

## **PREFACE (Updated December 2012)**

The policies, positions and functions of the Louisiana State Medical Society are established by the House of Delegates. Implementation of the actions of the House of Delegates is by the Board of Governors, by various committees comprised of LSMS volunteer members, and by the staff of the Society.

All delegates, alternate delegates and others receiving House of Delegates materials are reminded that it refers only to items of business to be considered by the House. No action has been taken on anything contained in the handbook, and its contents are for your review prior to attending the meeting. Only those items which have been acted upon by the House are considered officially concluded business of the LSMS.

## **DELEGATES CREDENTIALS AND REGISTRATION**

All delegates and alternates whose registration forms have been received by the LSMS no later than one week prior to the opening session will be pre-registered. Badges may be picked up at the Registration and Credentials desk. All delegates must be registered and credentialed before being seated on the floor of the House of Delegates.

When an alternate is to permanently replace a delegate for the remainder of the Annual Meeting, the chair of the component society delegation will notify the Credentials Committee and the alternate will be issued a delegate ribbon to be affixed to his/her name badge. Otherwise, alternate delegates are seated on the floor of the House only when taking the place of a delegate; temporarily.

## **ORDER OF BUSINESS**

According to LSMS Bylaws the following is the order of business prescribed for the House of Delegates:

- a. Call to Order;
- b. Report of the Committee on Credentials;
- c. Report of Committee on Rules and Order of Business;
- d. Disposing of the record of proceedings;
- e. Remaining agenda, as given to each delegate

The Speakers are responsible for the content and orderly conduct of the agenda and business of the House of Delegates.

## **PARLIAMENTARY PROCEDURE**

Parliamentary procedure is a set of rules by which deliberation of any item of official business, with protection of individual rights, can lead to a consensus of opinion. Parliamentary procedures serve to aid an assembly in orderly, expeditious and timely accomplishment of its business. The LSMS House of Delegates uses as its parliamentary guide Sturgis Standard Code of Parliamentary Procedure.

**Quorum:** A majority of the registered voting members of the House of Delegates shall constitute a quorum, provided at least two-thirds of the regularly elected delegates are registered for the opening session.

The majority opinion of the House in determining what it wants to do and how it wants to do it should always remain the ultimate determinate of how the House operates procedurally. It is the obligation of the Speaker to sense the will of the House, to preside accordingly, with his/her rulings subject to change from, and reversal by, the assembly.

**Precedence of Motions:** Motions are made so that those that are lower on the list can be modified by those that are higher. It is perfectly acceptable to skip a step in the list when making motions (for example, it is not required to amend a motion in order to move to limit debate). Votes are taken, starting from those higher on the list toward those lower on the list, until a complete disposition has been made of the matter at hand. It is not uncommon to move up the list in procedure before completely disposing of the matter at hand. See Exhibit I, **Principle Rules Governing Motions**

First and second order amendments are allowed. Third order amendments are not allowed.

## **METHOD OF DOING BUSINESS**

The LSMS House of Delegates meets annually in a location and on dates determined by the Board of Governors as recommended by the Speakers. Annual meetings of the House of Delegates will be held in a single facility that accommodates both the meeting space and housing for delegates and attendees. The House may entertain a motion from a component society to hold the meeting outside the state.

The House of Delegates follows adopted rules that govern the conduct of debate on business under its consideration. These rules are established by the LSMS Charter and Bylaws, by tradition, and decreed by the presiding officer.

When the House is in session, certain items of business are traditional, and do not require action by the House. Such items include, but are not limited to, address of the outgoing President, remarks of the Speaker, presentation of awards, recognition of distinguished guests, and addresses by invited non-members. It is the prerogative of the Speakers to schedule only those items as is appropriate without interfering with the regular business of the House. Unscheduled presentations may be arranged with the Speakers or by two-thirds vote of the House. It is recognized the Speakers discourage extraneous presentations, not on the basis of merit, but because of their primary obligation to conserve the time of the House for deliberations on the regular business already established for consideration in accordance with LSMS Bylaws and the rules of the House.

