



APhA

American Pharmacists Association

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2021-22 House of Delegates

Report of the House Rules Review Committee

Committee Members

Cynthia Boyle, Chair

Lauren Bode

Matthew Lacroix

Ann McManis

Frank North

Rajan Vaidya

Ex Officio Members

Melissa Duke, Speaker of the House

2021-2022

APhA House Rules Review Committee Report

The 2021-2022 APhA House Rules Review Committee (HRRC) consists of the following APhA members and long-time Delegates:

Cynthia Boyle, Chair
Reisterstown, MD

Susie Bartlemay
Millington, TN

Lauren Bode
Saint Albans, VT

Matthew Lacroix
West Warwick, RI

Ann D. McManis
Tampa, FL

Frank North
Houston, TX

Rajan Vaidya
Sacramento, CA

Overall Charge and Duties

The HRRC is appointed each year to review and establish rules and procedures for the conduct of business at each House session (Adopted 1995). The APhA Speaker may assign year-specific charges to the Committee as warranted. Acceptance of this report will record these recommendations in the actions of the House Session and be retained for future reference by the Speaker, APhA staff, and members.

The HRRC met via web conference call on April 29, 2021, May 14, 2021, and June 7, 2021 and made the following recommendations.

Recommendations to the APhA House of Delegates

After thorough consideration, and in conjunction with the feedback received from Delegates, members, leaders, and staff via surveys, live discussions, and other mechanisms regarding the activities of the House of Delegates over the past year, the HRRC unanimously supports the following recommendations for acceptance by the APhA House of Delegates.

- Unfilled Delegate Seats
 - The Committee reviewed the current history of unfilled delegate seats and noted the continued impact of the COVID-19 pandemic on delegations and delegates. Replicating what was approved in 2020, the Committee agreed to not inactivate any delegate seats for the next appointment cycle. The committee cited the pandemic and external strains put on delegates that may have prevented them from attending House of Delegates related sessions.
 - Any existing inactivated delegate seats prior to 2020 remain in effect. The Committee reviewed the process for requesting reactivation of an inactivated delegate seat and determined no changes were necessary at this time.
- Guidance to Speaker for a Fall 2021 Virtual House of Delegates Session

- The Committee recognized the compressed timeframe for discussion during the March 15, 2021, Virtual House of Delegates session and noted multiple items being referred to the Policy Review Committee and the Board of Trustees for further review and action. These activities, along with prior discussions by the House of Delegates, led the Committee to recommend that the Speaker of the House conduct a Fall Virtual House of Delegates session in accordance with the APhA Bylaws and existing House Rules of Procedure.
- The Committee suggests that action be taken on completed committee reports such as this Committee’s report, the Policy Review Committee Report, and any other agenda items that may be appropriate. (Rule 6 APhA House Rules of Procedure).
- The Committee also discussed one purpose for conducting a Fall House session would be to accomplish some of the work of the House of Delegates to allow for more time to conduct debate on proposed policy language from the APhA Policy Committee and any new business item statements considered during a Spring session of the House of Delegates in conjunction with the APhA2022 Annual Meeting (March 2022).
- Unfinished Business & Referred Business Items
 - The Committee reviewed *Rule 6 – Consideration of Committee Reports* as it related to “Unfinished Business”. The Committee noted that an increase in Unfinished Business items from recent House sessions was primarily due to the use of a virtual format in lieu of being able to conduct an in-person House session to complete agenda items. The Committee reviewed the purpose of Unfinished Business and possible improvements for consideration of Unfinished Business items.
 - The Committee discussed and agreed that the purpose of Unfinished Business items is to ensure adequate discussion occurs on specific items or statements. As noted previously, this was observed during virtual sessions where debate was time limited and additional delegates may have had comments on items.
 - The Committee discussed potential confusion regarding the process for handling unfinished business and proposes additional guidance and a new rule to outline the best processes for handling Unfinished Business moving forward.
 - A new proposed House Rule 17 – Unfinished Business & Referred Business items, outlined later in this report, defines that the Speaker of the House must clearly identify to whom (e.g., Board of Trustees or Committee) or what (e.g., open hearing or next House session) any unfinished business item would be assigned for further discussion or debate. The Committee agreed that the Speaker of the House should have the authority to identify the assignment of an unfinished business item if not dictated within a motion from a Delegate during the House proceedings.
 - Per Robert’s Rules of Order, an item can be referred to a separate body through a specific motion from a Delegate and may or may not dictate to whom or where the item will be further reviewed. If not dictated within the motion, the Speaker should maintain the authority to identify the assignment of this referred item.
 - Additionally, the content related to Unfinished Business is being proposed for removal from Rule 6 and integration into the new Rule 17 to ensure Unfinished Business is contained within a single rule in the APhA House Rules of Procedure.

