudes and gender-neutral language promotes gender equality and inclusivity and eradicates gender bias; thus, your Council believes that the AMA Constitution and Bylaws should utilize gender-neutral language, and proposes recommendations for Bylaw amendments for House consideration and action.

The *Merriam-Webster Dictionary* recognizes the word ‘they’ as a singular pronoun, and the *AP Manual of Style* states that “they/them/their is acceptable in limited cases as a singular and-or gender-neutral pronoun, when alternative wording is overly awkward or clumsy.” Lastly, the *AMA Manual of Style* provides the following guidance: “Avoid sex-specific pronouns in cases in which sex specificity is irrelevant. Do not use common-gender ‘pronouns’ (eg, ‘s/he,’ ‘shem,’ ‘shim’). Reword the sentence to use a singular or plural non-sex-specific pronoun, neutral noun equivalent, or change of voice; or use ‘he or she’ (‘him or her,’ ‘his or her[s],’ ‘they or their[s]’). The use of the ‘singular they’ construction is permitted when rewriting would be awkward or unclear.”

It also should be noted that where Bylaw language is included in the Internal Operating Procedures (IOPs) of an AMA section or in the Rules of an AMA Council, those documents will be similarly modified. All sections are or will be modifying their IOPs to make these gender-neutral.

Lastly, there is one other proposed change unrelated to gender-neutrality in 7.4.1, which defines the membership of the Organized Medical Staff Section (OMSS). The change in wording from “Active resident and fellows who have been selected certified by their medical staffs as representatives to the Business Meeting also shall be considered members of the Section,” mirrors the language in the OMSS IOPs and accurately reflects OMSS practice.

#### RECOMMENDATIONS

The Council on Constitution and Bylaws recommends that the following amendments to the AMA Bylaws be adopted and that the remainder of this report be filed. Adoption requires the affirmative vote of two-thirds of the members of the House of Delegates present and voting.

#### 2—House of Delegates

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##### 2.8 Alternate Delegates.

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**2.8.6 Status.** The alternate delegate is not a “member of the House of Delegates” as that term is used in these Bylaws. Accordingly, an alternate delegate may not introduce resolutions into the House of Delegates, nor vote in any election conducted by the House of Delegates. An alternate delegate is not eligible for nomination or election as Speaker or Vice Speaker of the House of Delegates. The alternate delegate must immediately relinquish ~~his or her~~ their position on the floor of the House of Delegates upon the request of the delegate for whom the alternate delegate is substituting.

#### 3—Officers

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### 3.4 Elections.

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**3.4.2.1.1 First Ballot.** All nominees for the office of At-Large Trustee shall be listed alphabetically on a single ballot. Each elector shall have as many votes as the number of Trustees to be elected, and each vote must be cast for a different nominee. No ballot shall be counted if it contains fewer or more votes than the number of Trustees to be elected, or if the ballot contains more than one vote for any nominee. A nominee shall be elected if they ~~he or she~~ has ~~have~~ received a vote on a majority of the legal ballots cast and is ~~are~~ one of the nominees receiving the largest number of votes within the number of Trustees to be elected.

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### 3.5 Terms and Tenure.

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**3.5.7.1 Limitations.** No candidate shall be eligible for election or re-election as the young physician trustee unless, at the time of election, ~~he or she is~~ they are under 40 years of age or within the first eight years of practice after residency and fellowship training, and ~~is~~ are not a resident/fellow physician. A young physician trustee shall be eligible to serve on the Board of Trustees for the full term for which elected, even if during that term the trustee reaches 40 years of age or completes the eighth year of practice after residency and fellowship training.

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**3.8 Installation of Officers.** The officers of the AMA shall assume their duties at the close of the meeting at which they are elected, except as stated herein. The medical student trustee shall assume office at the close of the Annual Meeting following the Interim Meeting at which the medical student trustee was elected. If elected at an Interim Meeting or Special Meeting, the public trustee shall assume office at the close of the Annual Meeting following ~~his or her~~ their election. If elected at an Annual Meeting, the public trustee shall assume office at the close of the Annual Meeting at which they are ~~he or she was~~ elected.

## 6—Councils

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### 6.8 Election - Council on Constitution and Bylaws, Council on Medical Education, Council on Medical Service, and Council on Science and Public Health.

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**6.8.1.2 Other Council Members.** With reference to each such Council, all nominees for election shall be listed alphabetically on a single ballot. Each elector shall have as many votes as there are members to be elected, and each vote must be cast for a different nominee. No ballot shall be counted if it contains fewer votes or more votes than the number of members to be elected, or if the ballot contains more than one vote for any nominee. A nominee shall be elected if ~~he or she~~ they have ~~has~~ received a vote on a majority of the legal ballots cast and is ~~are~~ one of the nominees receiving the largest number of votes within the number of members to be elected.

## 7—Sections

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### 7.4 Organized Medical Staff Section.

**7.4.1 Membership.** Membership in the Section shall be open to all active physician members of the AMA who are members of a medical staff of a hospital or a medical staff of a group of practicing physicians organized to provide healthcare. Active resident and fellow members of the AMA who are ~~selected~~ certified by their medical staffs as representatives to the Business Meeting also shall be considered members of the Section.

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**7.4.2 Representatives to the Business Meeting.** Each medical staff of a hospital and each medical staff of a group of practicing physicians organized to provide healthcare may select up to two active physician AMA member

representatives to the Business Meeting. The president or chief of staff of a medical staff may also attend the Business Meeting as a representative if ~~he or she is~~ they are an active physician member of the AMA. The representatives must be physician members of the medical staff of a hospital or group of practicing physicians organized to provide healthcare or residents/fellows affiliated with the medical staff of a hospital or group of practicing physicians organized to provide healthcare. All representatives to the Business Meeting shall be properly certified in accordance with procedures established by the Governing Council and approved by the Board of Trustees.

**7.4.2.1** When a multi-hospital system and its component medical staffs have unified the medical staffs, those medical staff members who hold specific privileges to practice at each separate entity within the unified system may select up to two representatives to the Business Meeting, so long as they are active physician members of the AMA. The president or chief of staff of a unified medical staff also may attend the Business Meeting as a representative if ~~he or she is~~ they are an active physician member of the AMA.

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**7.7 Minority Affairs Section.**

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**7.7.3.1 Section Representatives on the Governing Council.** If a representative of the Medical Student Section, Resident and Fellow Section or Young Physicians Section ceases to meet the criteria for membership in the section from which elected within 90 days prior to the Annual Meeting, such member shall be permitted to serve in office until the conclusion of the Annual Meeting in the calendar year in which ~~he or she~~ they ceases to meet the membership requirement of the respective section.

**7.7.3.2 Section Representative as Immediate Past Chair.** A Section representative who has been elected as chair of the Governing Council, but who ceases to meet the criteria for membership in the section from which elected during ~~his or her~~ their term as Immediate Past Chair, shall be permitted to complete the term of office, as long as the officer remains an active physician member of the AMA.

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**7.10 Women Physicians Section.**

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**7.10.3.1 Section Representatives on the Governing Council.** If a representative of the Medical Student Section, Resident and Fellow Section or Young Physicians Section ceases to meet the criteria for membership in the section from which elected within 90 days prior to the Annual Meeting, such member shall be permitted to serve in office until the conclusion of the Annual Meeting in the calendar year in which ~~she or he~~ they ceases to meet the membership requirement of the respective section.