The minutes of the Board of Governors meetings, committee reports and special reports are included in the Delegates Handbook. Items of business or recommendations to be considered by the House in these reports are presented as resolutions. The annual reports of committees are for informational purposes. When voting to approve the minutes of the Board of Governors a delegate may extract a specific action of the Board for discussion and amendment but the minutes themselves cannot be altered by the House.

The Committee on Rules and Order of Business meets prior to the opening session of the House of Delegates to consider late items and special rules for the meeting. The committee may be asked by the Speakers to consider parliamentary questions during the meeting and to consider modifications of the rules which have been previously adopted. Late resolutions are considered by the committee prior to the opening session and a recommendation to accept or not accept each resolution is made. Authors of late resolutions are required to appear before the Committee on Rules and Order of Business; the time of the meeting is indicated on the Schedule of Events in

the handbook. Late resolutions must be accompanied by a written explanatory note from the author as to why the resolution is submitted late. The committee considers only the reason for the resolutions' submission past the resolution deadline, and does not consider the merits of the resolution. Late resolutions require a two-thirds vote of the House to be accepted for debate and must include a fiscal note if expenditure of LSMS funds will be required to implement the requested action.

When recognized by the Speaker, go to the nearest floor microphone and identify yourself by name and the organization you represent before addressing the House. This is necessary for the transcriber to properly prepare the proceedings of the House from the recordings.

The House has adopted the following standing rules:

1. Each speaker addressing an item brought to the floor for a vote is limited to three minutes of debate. Each delegate may return to the floor for one minute for the purpose of rebuttal or to summarize his/her position.
2. Resolutions submitted to the LSMS House of Delegates which refer to any source material, such as an article, policy, statute, law, report, etc., must have a copy of the referenced material attached. Such resolutions will not be accepted by the HOD without an attached copy of the source material.
3. Any delegate who wishes to distribute material to the House, whether or not the material needs to be duplicated, must first obtain approval from the Speaker or Vice Speaker.
4. No election materials, announcements, or marketing/promotional materials will be printed by the LSMS.

## **RESOLUTIONS**

Business is introduced into the House through submission of resolutions by an individual delegate or alternate delegate, or any organization that has delegate representation in the House as specified by Article XI, paragraph A in the LSMS Bylaws.

In order to be considered as regular business, LSMS Bylaws require each resolution must be received by the Speaker of the House of Delegates no later than 45 days before the opening session of a meeting of the House.

Resolutions submitted later than 45 days before the opening session of a meeting of the House are considered late and will be considered as new business only if:

- a. Presented by the President of the Society;
- b. Presented by the Board of Governors;
- c. Decreed to be of an emergency nature by a committee composed of the President and the Speaker of the House; or
- d. Accepted by a two-thirds vote of the House of Delegates, provided that, before any such resolution shall come before the House of Delegates for action, the resolution must have been presented to the Committee on Rules and Order of Business for its consideration and recommendation.

**Structure of Resolutions:** The essential element of a resolution is the language expressed as one or more RESOLVED paragraphs setting forth its requested action. It may also include a prefatory statement, or preamble, explaining the rationale for the resolution. This is frequently accomplished by the use of one or more WHEREAS statements preceding the RESOLVED paragraphs. See Exhibit II, **Resolution Format**.

It is not necessary for a resolution to have a preamble or WHEREAS statement(s) when the significance of the RESOLVED paragraph is self-explanatory. If such introductory statements are included, they should identify the issue briefly, advise the House as to the timeliness/importance of the issue, the effect of the issue upon the federation of medicine and indicate if the action called for in the RESOLVE (S) is revising current LSMS policy.

It is a general principle of parliamentary procedure that an assembly in adopting a resolution adopts only the RESOLVED section(s). It follows that the important matter before the House should be stated in free-standing RESOLVE(S) indicating precisely the requested action. It is not necessary to amend the language of the introductory portions of a resolution, unless it is the desire of the House to do so before considering the RESOLVE(S).

Experience has shown that some resolutions as submitted exhibit imprecision, inaccuracy and grammatical or structural errors. Timely submission of resolutions permits the Speakers to consider, with the author (s) improvement in form and clarity of the intent of the resolution.

