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Speaker, House of Delegates

From: Jennifer Feirstein, PA-C, DFAAPA  
Chair, Standing Rules Committee

Subject: Standing Rules Committee Report & Proposed Changes

Date: April 22, 2021

The 2020-2021 Standing Rules Committee (SRC) for the AAPA House of Delegates (HOD) has spent a significant amount of time this year reviewing the Standing Rules (SRs) for needed updates to provide clarity and consistency with other AAPA governance documents. Due to a substantial number of wording changes and renumbering of the SRs to address these issues, the SRC is recommending a revision of the SRs (see separate document). A revision is a parliamentary tool used to change governance documents such as bylaws or rules that is similar to an amendment by substitution that many of you have seen in the past with position papers. Unlike an amendment by substitution, a revision is a primary motion. Delegates will have the opportunity to amend and ultimately pass the revision from the SRC at the May 6<sup>th</sup> meeting of the HOD.

There have been two primary areas of focus for the SRC in the past several months. First, the SRC has reviewed the existing virtual rules section of the SRs for their feasibility in being applied to a full, virtual HOD meeting, as well as for gaps in procedure and policy as the SRs currently relate to a virtual meeting. It was determined that the existing SRs were written from the framework of having the HOD vote on a single issue through a virtual/electronic platform. However, the SRs were not comprehensive enough to be utilized for a full, virtual meeting. The committee is recommending that the virtual rules section of the SRs be divided into rules specific to a full virtual meeting, and rules specific to an electronic vote on an issue that is addressed outside of a meeting of the HOD. Additionally, the SRC has made revisions to current rules to enhance clarity and developed several new SRs that address gaps in procedural rules as they relate to a virtual meeting. The intent of the newly developed virtual rules is to provide clarity to delegates regarding how they will receive communication regarding the utilization of electronic platforms for meetings. Our goal was to ensure that a virtual meeting could be implemented as closely as possible to the structure of an in-person annual HOD meeting, prioritizing fair

representation of all delegates while also ensuring flexibility and longevity of the SRs despite possible variance in the electronic platforms utilized in the future.

The second area of focus for the SRC was to do a full review of the SRs for identification of discrepancies with other AAPA governance documents or with currently implemented procedures. The SRC also discussed potential new SRs to be developed to address modern issues in holding HOD meetings and identified SRs that may benefit from added clarity. Additionally, numerous non-substantive changes in phraseology and grammatical changes were incorporated, to align the SRs with other AAPA documents. The AAPA House Officers, AAPA governance staff, and the AAPA staff advisor to the HOD were consulted in the process of this review. While it is beyond the scope of this report to summarize every revision incorporated in the revision by substitution, the following is a summary of the substantive changes:

<b>Standing rule (as numbered in the revision)</b>	<b>Change and rationale</b>
<p>SR-1150</p> <p>HOD Guidelines of Decorum</p> <p>The intention of the HOD is to allow for transparent communication utilizing a deliberative process regarding the policies of AAPA. The deliberative process requires open debate and consideration of information by all delegates following parliamentary procedures. In order to facilitate a deliberative process, HOD participants are expected to maintain decorum in accordance with the following:</p> <ul style="list-style-type: none"> <li>● Communication in all formats should always be conducted in a respectful manner.</li> </ul>	<p>‘Prohibited’ was previously ‘strongly discouraged’.</p> <p>SRC felt the previous language prevented enforcement of this rule.</p>

- Debate should be reserved for the meetings of the House so all delegates may hear and participate in that debate. The information considered during such debate informs the final decisions of the delegates.

- Requesting information from resolution authors is considered valid.
  - Delegates or reference committees can request clarification or further insight from authors regarding the intent or content of resolutions, but authors/sponsors should not present any unsolicited information.

- All promotional efforts, such as marketing, advertising or campaigning regarding resolutions are outside the deliberative process of the HOD and are therefore **prohibited**.

Non-compliance with these principals interferes with the deliberative process and may require intervention by the House Officers.

