AMERICAN MEDICAL ASSOCIATION RESIDENT AND FELLOW SECTION

Emergency Resolution: 2
(I-26)

Introduced by: RFS Governing Council

Prepared by: Laurie Lyn Lapp, MD, MPH, RFS Chair

Subject: Timely Updates to our Internal Operating Procedures

Referred to: Rules Committee

Whereas, at the direction of the Board of Trustees, the AMA Council on Constitution and Bylaws created a framework for template Section Internal Operating Procedures (IOPs), which identifies and orders baseline provisions that should appear in section IOPs while eliminating provisions that should be or are already codified in the Bylaws or that are otherwise inappropriate or unnecessary for inclusion in IOPs; and

Whereas, the RFS Governing Council has, over the course of the last several months, worked with AMA management and the RFS Board of Trustees liaisons to apply the new IOP framework to the existing RFS IOPs; and

Whereas, in the process of applying the existing RFS IOPs to the new template, the RFS Governing Council identified several areas of the IOPs that may benefit from updated language; and

Whereas, current IOP V.D.2.a pertaining to alleged election infractions states the RFS Speakers shall be the lead investigators of any alleged infraction in conjunction with the Rules Committee; and

Whereas, while IOP V.D.2.b states “in the event where both the RFS Speakers are candidates for the election being investigated, the RFS Chair shall designate two members of the Rules Committee as investigators to examine the alleged infraction,” there is no provision describing an event in which only one RFS Speaker or Vice Speaker is a candidate for the election being investigated; and

Whereas, current IOP V.D.2.c pertaining to alleged election infractions currently requires that two investigators shall interview a candidate under investigation, but does not currently require those investigators to agree in order for a reported infraction to be substantiated; and

Whereas, current IOP IX.H.4 describes a late resolution as “submitted after the 45-day deadline but prior to the close of the Virtual Reference Committee (VRC),” while IOP I.X.H.5 describes an emergency resolution as “submitted after closing of the VRC including after commencement of the meeting but prior to the close of business”; and

Whereas, late resolutions undergo full consideration by the Reference Committee while emergency resolutions do not, even though there is currently little distinction between the amount of testimony received for late resolutions and emergency resolutions; and

Whereas, extending the deadline such that more resolutions could be considered “late” rather than “emergency” could lead to more robust consideration of the resolutions produced by our Section members; and

Whereas, extending the deadline such that the new distinction between “late” and “emergency” resolutions is 7 days prior to the RFS Business Meeting still provides ample time for the Reference Committee to deliberate late resolutions; and

Whereas, the RFS IOPs currently use a two-thirds threshold for both its late and emergency resolutions to be considered items of business, while the AMA House of Delegates currently uses a three-fourths threshold to allow emergency resolutions; and

Whereas, the three-fourths vote sets a higher bar than a two-thirds vote for consideration of a resolution, which is fitting for a resolution that is considered an “emergency;” and

Whereas, the AMA Section IOPs will transition the use of the word “standing committee” to “special committee” to bring the Sections into alignment with the American Institute of Parliamentarians; and

Whereas, IOP XII.E.4 dictates the Section Delegates submit a report within 30 days of the conclusion of each business meeting detailing the actions taken by the RFS Caucus;

Whereas, the Section Delegates report of actions taken by the RFS Caucus gets posted to the AMA website but is not currently filed as an informational report for consideration by the RFS, nor is the appearance of the report on the website well-known to the RFS; therefore be it

RESOLVED, that our American Medical Association Resident and Fellow Section (AMA-RFS) amend its Internal Operating Procedures (IOPs) to establish a fair, impartial, and transparent process for investigating and resolving campaign complaints when the Speaker, Vice Speaker, or both are a candidate in the election under investigation; and be it further

RESOLVED, that our AMA-RFS ensure its campaign complaint investigation and resolution procedures incorporate appropriate safeguards against conflicts of interest and provide for a consistent and equitable process for substantiating alleged campaign infractions; and be it further

RESOLVED, that our AMA-RFS amend its Internal Operating Procedures (IOPs) to represent a late resolution as “a resolution received after the submission deadline but up to 7 days prior to the RFS Business Meeting”; and be it further

RESOLVED, that our AMA-RFS amend its IOPs to represent an emergency resolution as “a resolution received after 7 days prior to the Business Meeting but before the Business Meeting adjourns”; and be it further

RESOLVED, that our AMA-RFS amend its IOPs to require a three-fourths (3/4) vote of representatives be required for acceptance of an emergency resolution as business, rather than the current threshold of a two-thirds (2/3) vote; and be it further

RESOLVED, that our AMA-RFS amend its IOPs to change all reference of “standing committees” to “special committees” to align with the American Institute of Parliamentarians’ use of those terms; and be it further

RESOLVED, that our AMA-RFS amend its IOPs such that the report of the RFS Delegate and RFS Alternate Delegate detailing the actions of the Caucus shall be submitted to the subsequent RFS Business Meeting, rather than within 30 days after the conclusion of the House of Delegates meeting.

Fiscal Note: Minimal

RELEVANT RFS INTERNAL OPERATING PROCEDURES (IOPS)

V. Elections and Endorsements.

[. . .]

D. Campaigns.

[. . .]

2. Infractions: Alleged infractions, including but not necessarily limited to violations of the Campaign Rules, should be reported in writing in a timely and good-faith effort to the RFS Speakers, or to any member of the RFS Rules Committee.

a. Investigators and Investigative Process. The RFS Speakers shall be the lead investigators of any alleged infraction in conjunction with the Rules Committee. No person who is a candidate in the same election as the candidate being investigated for alleged infractions shall participate in any part of the investigation of those alleged infractions.

b. In the event where both the RFS Speakers are candidates for the election being investigated, the RFS Chair shall designate two members of the Rules Committee as investigators to examine the alleged infraction.

c. The investigators are required to interview the candidate under investigation.

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IX.H. Resolutions. Any RFS member may submit resolutions for consideration at the Business Meeting.

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4. Late Resolutions. Resolutions that are submitted after the 45-day deadline but prior to the close of the Virtual Reference Committee (VRC) shall be considered Late and require a two-thirds vote of the Assembly to be debatable on the floor. The Rules Committee shall make recommendations to the Assembly on whether individual items should be considered as business. (a) At the discretion of the RFS Speakers, Late resolutions may be included in the VRC for commentary with clear delineation that these resolutions still require acceptance as business by the Assembly, provided the VRC is still active and there is ample time for legal and staff review.

a. If so included on the VRC, the Reference Committee will create appropriate recommendations, which would only be presented to the Assembly if accepted for business after recommendation by the Rules Committee.

b. Debate on consideration of late resolutions shall be focused on timeliness of the resolution for the meeting, and not on the merits or content of the resolution.

c. Authors of late resolutions not accepted as business by the RFS Assembly have the option to request automatic submission of the resolution to the next Business Meeting.

5. Emergency Resolutions. Resolutions that are submitted after closing of the VRC including after commencement of the meeting but prior to the close of business, shall require a two-thirds vote of the Assembly to be debatable on the floor. The Rules Committee shall make recommendations to the Assembly on whether individual items should be considered as business. Emergency resolutions approved for consideration shall be debated on the floor at the Business Meeting without referral to the reference committee.

a. Debate on consideration of emergency resolutions shall be focused on timeliness of the resolution for the meeting, and not on the merits or content of the resolution.

b. Authors of emergency resolutions not accepted as business by the RFS Assembly have the option to request automatic submission of the resolution to the next Business Meeting.

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XI. Standing Committees

A. Composition. The Governing Council shall annually appoint standing committees aligned with the strategic goals of the RFS. These committees shall be composed of members of the Section.

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XII. Miscellaneous

[. . .]

E. RFS Caucus in the House of Delegates

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4. The RFS Delegate and Alternate Delegate shall draft a report within 30 days of the conclusion of each business meeting detailing the actions of the caucus, and any internal votes taken.