When preparing resolutions, close attention should be given to the following:

1. The title of a resolution should accurately reflect the subject of the RESOLVE(S).
2. Information contained in the resolution, including WHEREAS statements, should be checked for accuracy. Inflammatory statements or other language that reflects poorly upon the Society are inappropriate and/or not acceptable.
3. The RESOLVE(S) should contain the action desired and should stand alone since the House adopts only the RESOLVE(S) and the WHEREAS' do not appear in the official Proceedings of the House.

**Fiscal Note:** All resolutions accepted for business by the House of Delegates whose implementation necessitates an expenditure of LSMS funds must include a fiscal note. No resolution requiring funding by the LSMS may be considered by the House without the inclusion of such fiscal note. Resolutions with fiscal notes will be discussed on the opening day of the meeting, and if adopted, will be included in the final proposed budget for the coming year. The final budget is presented for adoption on the last day of the meeting.

The following guidelines should be used in the development of appropriate fiscal information:

- a. Resolutions requiring the expenditure of LSMS funds should indicate the actual dollar amount or a specific cost range.
- b. Resolutions which call for the institution of legal action, a public campaign or other similar action for which a precise cost estimate cannot be determined should indicate that a substantial commitment of resources may be necessary for implementation.
- c. The author's organization or LSMS staff can assist the sponsor with the development of fiscal information.

All fiscal notes will be reviewed by the LSMS Budget and Finance Committee and amended, if necessary, to reflect a more accurate cost projection. Additionally, the Budget and Finance Committee may assign a fiscal note to any resolution if it deems that the resolve of the resolution creates an additional financial burden to the society.

**Introduction of Resolutions:** At the appropriate time, the Speaker will call for the introduction of resolutions as published in the agenda. Resolutions in the Delegates Handbook which have complied with the deadline established in the LSMS Bylaws are regarded as officially received but not yet introduced for debate. A delegate on the floor of the House, but not necessarily the author must officially introduce it as business of the House. Introduction of a resolution does not

imply support by the person making the motion. Resolutions can be voluntarily withdrawn prior to introduction without vote when desired by the author and after notification to the Speakers. See **Amendments** below for instructions on changes to resolutions.

The delegate introducing a resolution should approach the nearest microphone and obtain recognition from the Speaker. Once recognized, he or she should state their name and the organization they represent and state “I move adoption of Resolution Number\_.” The Speaker will ask for a second and, if one is obtained, the delegate may then discuss the resolution. He or she will not be permitted to speak again until all others desiring to speak have done so unless to answer questions directed to them through the Speaker.

Any delegate on the floor of the House may call out “I second the motion” without recognition by the Speaker. This indicates a desire to have the matter considered but does not imply support. At the time of introduction of a resolution, it is possible for any delegate to object to its consideration. In the event the House sustains such objection by a two-thirds vote, the resolution is not accepted as business of the House.

**Amendments:** Opportunity is available during debate on a resolution to present changes only to the RESOLVE(S) in the form of editorial requests, amendments, or substitutions. These changes can be offered from the floor by any delegate officially seated in the House. Amendments exceeding a short phrase or at the request of the speakers should be submitted in writing to the Speakers before introduction. All amendments must be introduced on the floor of the House. The submission of a written or typed amendment is not sufficient for consideration of the change; it still must be introduced from the floor of the House.

## **Sunset Resolutions**

LSMS policies are listed in the LSMS Policy Manual. Newer policies on the same issue supersede older policies. Policies are reviewed after five years. The LSMS Councils submit sunset resolutions to the House listing the policies to be abandoned. Policies may be extracted from the resolution for debate.

LSMS policy requires abandonment of unsuccessful legislative efforts that are not reaffirmed by the House. The Council on Legislation submits a sunset resolution annually to the House listing legislative initiatives to be abandoned. Unsuccessful legislative initiatives will be maintained for two regular sessions of the Louisiana legislature before consideration of abandonment unless they are completed prior to this deadline.