<p>SR-2110</p> <p>Without prejudice to the duties and responsibilities confirmed by statute, by the Articles of Incorporation, or by the Bylaws, AAPA’s House of Delegates shall be solely responsible for setting policies that establish the collective values, philosophies, and principles of the PA profession. The House of Delegates may: (a) make recommendations to the Board for granting charters to chapters, officially recognizing specialty organizations, and affiliating with special interest groups; (b) make recommendations to the Board for the establishment of AAPA commissions and work groups. In addition, the House of Delegates shall: (a) vote on amendments to the Bylaws; (b) establish such rules of procedure as may be necessary for carrying out the responsibilities of the House; and, (c) establish such committees <b>or task forces</b> of the House of Delegates, as necessary, to fulfill its duties.</p>	<p>This rule did not previously include the ability to establish task forces of the HOD.</p>
<p>SR-2210</p> <p>Each chapter shall be entitled to two (2) delegates. Additional delegates <b>for the leadership year from July 1<sup>st</sup> to June 30<sup>th</sup></b> will be apportioned among the chapters according to the number of AAPA fellow members within the jurisdiction of each chapter as of</p>	<p>There continues to be confusion amongst delegates as to when the apportionment is determined. The leadership year for a delegate is July 1<sup>st</sup> through June 30<sup>th</sup>. The annual meeting of the HOD, typically held in May, occurs at the end of the leadership year. The apportionment is determined in January of each year for the leadership year that begins in July of the same year and concludes after the annual meeting during the next year.</p>

<p>January 31 of each year. When the number of AAPA fellow members within a chapter's jurisdiction exceeds 220, it will be apportioned a third delegate. An additional delegate will be apportioned for each 300 additional members within a chapter's jurisdiction thereafter. The Constituent Relations Work Group will recommend to the Board of Directors the definition of a chapter's jurisdiction. <b>For apportionment purposes, if a fellow member does not indicate their chapter designation, then their mailing address will determine their default chapter affiliation.</b></p>	<p>Additional language has been added to clarify the default chapter affiliation of a fellow member who does not designate a chapter.</p>
<p>SR-2215</p> <p>The Student Academy shall be entitled to one <b>delegate for the leadership year from July 1<sup>st</sup> to June 30<sup>th</sup></b> for each 850 Student Academy members as of January 31 of each year.</p>	<p>Similar reason as SR-2210 above.</p>
<p>SR-3010</p> <p>Non-Bylaws resolutions may be submitted by: (a) the Board of Directors, (b) any commission, work group, or task force, (c) any chapter, (d) officially recognized specialty organizations, (e) any caucus, (f) the Student Academy, or (g) the collective House Officers. <b>Prior to submission, resolutions should be reviewed and approved by the submitting</b></p>	<p>This rule previously stated 'The official minutes of the submitting body should record the vote on each resolution submitted for consideration by the House.'</p> <p>In the current resolution submission process, these minutes are not being requested, but rather an attestation has been added to the resolution submission that indicates the CO Board has signed off on a proposed resolution.</p>

<p><b>organization’s Board and/or officers.</b></p> <p>A proposal for the amendment or repeal of Bylaws or adoption of new Bylaws may be submitted by (a) the Board of Directors, (b) any commission or work group, (c) any chapter, (d) officially recognized specialty organizations, (e) any caucus, (f) the Student Academy, or (g) the collective House Officers.</p> <p>Constituent Organizations that are not in compliance with AAPA Bylaws and policy will not be eligible to submit resolutions for consideration.</p>	<p>The proposed change to this SR is meant to reflect the actual process followed with resolution submissions.</p>
<p>SR-3055</p> <p>A resolution may be referred for further study. A resolution referred for study will become the property of the receiving body. That body will report back at the next House of Delegates meeting. The report shall contain one of the following actions:</p> <ul style="list-style-type: none"> <li>● A recommendation to accept or reject, or</li> <li>● An amended or substitution resolution, as long as the resolution proposed deals substantially with the intent of the original resolution, or</li> </ul>	<p>The third bullet point was not previously an option in this rule. This recommended change provides an option for situations in which the body working on a referred resolution has not yet completed their work.</p>

<ul style="list-style-type: none"> <li>● <b>A progress report if the work of the body requires additional study.</b></li> </ul> <p>Resolutions brought back to the House of Delegates as a result of a referral will be considered “new business”, and the receiving body will be considered the sponsor.</p>	
<p>SR-2710</p> <p>The House Elections Committee will be responsible for implementing all elections in the House. The committee will also be responsible for confirming the qualifications for candidates for the Nominating Work Group. The committee will consist of three members: the chair of the Governance Commission (or their designee), one member from the House appointed by the Speaker, and the chair of the Tellers Committee (or their designee). The Governance Commission must approve the procedures for election of House Officers and the Nominating Work Group.</p>	<p>This rule revises current SR-2810 (below, for reference) to reflect the current process of elections falling under the purview of the Governance Commission.</p> <p><i>SR-2810</i></p> <p><i>The House Elections Committee will be responsible for conducting all elections in the House. The committee will also be responsible for confirming the qualifications for candidates for the House Officers and for the Nominating Work Group. The committee will consist of three members: one member from the Governance Commission, one member from the House, and the chair of the Tellers Committee. The members are appointed by the Speaker of the House in conjunction with the chair of the Governance Commission. The Governance Commission must approve the procedures for election of House Officers. The House Officers must approve the procedures for election of the Nominating Work Group.</i></p>
<p>SR-3080</p> <p>Delegates are encouraged to review, discuss and evaluate each resolution before the opening of AAPA’s House of Delegates.</p>	<p>This rule revises current SR-3235 (below, for reference) to strike the second sentence. Resources to facilitate these types of activities do not exist nor can the AAPA provide email addresses or send emails on behalf of delegates. The revised rule is more reflective of the intent of this rule.</p> <p><i>SR-3235</i></p> <p><i>Delegates are encouraged to review, discuss and evaluate each resolution before the opening of AAPA’s House of Delegates. AAPA resources may be used to</i></p>

	<i>facilitate these activities as long as their use allows for the representation of all points of view and does not conflict with AAPA policy (BA-2500.1.5, BA-2500.1.6).</i>
<p>SR-3220</p> <p>Reference committee chairs and members are appointed by the House Officers. Each reference committee shall be composed of at least five AAPA fellow/student members. The chair of each reference committee shall be a credentialed delegate, <b>but reference committee members are not required to be delegates.</b></p>	<p>The bolded language is being recommended to be added to this rule to provide clarity and definition to a process already in existence.</p>

**The following new rules have been added to the proposed amendment by substitution:**

<p>SR-2270</p> <p>No members of the media will be permitted to join/view the annual HOD meeting without the prior consent of the Speaker.</p>	<p>Given the sensitive nature of topics discussed in the HOD meeting, the SRC is recommending this new rule. It is in the best interest of the profession if the AAPA is directly involved in the release of information regarding HOD proceedings.</p>
<p>SR-2315</p> <p>A general session of the annual HOD meeting is defined as a session when the HOD is in session to conduct business. During a general session, the floor of the House is closed/sealed for voting by apportioned, seated delegates and/or for testimony by apportioned, seated delegates and other individuals authorized by the Speaker.</p>	<p>Several standing rules refer to the general sessions of the annual HOD meeting, especially rules drafted for the virtual meeting section of the Standing Rules. SRC determined that while ‘general session’ terminology has been utilized on HOD agendas to indicate times when the floor of the House is ‘sealed’ it has not been officially defined in official governance documents. Therefore, it was necessary to add a definition for this portion of the HOD proceedings.</p>



<p>SR-2320</p> <p>Recording and/or live streaming of HOD proceedings is prohibited without prior permission of the Speaker.</p>	<p>Given the sensitive nature of topics discussed in the HOD meeting, the SRC is recommending this new rule. It is in the best interest of the profession if the AAPA manages the release of information regarding HOD proceedings. The rule is purposely written in a way that indicates it may be possible to request authorization, but the default rule is that recording/streaming is not allowed.</p>
<p>SR-2375</p> <p>Any persons in attendance at an official meeting of the House of Delegates may be removed from the meeting if they are in violation of the AAPA HOD Standing Rules. The Speaker of the House shall work with the Sergeant-at-Arms to inform the person of the violation. If the violation is not remediated they will be subject to removal. Removal of a voting member of the HOD requires a motion to the body with a two-thirds (<math>\frac{2}{3}</math>) majority vote of the delegates present and voting in order to pass.</p>	<p>At the request of House Officers, SRC discussed and evaluated the need for a rule to remove an attendee from a HOD meeting for being in violation of the Standing Rules. SRC determined there may be situations that warrant removal of a person from a meeting, but that this situation should not be taken lightly. The individual must be given the opportunity to correct the violation of the rules. Additionally, since voting members of the HOD are elected by AAPA fellow members, their removal should undergo due process prior to removal by having the decision be voted on by the body.</p>

Additionally, current SR-2255 has not been included in the recommended amendment by substitution. SR-2255 was adopted at the 2019 House of Delegates meeting in an effort to clarify the roles of current members of the AAPA Board of Directors in the House. This resolution was challenged in fall 2019 prompting legal analysis by AAPA’s legal firm. The legal opinion summarized that SR-2255 is inconsistent with Article VI, Section 2 and Article VII, Section 2 of the AAPA bylaws, thus putting the organization at risk. Since the standing rules are subject to the higher authority of the Bylaws, this SR must be rescinded. In order to affect the intent of SR-2255, a resolution to amend Article VI, Section 2 of the AAPA Bylaws would be required.