(See the proposed Rule 17 in the last section of this report.) The Speaker should also report any updates on unfinished business within the next Speaker's Report at the next House session.

- The Committee further discussed that the Speaker of the House should maintain the ability to develop the agenda for any House session in consultation with the Secretary of the House, as currently defined in *Rule 6 – Consideration of Committee Reports*. No further changes are recommended to the first paragraph of *Rule 6 – Consideration of Committee Reports*.
- Policy Review Committee
 - The Committee discussed the role of the Policy Review Committee and specifically its ability to amend existing policy statements. The Committee agreed that the Policy Review Committee should still be able to update organization titles or update terminology. However, content related amendments should remain outside the scope of the Policy Review Committee.
 - The Committee agreed that pertinent historical issues during the development of a policy statement may not be fully understood by a Policy Review Committee and caution should be taken when considering amendments beyond basic terminology.
 - The Committee agreed that the Policy Review Committee's report should still be introduced as a consent agenda and allow for a Delegate to pull any item from the report for further discussion.
- Use of a Ballot to Accomplish House Business
 - The Committee reviewed the use of ballots to accomplish House business in advance of Virtual House of Delegates sessions in 2020 and 2021. The Committee noted the necessity to use a ballot to complete action of the House, in advance of limited discussion time within the virtual session. However, there was confusion about the use of motions to reconsider ballot votes and about what became formal adopted policy from the ballot votes since these actions took place outside a formal House session.
 - Due to this feedback from Delegates, the Committee agreed that any ballot should not constitute final action of the House of Delegates, but instead could be used to develop a consent agenda for formal adoption during regular House business. The Committee noted the Policy Review Committee report is currently handled through a consent agenda and Robert's Rules of Order already defines the process for handling consent agendas.
 - The Committee agreed that an electronic ballot can be used and sent to current appointed delegates on any items to be discussed during a House session. The electronic ballot vote would not constitute formal adoption. Instead the results would define a consent agenda for formal adoption during a House session. Motions within an electronic ballot must obtain a supermajority approval vote of 75%. The Committee intends to establish a more robust approval vote percent beyond a simple majority vote to ensure delegate confidence in the consent agenda report.
 - The committee noted that any item not receiving a supermajority approval vote of 75% would be added to the regular agenda in an order as recommended by the Speaker of the House.

- The Speaker can recognize any Delegate who requests that a specific item to be removed from the consent agenda for further debate. Should an item be removed from the consent agenda, it would be added to the regular agenda in an order as recommended by the Speaker of the House.
- The House will then take action on the consent agenda to formally adopt these motions prior to moving into the regular agenda items.
- The Committee recommends that any ballot be issued at least 10 days prior to the House session in which the consent agenda results would be considered. Further, any results of a ballot should be provided 48 to 72 hours in advance of the House session in which they will be considered. The Committee also recommends, where feasible, open hearings on ballot results to ensure clarity of the process and final agenda for any House session.
- The Committee discussed this process in detail and recommends the guidance and process provided in this report be approved by the House of Delegates for interim use by staff. Feedback on this process should be gathered by APhA staff and provided to future House Rules Review Committees to consider an official rule for adoption into the APhA House Rules of Procedure.
- Virtual House Processes
 - The Committee further reviewed the processes for conducting virtual sessions of the House of Delegates and noted feedback regarding a need for increased transparency in how individuals “stand at the microphone” during a Virtual House session. Additionally, feedback regarding an open chat feature for the entire House and the ability to see all Delegates’ webcams were suggested.
 - The Committee recommends further evaluation of technology platforms to consider adding these features into regular operations and noted the current limitations of the platform that has been used to date (i.e., GotoWebinar).
- New Business Item Development
 - The Committee reviewed the existing process for considering New Business Item statements and recommends increasing the deadline for submission of new business items from 30 days (per Rule 13 of APhA House Rules of Procedure) to 60 days.
 - Over the past 3-5 years there have been an increase in the number of New Business Items proposed for consideration by the House. Therefore, there has been limited time for in-depth review and debate of proposed items due to an increase in the number of items being considered within a 30-day timespan prior to the House session.
 - The Committee has proposed a change to Rule 13 of the House Rules of Procedure to modify the deadline for submission of New Business Items to create additional time for content review by Delegates, the New Business Review Committee, and APhA staff. Specific changes are outlined in the last section of this report.
- Consideration of Urgent New Business Items
 - Per Rule 13 of the APhA House Rules of Procedure, urgent new business items are considered following the Policy Review Committee’s proposed New Business items and other general new business items.

- The Committee agreed that selection of the order for addressing urgent new business items in the meeting agenda should be left to the Speaker's discretion in accordance with Rule 6 of the APhA House Rules of Procedure.
- The Committee supports timely consideration of urgent business items as appropriate, based on determination of the Speaker of the House in consultation with the Secretary of the House.
- Rights of the Speaker to limit debate
 - The Committee noted the increased use of time limited debate by the Speaker in Virtual House sessions in 2020 and 2021 to accomplish the approved agenda.
 - The Committee discussed the Speaker's authority to limit debate and noted that Robert's Rules of Order allows for time limited debate to be outlined in the approved agenda. Additionally, a motion for time limited debate can be approved by Delegates.
 - Historically, the Committee noted that the Speaker has controlled the timing of debate through clear communication throughout House sessions.
 - The Committee noted that through Robert's Rules of Order, the House can always move to extend the time for debate. Likewise, this motion can be voted down by Delegates if further debate is not desired.
 - The Committee recommends the Speaker allow additional time for debate for-or-against an item that does not duplicate prior statements made by delegates. The intent is to hear all unique points in support of or opposition to an item during the debate. The Committee suggests consideration of microphones labeled as "for" and "against" similar to how delegates have identified their stance via the question panel during Virtual House sessions. In this manner the Speaker will be better able to allow for equal consideration of both sides during an in-person House session.
 - Additionally, the Committee recommends Delegates state only new opinions, comments, or perspectives as opposed to restating statements made by a previous delegate.
- General House Operations
 - The Committee recommends all deadlines for House surveys, ballots, or forms be set in the Pacific time zone and recommends APhA staff have the authority to set the specific deadline time as different House processes require different specific time deadlines.
 - The Committee affirmed that the most current version of Robert's Rules of Order should be used to conduct House business, in accordance with Rule 6 of the APhA House Rules of Procedure. The Committee also recommends that the Speaker clarify during each House session what version is being used as a courtesy to Delegates.
 - The Committee discussed that the APhA House Rules of Procedure allows for the Speaker or APhA staff to provide grammar and/or punctuation edits to adopted APhA policy. (Rule 12) It was noted that these edits are reviewed and approved by the House Rules Review Committee and are typically provided to the Policy Review Committee which reports to Delegates on at least an annual basis.

APhA House of Delegates Rules of Procedure

After thorough consideration, and in conjunction with the feedback received from Delegates, members, and staff, the HRRC unanimously recommends the following revisions to the APhA House of Delegates Rules of Procedure. Note: proposed amendments are in red font and deletions are ~~struck through~~ and proposed additions are underlined.

Rule 6 Consideration of Committee Reports

The order for consideration of Committee Reports and recommendations in any House of Delegates session agenda shall be determined by the Speaker in consultation with the Secretary of the House. The House shall receive any Committee Reports prior to Committee open forums or webinars and any session where debate on a Committee Report would occur. The Policy Reference Committee and New Business Review Committee shall consider delegate input received through open forums, webinars, and other communication means and will develop recommendations for consideration by the House on each whole-numbered statement or recommendation. During House sessions, the Committee chair will recommend adoption of policy statements and recommendations and preside over the debate. Action on the report will be governed by Robert's Rules of Order (current edition).

~~Debate in any session of the House may be time limited, as designated by the Speaker. If the Speaker, the Committee chair, or any delegates feel additional debate on the policy statement is warranted, the item may be carried over to an open hearing or a future session of the House. The remaining items requiring action will be brought back for final consideration at the next House session as "Unfinished Business."~~

Rule 13 New Business

New Business Items are due to the Speaker of the House no later than ~~30~~ 60 days before the start of any House session where regular action on New Business Items (not urgent items) are scheduled to take place.

New Rule 17 Unfinished and Referred Business Items

~~Debate in any session of the House may be time limited, as designated by the Speaker. If the Speaker, the Committee chair, or any Delegates feel additional debate on the policy statement is warranted, the item may be carried over to an open hearing or a future session of the House. The remaining items requiring action will be brought back for final consideration at the next House session as "Unfinished Business."~~

~~Upon confirmation of an "Unfinished Business Item", the Speaker must clearly identify within the "Actions of the House Report" how Unfinished Business Items will receive further action. Unless defined within a motion from a Delegate, the Speaker, in consultation with the Secretary of the House, has the authority to assign "Unfinished Business Items" to an appropriate House Committee, the Board of Trustees, or a future session of House business for further action.~~

~~An update on "Unfinished Business Items" or any "Referred Business Items" from any prior House session should be provided by the Speaker at future House sessions until action has been taken by the House or no further action is recommended on the item.~~