Resolutions adopted by the House that direct an LSMS action are included in the LSMS Directives. The LSMS Councils review the Directives annually to identify those that have been accomplished or are due for sunset. Directives are reviewed after five years for abandonment or upon completion. The LSMS Councils submit sunset resolutions to the House listing the directives to be abandoned. Directives may be extracted from the resolution for debate.

Resolutions are divided into four sections by topic. The sections are:

- 100 - General Business; Bylaws
- 200 - Legislation
- 300 - Scientific; Public Health
- 400 - Socioeconomic

Occasionally a topic will be of such importance that a separate section is created for resolutions addressing it. The numbering and placement of resolutions in these sections are at the discretion of the Speakers.

Late Resolutions, as defined in the Procedures, will be distributed to the House at the beginning of the opening session. The Committee on Rules and Order of Business will submit its recommendations to the House on each late resolution. This Committee does not hold open hearings but provides the author (s) of late resolutions an opportunity to explain the reasons for submitting their resolution past the deadline. The author of a late resolution receiving a not accept recommendation may appeal such recommendation to the House. The House will then vote on the acceptance of each resolution. A two-thirds affirmative vote is required for acceptance as official business of the House.

**Calendar of Consent:** The Consent Calendar includes those resolutions which the Speakers believe are of a non-controversial nature and will generate little or no opposition. The Consent Calendar is presented prior to the consideration of other resolutions. When the Consent Calendar is presented, any item may be removed for debate by request from the floor without the need to vote to separate it from the other items.

**Commendation Resolution:** The House of Delegates has established a rule prohibiting the introduction of commendation resolutions. These resolutions can be controversial in nature and, because unanimous approval is assumed, commendation resolutions may not be in the best interest of the Society. Requests for commendations should be sent to the Board of Governors for consideration of appropriate recognition.

## **ELECTIONS**

Article V, Officers, of the Charter of the LSMS states a member shall not be eligible for nomination to any office who is not in attendance at the Annual Meeting (except if he has been a faithful attendant at the Annual Meetings and has a valid excuse), and who has not been an active member of the Society for at least three years prior to his nomination.

Nominations for elections are held during the opening session of the House and are designated by a specific time on the agenda. Incumbents in any office up for election are requested to notify the Secretary/Treasurer of the LSMS 45 days prior to the opening session of the House of Delegates whether he or she will be a candidate for reelection. In addition, any other LSMS members who intend to seek an elected position or office should forward a one-page resume' and an individual picture to the Secretary/Treasurer of the LSMS 45 days prior to the opening session of the House.

Information provided by declared candidates for office is included in the delegates handbook under the Elections Section. All candidates for an elected position must be officially nominated on the floor of the House of Delegates. LSMS members who have not previously declared their candidacy for an elected position can still be nominated on the floor of the House of Delegates at the time nominations are opened for all elected positions. Seconding comments or speeches for candidates in nomination are subject the rules of the House.

Some component society delegations or medical districts hold caucuses immediately following the evening recess of the opening session or the following morning to discuss elections. Candidates or their representatives are advised to check with the component societies concerning caucus schedules.

In an office where there is more than one position vacant, the elections are open and not slotted. That is, all candidates who run for an office in which there are multiple positions run against each other. This occurs in the election of the AMA delegates and alternate delegates.

In those elections in which there is more than one position vacant, bullet voting is not allowed. Each voter must cast a vote for each vacant position, otherwise the ballot for that office will not count.

The ballot box opens one hour prior to the start of the final session of the House and remains open for two hours. Each candidate is allowed to send one representative to observe the official counting of the ballots. The method for runoff elections is established by the Speaker.

If no candidate receives a majority of the ballots cast, then a run-off is held. The candidate receiving the fewest votes is dropped, and a new vote is taken. The ballot box will be opened at a time designated by the Speaker. This process is repeated until a candidate is elected.

In accordance with the policy of the House, the LSMS staff will not duplicate campaign or election material for those delegates seeking office. Each candidate is responsible for providing their own campaign material. If campaign material is to be placed at the delegates' seats in the House it must be done by the candidate and/or his or her supporters. LSMS staff will not distribute campaign materials.

