



A guide to developing resolutions for introduction to the ISMS House of Delegates



Illinois
State
Medical
Society

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There are two ways that a delegate can help shape the destiny of ISMS and influence the future of health care in America. One is to elect good leaders, and the other is to provide guidance to those leaders by introducing meaningful resolutions. In this pamphlet, the formatting essential to writing and introducing a resolution, as well as those steps necessary to shepherd a resolution through a reference committee and the House of Delegates, are presented.

Privilege to Introduce Resolutions

Resolutions may be introduced either by a delegate or another voting member of the House, or on behalf of a represented constituency, if so authorized by that group. All other ISMS members, including alternate delegates and past officers who are accorded the privilege of the floor for discussion, may request a delegate who agrees with the resolution to introduce the resolution to the House. In all instances, the name of at least one voting member of the House must appear on the resolution. If the resolution is being introduced by a voting member of the House on behalf of a represented constituency (such as a county medical society), both the voting member and the constituency must be named.

Withdrawing a Resolution

The sponsor may withdraw a resolution prior to its introduction to the House, which takes place on the first day of the annual meeting. Once introduced, the resolution becomes “property of the House” and can be withdrawn only with permission of the House.

Reference Committee Assignment

All resolutions, except memorial resolutions, are assigned by the Speaker to a reference committee for discussion and fact finding. Following discussion and testimony, the reference committee will meet in executive session to develop a report to the House. **The appropriate forum for thorough discussion of a resolution is the reference committee, not the floor of the House.** When presenting its report to the House, the reference committee may recommend any of the various actions available to the House to dispose of any resolutions.

Unacceptable Resolutions

Resolutions that ask for illegal action as determined by legal counsel, or those which address multiple issues that are not germane or are unrelated as determined by the Speaker, will be rejected and will not be considered. Acceptance of a resolution that is detrimental to ISMS, its members, or the patients they serve, may be refused by the

Speaker, subject to confirmation by a two-thirds majority vote of the House.

If an adopted resolution is subsequently found unacceptable by legal counsel, and after consultation among legal counsel, the Speaker of the House, the Chair of the Board of Trustees, and the President has taken place, the Board of Trustees may defer action on the resolution until the next session of the House and recommend rescission or amendment of the resolution.

Deadlines

The deadline date for submission of a resolution to the headquarters office of ISMS is published several months in advance, and is set at 45 days before the first day of the House meeting. Once the deadline has passed, there are only two options available: 1) introduce it as a late resolution, or 2) wait until the next House meeting.

Resolutions received after the deadline date may only be considered if they are recommended for consideration by the Committee on Rules and Order of Business. The House of Delegates, by a two-thirds majority vote, may override the recommendation.

RESOLUTION FORMAT

General Considerations

In general, resolutions consist of two essential elements: the “whereas” clauses, which contain the rationale for the resolution and any additional pertinent information; and the “resolves,” or the action thus recommended. The resolve(s) must stand alone.

Resolutions that are clearly and concisely written have the best chance of being adopted. Resolutions must be implementable. The resolved portions of a resolution should be fully understandable by themselves, and should not contain reference to the whereas clauses or external documents, policies or standards of other organizations or agencies, unless such documents are incorporated into the resolved clause(s). The Speakers and senior staff are available at any time to help with the format and wording of a resolution.

Both the Speaker and Vice Speaker will review all resolutions as submitted. Minor deviations from the necessary form will be editorially corrected. In case of significant deviations where correction might affect the content of the resolution, the author or sponsor will be informed.

The Whereas Clauses

The whereas portion of a resolution should provide vital background information for the resolve(s) that follow. The House may discuss the content of the whereas clause(s) of a resolution, but it does not act on them, and they are not recorded as part of the House action.

The first whereas clause of all resolutions should cite pertinent, existing policy or state the absence thereof, or should cite previous House action on the subject of the resolution, if any. The following whereas clause(s) should outline the rationale for the resolution.

The Resolves

Resolve(s) are the only part of a resolution that the House of Delegates will act upon.

Conceptually, there are three classes of resolutions: those with **policy** resolves, those with **directives** (also called programmatic resolutions), and those with **pro forma** resolves. Making this distinction should assist the writer to arrive at a resolution that conforms to the required format and shows clearly the stated intent.

A **policy** resolve calls for a statement of or change in ISMS policy.

A **directive** is a resolve that calls for action that does not directly create policy.

A **pro forma** resolve makes a public statement without requiring action or policy change. Memorial resolutions and resolutions that reaffirm existing policy fall into this category.

A policy resolve and a directive should not be combined in a single resolved clause. An attempt to do so is likely to result in ambiguity and confusion. If a new policy is proposed, which is to be followed by action on the part of ISMS, a single resolution with two resolved clauses should be utilized. The first resolve should address the policy, and the second resolve should state the action to be undertaken.

The syntax of a resolved clause should clearly indicate to the reader whether the purpose is to create/change/rescind policy or to direct some action. The following wording is recommended for the beginning of a **policy** resolve:

“RESOLVED, That ISMS policy” The remainder of the sentence will inform the House of one of four intents: creating new policy, modifying existing policy, substituting proposed policy for existing policy, or rescinding existing policy.

If the adoption of a recommended policy would render an existing policy obsolete or would supersede existing policy, that policy should be identified, and a recommendation for its rescission or deletion should be included.

If modification of existing policy is being recommended, the resolution should set out the pertinent text of the existing policy and clearly identify the proposed modifications by underlining proposed new text and striking out or bracketing [~~>~~] text that is recommended for deletion.

A **directive** should start with the words: “RESOLVED, That the ISMS Board of Trustees” The remainder of the sentence should spell out the action to be taken. Directives are temporary in nature and, if adopted, do not become part of ISMS policy. Typically, directives recommend that ISMS: 1) undertake an action (such as communication or advocacy); 2) study an issue and provide the findings of the study to the House and/or to other entities; or 3) take appropriate action based on the findings of a study as directed.

Fiscal note

A fiscal note should be developed whenever the resolution directs financial expenditures. Staff can provide assistance.

Policy Clarification

Previous policy or directives on the issue presented in the resolve(s) should be researched for inclusion with the resolution. Policies are available online at www.isms.org. Just as with fiscal notes, staff can provide assistance.

Sample Resolution

A sample resolution can be found at the back of this publication and may serve as a guide to the proper format.

HOUSE PROCESSES

Responsibilities and Options of the Sponsor

The sponsor (delegate) who has introduced a resolution should be available to speak to it and/or answer questions both at the reference committee hearing and on the floor of the House. If there is a conflict with timing, the sponsor should ask another delegate to speak on behalf of the resolution. When this cannot be accomplished, the sponsor should ask the chair of the pertinent reference committee to adjust the agenda, if possible, to accommodate the sponsor’s desire to give testimony.

Full discussion of resolutions at the reference committee hearing is encouraged to facilitate action on the floor of the House. The purpose of the reference committee hearing is to allow full discussion from which the committee can develop a recommendation.

Supplemental Printed Material

The sponsor of a resolution may wish to distribute informative material for the benefit of the House. Distribution of such materials at a reference committee meeting requires permission of *both* the Speaker of the House and the Chair of the reference committee. Distribution of any such material on the floor of the House requires permission from the Speaker. Delegates are free to contact other House members prior to the House meeting.

Testimony by Experts

If there is to be expert testimony on a resolution before the reference committee and the expert is not an ISMS member, permission must first be obtained from the Speaker of the House *and* from the Chair of the committee.

House Action

The House of Delegates may dispose of resolutions brought before it by the following actions:

1. It may **adopt** or **not adopt** the resolved clause(s) of a resolution in original or in amended form.
2. It may **adopt** or **not adopt** a substitute resolution offered by the reference committee.
3. It may **refer** a resolution (original or substitute) to the Board of Trustees.

Upon request, the Speaker may divide a resolution with more than one resolve. Once divided, the House may refer part of a resolution to the Board, and take final action on the remainder.

Adoption of a resolution by the House mandates that the Board of Trustees carry out the intent of the resolution.

When referring a resolution to the Board other than by adoption, the following language is used to indicate the action requested by the House of the Board:

Refer for study and report back – The Board is to study the issue and bring it back as an unfinished business report with recommendations for final action by the House at a time of the Board’s choosing.

Refer for report back at a specified time – The Board is to study the issue and bring it back with recommendations for final action by the House at a specified time.

Refer for decision – The House delegates to the Board the authority to decide what action, if any, is appropriate. The House must be informed of its disposition.

Refer for national action – The Chair of the Board, with Executive Committee approval, will determine what national action is appropriate, and report back to the House.

Submission to AMA – Resolve(s) requesting submission of a similar resolution to the AMA must state clearly the rationale behind the resolve(s).

Role of the Speakers

The Speaker and Vice-Speaker will make themselves available for consultation to any delegate wishing to introduce a resolution. The Speakers will review all resolutions as submitted and will assign them, according to subject matter, to various reference committees. Prior to the reference committee meetings, the Speakers will introduce the resolutions to the House by number and title only. Once a resolution has been introduced to the House, it is the Speakers’ obligation to impartially see that the will of the House is done.

Howard B. Chodash, M.D.

Speaker, House of Delegates

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Vice-Speaker, House of Delegates



Illinois
State
Medical
Society

ILLINOIS STATE MEDICAL SOCIETY

Resolution: #
(A-##)

SAMPLE

Introduced by: > M.D., Delegate
> County Medical Society

Subject: Drafting an Implementable Resolution

Referred to: Reference Committee >

1 Whereas, the ISMS has no policy regarding (name the issue); and

2

3 Whereas, recent studies have shown that (describe the issue and summarize key
4 study findings); and

5

6 Whereas, extensive coverage of (issue) by various news media demonstrates the
7 importance of (explain why ISMS should act or take a position); therefore, be it

8

9 RESOLVED, that ISMS create policy that (state desired policy); and be it further

10

11 RESOLVED, that ISMS support or introduce legislation (define goal of legislation);
12 and be it further

13

14 RESOLVED, that the ISMS Board of Trustees draft a letter, contact someone,
15 etc. (specify action desired); and be it further

16

17 RESOLVED, that the Illinois Delegation to the AMA draft a resolution directing
18 the AMA to (again, specify the action desired).

19

20

21 Fiscal Note: Within existing Society programs.

22

23 When available: Summary of existing ISMS policy on this general issue.

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