**Unexpired Terms:** An unexpired term created as a result of an election will be filled by the House at the meeting in which the vacancy was created. The office will be declared vacant by the Speaker. The date and time of the election will be designated by the Speaker.

## EXHIBIT I - PRINCIPLE RULES GOVERNING MOTIONS

---

Order of Precedence	Can Interrupt?	Requires Second?	Debatable?	Amendable?	Vote Required?
---------------------	----------------	------------------	------------	------------	----------------

---

### PRIVILEGED MOTIONS

1) Adjourn	No	Yes	No	No	Majority
2) Recess	No	Yes	Yes*	Yes*	Majority
3) Question of privilege	Yes	No	No	No	None

---

### SUBSIDIARY MOTIONS

4) Postpone (table)	No	Yes	No	No	Majority†
5) Close debate	No	Yes	No	No	Two-thirds
6) Limit debate	No	Yes	Yes*	Yes*	Two-thirds
7) Postpone definitely	No	Yes	Yes*	Yes*	Majority
8) Refer to Committee	No	Yes	Yes*	Yes*	Majority
9) Amend	No	Yes	Yes	Yes	Majority

---

### MAIN MOTIONS

10) a. Main Motions	No	Yes	Yes	Yes	Majority
b. Specific main motions					
Reconsider	Yes	Yes	Yes*	No	Majority
Rescind	No	Yes	Yes	No	Majority
Resume consideration	No	Yes	No	No	Majority

---

### INCIDENTAL MOTIONS

---

No order of precedence	Can interrupt?	Requires Second?	Debatable?	Amendable	Vote Required?
------------------------	----------------	------------------	------------	-----------	----------------

---

### MOTIONS

Appeal	Yes	Yes	Yes	No	Majority
Suspend rules	No	Yes	No	No	2/3
Consider Informally	No	Yes	No	No	Majority

---

### REQUESTS

Point of Order	Yes	No	No	No	None
Parliamentary Inquiry	Yes	No	No	No	None
Withdraw a motion	Yes	No	No	No	None
Division of question	No	No	No	No	None
Division of assembly	Yes	No	No	No	None

---

\* restricted

† requires two-thirds vote when it would suppress a motion without debate

## EXHIBIT II - RESOLUTION FORMAT

### RESOLUTION FORMAT

- Used for a specific issue and/or policy concept. Commonly used by component medical societies, by a delegate or alternate, a general officer of the Society, the Board of Governors, a standing committee, or a member Section.
- The resolution (RESOLVE) should be direct, concise, and specific and not encumbered by rambling thoughts and comments.
- The RESOLVE must stand by itself.
- Additional position or actions on the same subject of the resolution can be added by: "..., and be it further RESOLVED, That..."
- Fiscal Note: Dollar amount for implementation of resolution, i.e., program, project, committee meeting.
- Resolutions which call for the passage of legislation should be worded as follows: "Resolved, that the LSMS seek and/or support legislation..."
- Resolutions which call for the LSMS AMA delegation to introduce a resolution in the AMA House of Delegates should be worded as follows: "Resolved, that the LSMS AMA delegation submit the following resolution to the AMA House of Delegates"
- Resolutions which establish LSMS policy should be worded as follows: "Resolved, that the following be adopted as LSMS policy: (statement)."
- Current related LSMS policies should be stated at the bottom of the resolution.

### RESOLUTION FORM:

#### LOUISIANA STATE MEDICAL SOCIETY HOUSE OF DELEGATES

#### RESOLUTION \_\_\_\_\_

**SUBJECT:** *(Short action words taken from RESOLVE)*

**INTRODUCED BY:** *(First line: committee: component medical society, individual delegate, specialty society, etc.)  
(Second line: if a committee, name of chair)*

WHEREAS, \_\_\_\_\_, and

WHEREAS, \_\_\_\_\_, therefore be it

RESOLVED, that \_\_\_\_\_; and be it further

RESOLVED, that \_\_\_\_\_

Fiscal Note:

Current Related LSMS Policies: