



Councillor Handbook

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I. COMPOSITION OF THE COUNCIL

Introduction

This handbook is updated annually to help councillors understand how they can best be prepared to participate in the annual meeting. The councillor who knows how the Council functions, who takes the time to understand issues affecting the College and the specialty, and who makes a point of talking with individual candidates for office about their objectives is a model representative.

What is the Council?

The Council is a body composed of emergency physicians who directly represent the 53 chartered chapters of the American College of Emergency Physicians, the Emergency Medicine Residents' Association (EMRA), the Association of Academic Chairs in Emergency Medicine (AACEM), the Council of Emergency Medicine Residency Directors (CORD), the Society for Academic Emergency Medicine (SAEM), and the College's sections of membership. The Council meets annually, just prior to the ACEP annual meeting. The Council may meet more often, but special meetings must be duly called as specified in the ACEP Bylaws.

The number of councillors who represent a chapter in a given year is determined by the number of ACEP members in that chapter on December 31 each year. Each chapter is represented by at least one councillor; an additional councillor is allowed for each 100 members in the chapter. EMRA is allocated four voting councillors; AACEM, CORD, and SAEM are each allocated one voting councillor; and each section of membership is allocated one voting councillor.

What Does the Council Do?

The Council elects the Board of Directors, Council officers, and the president-elect of the College. The Council shares responsibility with the Board of Directors for initiating policy, and councillors shape the strategic plan of the College by providing comments on behalf of the constituencies they represent. The Council also provides a participatory environment where policies already established or under consideration by the Board of Directors can be debated.

So that the Board of Directors can manage change for the good of the membership, the specialty, and the public, the Council serves as a sounding board and communication network. Councillors are expected to be aware of environmental changes, see association goals as essential to the continued vitality of the specialty, and understand the rationale behind decisions made by the Board of Directors.

The Council officers (speaker and vice speaker) chair the annual meeting and participate in all meetings of the Board of Directors as representatives of the Council.

II. COUNCILLOR PREPARATION

How Does a Councillor Prepare for the Annual Meeting?

Councillors are certified by their component body (chapter, EMRA, AACEM, CORD, SAEM, or section) no later than 60 days before the annual meeting. Component bodies are also referred to as sponsoring bodies in the Bylaws.

Comprehensive materials are distributed to councillors at least 30 days before the annual meeting. These materials contain the meeting agenda, current strategic plan, minutes of the previous annual meeting, and annual committee reports. All resolutions submitted by the deadline are also provided with background information and cost implications developed by staff.

Councillors are expected to review the materials carefully and to meet with the leadership of the component bodies they represent to discuss issues that will be addressed at the annual meeting. The component body leadership may want to instruct the councillor on how to vote on various resolutions, but the councillor should be open to receiving additional information at the meeting and then make the best decision on behalf of the College.

How Does the Council Conduct its Business?

Business attire is appropriate for the Council meeting.

Most of the work of the Council is conducted in reference committee hearings. The hearings provide a system for gathering information and expediting business. Each resolution submitted to the Council is referred to a reference committee, which holds a hearing to gather information from all interested councillors and other College members. The reference committees then recommend a specific course of action for the Council on each resolution. Reference committees are composed of councillors selected by the Council officers. Guidelines for reference committee hearings are provided on pages 5-7. All reference committee meetings are open to the membership, except for the executive session. When the executive session is called, the chair will inform the audience of the time frame of the session.

As previously stated, the Council elects the Board of Directors, Council officers, and the president-elect; initiates policy; and shapes the strategic plan of the College. The Council also identifies issues for study and evaluation by the Board and the committees of the Board. There is usually a tremendous amount of business to be conducted during the two-day meeting and several tools are used to facilitate that business.

The Bylaws of the College specifies basic procedures that must be followed by the Council. These procedures include how nominations and elections must be conducted, how resolutions must be submitted and handled, and how the Bylaws may be amended. The most current Bylaws are provided with the Council meeting materials.

Standing Rules for the conduct of the meeting change little, if any, from one year to the next and cover general procedures such as how debate, credentialing, and elections will be handled. The Standing Rules are amendable only by resolution. The most current Standing Rules are provided with the Council meeting materials.

Except when superseded by the Bylaws or the Standing Rules, the rules in *The Standard Code of Parliamentary Procedure 4th edition* (also known as *Sturgis*) govern the Council in all applicable cases. A chart describing parliamentary rules is provided on pages 16-17.

A councillor is not expected to memorize the Bylaws, Standing Rules, or *Sturgis*; however, a quick review of these documents will give the first-time councillor a basic understanding of how business is conducted on the floor of the Council. The most important rule that a councillor should remember is that a “point of personal privilege” is always in order. If a councillor does not understand what is happening, the point of personal privilege should be used to request clarification. An orientation session is always held the night before the Council meeting and the basics of parliamentary procedure are reviewed.

What is a Resolution?

New policies and changes to existing policy are recommended to the Council in the form of resolutions. Resolutions usually pertain to issues affecting the practice of emergency medicine, advocacy and regulatory issues, Bylaws amendments, Council Standing Rules amendments, and College Manual amendments.

“Resolutions” are considered formal motions that if adopted will become official Council policy and will apply not only to the present meeting but also to future business of the Council.

Resolutions must be submitted in writing by at least two members on or before 90-days prior to the annual Council meeting. These resolutions are known as “regular resolutions.” Resolutions may also be submitted by chapters, sections, committees, or the Board of Directors. Resolutions sponsored by a chapter or section must be accompanied by an endorsement of the sponsoring body. Resolutions sponsored by national ACEP committees must first be approved by the Board of Directors for submission to the Council. Upon approval by the Board, the resolution will then include the endorsement of the committee and the Board. Regular resolutions will be referred to an appropriate Reference Committee for consideration.

Amendments to Resolutions

All motions for substantial amendments to resolutions must be submitted to the speaker in writing prior to being introduced verbally. When appropriate, the amendment will be projected on a screen for viewing by the Council.

Late Resolutions

Resolutions submitted after the 90-day submission deadline, but not less than 24 hours prior to the beginning of the annual Council meeting, are known as “late resolutions.” Late resolutions are considered by the Steering Committee at its meeting on the evening prior to the opening of the annual Council meeting. The Steering Committee is empowered to decide whether a late submission is justified. Late submission is justified when events giving rise to the resolution occur after the filing deadline for resolutions. If a majority of the voting members of the Steering Committee vote to waive the filing and transmittal requirements, the resolution is presented to the Council at its opening session and assigned to a Reference Committee. When the Steering Committee votes unfavorably, the reason for such action shall be reported to the Council at its opening session. Disallowed late resolutions are not considered by the Council unless the Council, by a majority vote of councillors present and voting, overrides the Steering Committee’s recommendation.

Emergency Resolutions

Resolutions submitted less than 24 hours prior to, or after the beginning of the annual Council meeting, are known as “emergency resolutions.” Emergency resolutions are limited to substantive issues that could not have been considered by the Steering Committee prior to the Council meeting because of their acute nature, or resolutions of commendation that become appropriate during the course of the Council meeting. Emergency resolutions must be submitted in writing to the speaker who will then present the resolution to the Council for its consideration. The originator of the resolution, when recognized by the chair, may give a one-minute summary of the emergency resolution to enable the councillors to determine the importance of the resolution. Without debate, a majority vote of the councillors present and voting is required to accept the emergency resolution for floor debate and action. If an emergency resolution is introduced prior to the beginning of the Reference Committee hearings, upon acceptance by the Council, it will be referred to the appropriate Reference Committee. If an emergency resolution is introduced and accepted after the Reference Committee hearings, the resolution will be debated on the floor of the Council at a time chosen by the speaker.

What if I Have Questions About the Council?

Questions about the Council should be directed to national ACEP staff in the Office of the Executive Director. They work closely with the Council officers in planning and executing the annual meeting and helping members to develop resolutions for consideration by the Council.

How are Nominations and Elections Conducted?

Each year the Council elects four members to the Board of Directors to terms of three years. The Council speaker and vice-speaker, who serve two-year terms, are elected by the Council every other year. The Council also elects the president-elect of the College annually for a one-year term.

Nomination procedures and the composition of the nominating committees are specified in the Bylaws. Councillors may submit nominations from the floor at the annual meeting, but nominations are closed on the first day of the annual meeting. Closing the nominations assures that all candidates will have the opportunity to share their viewpoints during an open forum with councillors. The elections are the last item of business on the second day of the Council meeting. The Tellers, Credentials, & Elections Committee, which is appointed by the Council officers, conducts the elections. A majority of votes cast is required for election. Election procedures are described in the Council Standing Rules and the Bylaws.

With the exception of the president-elect, the Board of Directors elects its own officers (chair, vice president, and secretary-treasurer) each year during the first Board meeting after the Council meeting.

Each year a Candidate Forum is held. This year the Candidate Forum will be held from 2:45 – 4:00 pm in each of the Reference Committee meeting rooms with the candidates rotating between rooms. Members of the Candidate Forum Subcommittee will moderate each session with the candidates. Candidates will answer questions and declare their views on issues facing emergency medicine. An informal reception will be held for members to personally meet and speak with candidates. All councillors are encouraged to attend the Candidate Forum and reception.

The Candidate Campaign Rules prohibit the scheduling of candidate receptions by any component body during the annual Council meeting. This position was adopted by the Council and the Board of Directors.

What is the Steering Committee?

The Council officers appoint the Steering Committee. The Steering Committee conducts the business of the Council between annual meetings. Attempts are made to limit service on the committee to two years, with about half of the committee membership replaced each year. Care is taken to assure adequate geographic representation on the committee.

The Steering Committee may identify resolution topics to stimulate discussion of key issues by the Council, plans the Council agenda, and advises and assists the officers with meeting logistics. The Steering Committee has the authority, rarely invoked, to take positions on behalf of the Council subject to ratification by the Council at the next annual meeting.

2018 Council Steering Committee

John G. McManus, Jr., MD, FACEP, Chair
Gary R. Katz, MD, MBA, FACEP, Vice Chair
Michael J. Baker, MD, FACEP (MI)
Douglas M. Char, MD, FACEP (MO)
Kathleen J. Clem, MD, FACEP (FL)
Melissa W. Costello, MD, FACEP (AL)
Sarah Hoper, MD, JD, FACEP (IA)
Tiffany Jackson, MD (SC)
Gabor D. Kelen, MD, FACEP (AACEM)

Chadd K. Kraus, DO, DrPH, MPH, FACEP (YPS)
Jeff F. Linzer, MD, FACEP (GA)
Heather A. Marshall, MD, FACEP (NM)
Tony B. Salazar, MD, FACEP (NM)
Sullivan K. Smith, MD, FACEP (TN)
Annalise Sorrentino, MD, FACEP (AL)
Susanne J. Spano, MD, FACEP (Wilderness)

III. COUNCIL REFERENCE COMMITTEE PROCEEDINGS AND REPORTS

The duty of a Reference Committee is to hold hearings, deliberate on various resolutions and proposals, and recommend a particular course of action on each to the Council.

It may not be possible for each councillor to be fully informed or to have an opinion on every resolution. Therefore, the reference committee is designated to investigate and deliberate on the issues. By dividing the proposals between several Reference Committees, the Council can transact more business than if the entire Council had to discuss all of the pros and cons of each resolution.

Members of the Reference Committees are appointed by the speaker. They are chosen on the basis of their activities in the College and their expertise on particular issues. They are not chosen because of their stand on particular issues.

Procedures

Reference Committee hearings are open to all members of the College, its committees, and invited guests of the Reference Committee. Members of the College, its committees, and/or invited guests are privileged to present written testimony or to speak to the committee on the resolution under consideration. Upon recognition by the chair, non-members may be permitted to speak. The chair is privileged to call upon anyone attending the hearing if, in his/her opinion, the individual called upon may have information that would be helpful to the committee.

The Reference Committee hearings are scheduled from 9:30 am until 12:30 pm Saturday, September 29. Reference Committees may take brief breaks if the chair determines that time is available. The Reference Committee chair is requested to designate a member of the committee to keep track of all pro and con comments pertaining to each resolution.

Proceedings

Equitable hearings are the responsibility of the Reference Committee chair. The committee may establish its own rules on the presentation of testimony with respect to limitations of time, repetitive statements, etc. The Reference Committee hearing is the proper forum for discussion of controversial items of business. Councillors who have not taken advantage of the hearings to present their viewpoints or introduce evidence should be reluctant to do so on the floor of the Council. While it is recognized that the concurrence of Reference Committee hearings creates difficulties in this respect, as does service by councillors on other Reference Committees, the submission of written testimony can alleviate these problems. But there is never compulsion for mute acceptance of Reference Committee recommendations when the report is presented. Written testimony is encouraged. In the event of extensive written testimony, the Reference Committee chair will report to the Reference Committee the number of written testimony received in favor and in opposition to the resolution. The Reference Committee chair has the discretion to read any written testimony, especially testimony that provides information not previously presented in other written or in-person testimony. All written testimony will be made available electronically to the Council unless determined by the Speaker to contain inaccurate information or inappropriate comments. The reading of any written testimony shall not exceed the time limits set by the chair for providing testimony on any particular resolution.

The chair will decide the order and/or grouping of resolutions and will post times to start each discussion. Before beginning discussion on the first resolution, the chair will ask if there is a “pressing need” for any resolutions to be taken out of order to allow individuals to provide testimony to a particular issue.

Determination of a “pressing need” will be left to the discretion of the chair. The chair will ask if the primary author(s) of the resolution is present or if another individual is present who may speak to the intent of the resolution, and if the individual wishes to provide guidance to the committee.

If an individual arrives to present testimony before or after the time the resolution was scheduled for discussion, it is at the discretion of the chair as to when that member may speak to the resolution. When presenting testimony, the individual should state their name, component body, and whether speaking in support of or against the resolution. No one should speak more than once on a resolution unless it is to clarify a point. Prior to closing debate, the chair will ask Board members, officers, staff, and others with particular expertise for their testimony.

Following the open hearing and after all testimony is given, a Reference Committee will go into executive session to deliberate and construct its report. It may call into such executive session anyone whom it may wish to hear or question. Others are permitted to be in attendance, but may not address the committee unless requested by the chair for clarification of testimony or to answer questions by committee members.

Reports

Reference Committee reports comprise the bulk of the official business of the Council. The reports need to be constructed swiftly and succinctly after completion of the hearing so that they can be processed and made available to the councillors as far in advance of formal presentation as possible. Reference Committees have wide latitude in facilitating expression of the will of the majority on the matters before them and in giving credence to the testimony they hear. They may amend resolutions, consolidate kindred resolutions by constructing substitutes, and recommend the usual parliamentary procedures for disposition of the business before them, such as adoption, not for adoption, amendment, and referral. Minority reports from reference committees are in order.

When the Reference Committee presents its report to the Council, each report or resolution that has been accepted by the Council as its business is the matter which is before the Council for disposition together with the committee’s recommendation in that regard. If a number of closely related items have been considered by

the committee and consolidation or substitution is proposed by the committee, the substitute resolution will be the matter before the Council for discussion.

Each item referred to a Reference Committee is reported to the Council as follows:

1. identify the resolution by number and title
2. state concisely the committee's recommendation
3. motions to refer or postpone should be listed at the beginning of the report, after the consent calendar
4. comment, as appropriate, on the testimony presented at the hearing
5. incorporate evidence supporting the recommendation of the committee

Each Reference Committee will make recommendations on each resolution assigned to it in a written report. The speaker will open for discussion each resolution or matter which is the immediate subject of the reference committee report. The effect is to permit full consideration of the business at hand, unrestricted to any specific motion for its disposal. Any appropriate motion for amendment or disposition may be made from the floor. In the absence of such a motion, the speaker will state the question and provide the recommendation of the reference committee. If the recommendation is referral or amended language, the primary motion on the table is the recommendation of the Reference Committee.

Examples of our common variants employing the procedure are:

1. The Reference Committee recommends that a resolution not be adopted. The speaker places the resolution before the Council for discussion. In the absence of other motions from the floor, the speaker places the question on adoption of the resolution, making it clear that the Reference Committee has recommended that it not be adopted (a negative vote).
2. The Reference Committee recommends amending a resolution by adding, striking out, inserting, or substituting. The matter that is placed before the Council for discussion is the amended version as presented by the reference committee together with the recommendation for its adoption. It is then in order for the Council to apply to this reference committee version amendments in the usual fashion. Such procedure is clear and orderly and does not preclude the possibility that an individual may wish to restore the matter to its original unamended form. This may be accomplished quite simply by moving to amend the reference committee version by restoring the original language.
3. The Reference Committee recommends referral of a resolution to the Board of Directors, Council Steering Committee, or Bylaws Interpretation Committee of the College. The speaker places the motion to refer before the Council for discussion. Adoption of the motion to refer removes the matter from consideration by the Council. If the motion to refer is not adopted, the resolution comes before the body for discussion. The Council is then free to adopt, not adopt, or amend the resolution.
4. The Reference Committee recommends consolidation of two or more kindred resolutions into a single resolution, or it recommends adoption of one of these items in its own right as a substitute for the rest. The matter before the Council consideration is the recommendation of the reference committee or the substitute or consolidate version. A motion to adopt this substitute is the main motion. If the Reference Committee's version is not adopted the entire group of proposals has been rejected but it is in order for any councillor to then propose consideration and adoption of any one of the original resolutions or reports.

IV. GUIDELINES AND DEFINITIONS OF COUNCIL ACTIONS TO ASSIST THE COUNCIL IN CONSIDERING REPORTS OF REFERENCE COMMITTEES.

Summary of Council Actions on Reference Committee Reports

| Matter Before the Council for Discussion from the Reference Committee's Report | Reference Committee's Recommendation | Speaker Action (Failing Council Action) |
|----------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------|
| Original Resolution | 1. To adopt or to not adopt | Puts question on adoption, clearly stating the reference committee's recommendation |
| Original Resolution | 2. To refer | Puts question on referral |
| Committee Substitute (amending original by adding, striking out, inserting, or substituting) | 3. To adopt | Puts question on adoption of the committee's substitute resolution |
| Committee Substitute Resolution (combining several like resolutions) | 4. To adopt | Puts question on adoption of the committee's substitute resolution |

Definition of Council Action

For the ACEP Board of Directors to act in accordance with the wishes of the Council, the actions of the Council must be definitive. To avoid any misunderstanding, the officers have developed the following definitions for Council action:

ADOPT

Approve resolution as recommendation implemented through the Board of Directors

ADOPT AS AMENDED

Approve resolution with additions, deletions and/or substitutions, as recommendation to be implemented through the Board of Directors.

REFER

Send resolution to the Board of Directors for consideration, perhaps by a committee, the Council Steering Committee, or the Bylaws Interpretation Committee.

NOT ADOPT

Defeat (or reject) resolution in original or amended form.

V. PRINCIPLE RULES GOVERNING MOTIONS

| <u>Order of precedence</u> ¹ | <u>Can interrupt</u> | <u>Requires second?</u> | <u>Debatable</u> | <u>Amendable</u> | <u>Vote Required?</u> | <u>Applies to what other motions?</u> | <u>Can have what other motions applied (in addition to withdraw)⁴ ?</u> |
|--------------------------------------------|----------------------|-------------------------|------------------|------------------|-----------------------|---------------------------------------|------------------------------------------------------------------------------------|
| Privileged Motions | | | | | | | |
| 1. Adjourn | No | Yes | Yes ³ | Yes ³ | Majority | None | Amend |
| 2. Recess | No | Yes | Yes ³ | Yes ³ | Majority | None | Amend ³ |
| 3. Question of privilege | Yes | No | No | No | None | None | None |
| Subsidiary Motions | | | | | | | |
| 4. Postpone temporarily (table) | No | Yes | No | No | Majority ² | Main motion | None |
| 5. Close debate | No | Yes | No | No | 2/3 | Debatable motions | None |
| 6. Limit debate | No | Yes | Yes ³ | Yes ³ | 2/3 | Debatable motions | Amend ³ |
| 7. Postpone definitely (to a certain time) | No | Yes | Yes ³ | Yes ³ | Majority | Main motion | Amend ³ , close debate, limit debate |
| 8. Refer to committee | No | Yes | Yes ³ | Yes ³ | Majority | Main motion | Amend ³ , close debate, limit debate |
| 9. Amend | No | Yes | Yes | Yes | Majority | Rewordable motions | Close debate, limit debate, amend |
| Main Motions | | | | | | | |
| 10. | | | | | | | |
| a. The main motion | No | Yes | Yes | Yes | Majority | None | Restorative, subsidiary |
| b. Restorative main motions | | | | | | | |
| Amend a previous action | | No | Yes | Yes | Yes | Majority | Main motion Subsidiary, restorative |
| Ratify | No | Yes | Yes | Yes | Majority | Previous action | Subsidiary |
| Reconsider | Yes | Yes | Yes | No | Majority | Main motion | Close debate, limit debate |
| Rescind | No | Yes | Yes | No | Majority | Main motion | Close debate, limit debate |
| Resume consideration | No | Yes | No | No | Majority | Main motion | None |

¹ Motions are in order only if no motion higher on the list is pending. Thus, if a motion to close debate is pending, a motion to amend would be out of order; but a motion to recess would be in order, since it outranks the pending motion.

² Requires two-thirds vote when it would suppress a motion without debate.

³ Restricted.

⁴ Withdraw may be applied to all motions.

VI. INCIDENTAL MOTIONS

| <u>No order of precedence</u> | <u>Can interrupt</u> | <u>Requires second?</u> | <u>Debatable</u> | <u>Amendable</u> | <u>Vote Required?</u> | <u>Applies to what other motions</u> | <u>Can have what other motions applied (in addition to withdraw)?</u> |
|-------------------------------|----------------------|-------------------------|------------------|------------------|-----------------------|--------------------------------------|-----------------------------------------------------------------------|
| Motions | | | | | | | |
| Appeal | Yes | Yes | Yes | No | 2/3* | Decision of chair | Close debate, limit debate |
| Suspend Rules | No | Yes | No | No | 2/3 | None | None |
| Consider informally | No | Yes | No | No | Majority | Main motion | None |
| Requests | | | | | | | |
| Point of Order | Yes | No | No | No | None | Any error | None |
| Parliamentary inquiry | Yes | No | No | No | None | All motions | None |
| Withdraw a motion | Yes | No | No | No | None | All motions | None |
| Division of question | No | No | No | No | None | Main motion | None |
| Division of assembly | Yes | No | No | No | None | Indecisive vote | None |

* Per the Council Standing Rules.

VII. GUIDELINES FOR WRITING ACEP COUNCIL RESOLUTIONS

Definition

The Council considers items in the form of resolutions. Resolutions set forth background information and propose a course of action.

Submission and Deadline

Resolutions can be submitted by e-mail, fax, or U.S. mail. Receipt of resolutions will be acknowledged by e-mail or phone.

All resolutions should be submitted to:

Sonja Montgomery, CAE
Governance Operations Director
American College of Emergency Physicians
PO Box 619911
Dallas, TX 75261-9911

E-mail: smontgomery@acep.org

Phone: 800-798-1822 x3202

Fax: 972-580-2816

Bylaws and regular resolutions are due 90 days before the annual Council meeting. The 2018 Council meeting will be held on Saturday, September 29 and Sunday, September 30, in San Diego, CA. Therefore, the deadline for resolutions for the 2018 Council meeting is July 1, 2018.

Each resolution must be submitted by at least two members of the College. In the case of a chapter or section, a letter of endorsement must accompany such resolution from the president or chair representing the sponsoring body. If submitting by e-mail, the letter of endorsement can be either attached to the e-mail or embedded in the body of the e-mail.

All resolutions from national ACEP committees must be submitted to the Board of Directors for review prior to the resolution deadline. This usually occurs at the June Board of Directors meeting. If the Board accepts the submission of the resolution, then the resolution carries the endorsement of the committee and the Board of Directors.

Questions

Please contact Sonja Montgomery, CAE, smontgomery@acep.org, at ACEP Headquarters, 800-798-1822, extension 3202, for further information about preparation of resolutions.

Format

The title of the resolution must appropriately reflect the intent. Resolutions begin with "Whereas" statements, which provides the basic facts and reasons for the resolution, and conclude with "Resolved" statements, which identifies the specific proposal for the requestor's course of action.

Whereas Statements

Background, or "Whereas" information provides the rationale for the "resolved" course of action. The whereas statement(s) should lead the reader to your conclusion (resolved).

In writing whereas statements, begin by introducing the topic of the resolution. Be factual rather than speculative and provide or reference statistics whenever possible. The statements should briefly identify the problem, advise the timeliness or urgency of the problem, the effect of the issue, and indicate if the action called for is contrary to or will revise current ACEP policy. Inflammatory statements that reflect poorly on the organization will not be permitted.

Resolved Statements

Resolve statements are the only parts of a resolution that the Council and Board of Directors act upon. Conceptually, resolves can be classified into two categories – policy resolves and directives. A policy resolve calls for changes in ACEP policy. A directive is a resolve that calls for ACEP to take some sort of action. Adoption of a directive requires specific action but does not directly affect ACEP policy.

A single resolution can both recommend changes in ACEP policy and recommend actions about that new policy. The way to accomplish this objective is to establish the new policy in one resolve (a policy resolve), and to identify the desired action in a subsequent resolve (a directive).

Regardless of the type of resolution, the resolve should be stated as a motion that can be understood without the accompanying whereas statements. When the Council adopts a resolution, only the resolve portion is forwarded to the Board of Directors for ratification. The "resolved" must be fully understood and should stand alone.

Bylaws Amendments

In writing a resolve for a Bylaws amendment, be sure to specify an Article number as well as the Section to be amended. Show the current language with changes indicated as follows: new language should be **bolded** (dark green type, bold, and underline text), and language to be deleted should be shown in red, strike-through text (~~delete~~). Failure to specify exact language in a Bylaws amendment usually results in postponement for at least one year while language is developed and communicated to the membership.

General Resolutions

The president, and not the Council, is responsible for determining the appropriate level of committee involvement for resolutions passed by the Council. In addition, the Council cannot "direct" another organization although the College can recommend a course of action to other organizations. For example, Resolution 49(84) directed the ACEP representatives to ABEM to seek ways in which to reduce the fees and associated examinee expenses for the certification examination. Since ACEP does not have representatives to ABEM and since ACEP does not have the authority to direct another organization, it would have been better to state that ACEP ask ABEM to seek ways to reduce examinee expenses.

Council Actions on Resolutions

For the ACEP Board of Directors to act in accordance with the wishes of the Council, the actions of the Council must be definitive. To avoid any misunderstanding, the officers have provided the following definitions for Council action:

- **Adopt:** Approve resolution exactly as submitted as recommendation implemented through the Board of Directors.
- **Adopt as Amended:** Approve resolution with additions, deletions, and/or substitutions, as recommendation to be implemented through the Board of Directors.
- **Refer:** Send resolution to the Board of Directors for consideration, perhaps by a committee, the Council Steering Committee, or the Bylaws Interpretation Committee. A resolution cannot be referred to other College committees.
- **Not Adopt:** Defeat (or reject) the resolution in original or amended form.

Board Actions on Resolutions

According to the Bylaws, Article VIII – Council, Section 2 – Powers of the Council: “The Council shall have the right and responsibility to advise and instruct the Board of Directors regarding any matter of importance to the College by means of Bylaws and non-Bylaws resolutions, including amendments to the College Manual, and other actions or appropriations enacted by the Council. The Board of Directors shall act on all resolutions adopted by the Council no later than the second Board meeting following the annual meeting and

shall address all other matters referred to the Board within such time and manner as the Council may determine.

The Board of Directors shall take one of the following actions regarding a non-Bylaws resolution adopted by the Council:

1. Implement the resolution as adopted by the Council.
2. Overrule the resolution by a three-fourths vote. The vote and position of each Board member shall be reported at the next meetings of the Steering Committee and the Council.
3. Amend the resolution in a way that does not change the basic intent of the Council. At its next meeting, the Steering Committee must either accept or reject the amendment. If accepted, the amended resolution shall be implemented without further action by the Council. If the Steering Committee rejects the amendment, the Board at its next meeting shall either implement the resolution as adopted by the Council, propose a mutually acceptable amendment, or overrule the resolution.

Bylaws amendment resolutions are governed by Article XIII of these Bylaws.”

Sample Resolutions

Three resolutions are provided as examples of well-written proposals.

Resolution 9(06) shows how to propose an amendment to the Bylaws. New language is shown in bold with underlining and deleted language is shown in strike-out format. The use of colors in the electronic file (red for strike-out and green for new language) is also helpful.

RESOLUTION 9(06)

WHEREAS, The College Bylaws provides for an Executive Committee of the Board of Directors;
and

WHEREAS, The speaker has informally served on the Executive Committee; and

WHEREAS, The Executive Committee would benefit from having more formal and standard composition, including the membership of the speaker and the chair of the Board of Directors; and

WHEREAS, The College would benefit from having an Executive Committee appointed every year;
therefore be it

RESOLVED, That the ACEP Bylaws, Article XI – Committees, Section 2 – Executive Committee, be amended to read:

ARTICLE XI – COMMITTEES Section 2 – Executive Committee

~~The Board of Directors may appoint an Executive Committee~~ **The Board of Directors shall have an Executive Committee**, consisting of the president, president-elect, vice president, secretary-treasurer, ~~and the~~ immediate past president, **and chair. The speaker shall attend meetings of the Executive Committee.** The Executive Committee shall have the authority to act on behalf of the Board, subject to ratification by the Board at its next meeting.

Meetings of the Executive Committee shall be held at the call of the **chair or** president. A report of its actions shall be given by the Executive Committee to the Board of Directors in writing within two weeks of the adjournment of the meeting.

Resolution 23(06) shows how communication between the College and another organization can be stated.

RESOLUTION 23(06)

WHEREAS, Emergency medicine is recognized by the American Board of Medical Specialties as an independent specialty with a recognized, unique knowledge base and procedural skill set that is certifiable by board examination; and

WHEREAS, Emergency nursing, within the scope of nursing practice, is also a recognized subspecialty with its own unique knowledge base and skill set that is certifiable by examination, resulting in a Certified Emergency Nurse (CEN); and

WHEREAS, Unlike in emergency medicine, where specialized training and experience are required for a physician to take an emergency medicine board examination, any nurse practicing in an emergency department (ED) is able to sit for the CEN exam; and

WHEREAS, In many EDs throughout the country, the majority of emergency nurses working are not CEN certified; and

WHEREAS, The range of acuity of the emergency patients seen in emergency departments by emergency nurses can be from non-urgent to critically ill; and

WHEREAS, The expectation of patients who utilize emergency departments for their emergency medical care is that there is seamless, high quality medical and nursing care provided; therefore be it

RESOLVED, That the American College of Emergency Physicians works with the Emergency Nurses Association (ENA) to facilitate the development by ENA of a position paper defining a standard of emergency nursing care that includes obtaining CEN certification and outlines a timetable for an emergency nurse to attain such certification; and be it further

RESOLVED, That the American College of Emergency Physicians works with ENA, the American Hospital Association (AHA) and related state hospital organizations to provide resources, support, and incentives for emergency nurses to be able to readily attain CEN certification.

Resolution 16(99) shows how statistics can be used to lead the reader to your conclusion.

RESOLUTION 16(99)

WHEREAS, According to the National Association of State Boating Law Administrators, the number of boating accidents involving alcohol increased 20% over a five-year period; and

WHEREAS, The number of deaths attributed to boating and alcohol has also increased 20% during this same time period; and

WHEREAS, A study of four states found 60% of boating fatalities had elevated blood alcohol levels and 30% were intoxicated with BAL greater than 0.1%; and

WHEREAS, The fault for boating fatalities can not be attributed to the boat operator in almost half of these deaths; and

WHEREAS, In 1991 46% of all boating deaths occurred while the boat was not even underway; and

WHEREAS, It has thus been suggested that intoxicated boat passengers are at independent risk for boating injuries; and this risk is assumed to be due to intoxicated passengers being at increased risk for falls overboard and risk taking behaviors; and

WHEREAS, Educational and enforcement measures have predominantly targeted boat operators and not boat passengers about the dangers of alcohol consumption and boating; therefore be it

RESOLVED, That the American College of Emergency Physicians promote and endorse safe boating practices; and be it further

RESOLVED, That ACEP promote educating both boat passengers and operators about the dangers of alcohol intoxication while boating.

VIII.

ACEP Parliamentary Motions Guide

Based on *Sturgis Standard Code of Parliamentary Procedure (4th Ed.)*¹

The motions below are listed in order of precedence.

Any motion can be introduced if it is higher on the chart than the pending motion.

| YOU WANT TO: | YOU SAY: | INTERRUPT? | 2ND? | DEBATE? | AMEND? | VOTE? |
|-------------------------------------------------------------|-------------------------------------------------------------|-------------------|-------------|----------------|---------------|--------------|
| (77) Close meeting | I move that we adjourn | No | Yes | No | No | Majority |
| (75) Take break | I move to recess for | No | Yes | Yes | Yes | Majority |
| (72) Register complaint | I rise to a question of privilege | Yes | No | No | No | None |
| (68) Lay aside temporarily | I move that the main motion be postponed temporarily | No | Yes | No | No | Varies |
| (65) Close debate and vote immediately | I move to close debate | No | Yes | No | No | 2/3 |
| (62) Limit or extend debate | I move to limit debate to ... | No | Yes | Yes | Yes | 2/3 |
| (58) Postpone to certain time | I move to postpone the motion until ... | No | Yes | Yes | Yes | Majority |
| (55) Refer to committee | I move to refer the motion to ... | No | Yes | Yes | Yes | Majority |
| (47) Modify wording of motion | I move to amend the motion by ... | No | Yes | Yes | Yes | Majority |
| (32) Bring business before assembly (a main motion) | I move that ... | No | Yes | Yes | Yes | Majority |

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¹ As modified by the ACEP Council Standing Rules

ACEP Parliamentary Motions Guide

Based on *Sturgis Standard Code of Parliamentary Procedure (4th Ed.)*

Incidental Motions - no order of precedence. Arise incidentally and decided immediately.

| YOU WANT TO: | YOU SAY: | INTERRUPT? | 2ND? | DEBATE? | AMEND? | VOTE? |
|----------------------------------------|------------------------------------------------|-------------------|-------------|----------------|---------------|--------------|
| (82) Submit matter to assembly | I appeal from the decision of the chair | Yes | Yes | Yes | No | 2/3 |
| (84) Suspend rules | I move to suspend the rule requiring | No | Yes | No | No | 2/3 |
| (87) Enforce rules | Point of order | Yes | No | No | No | None |
| (90) Parliamentary question | Parliamentary inquiry | Yes | No | No | No | None |
| (94) Request to withdraw motion | I wish to withdraw my motion | Yes | No | No | No | None |
| (96) Divide motion | I request that the motion be divided ... | No | No | No | No | None |
| (99) Demand rising vote | I call for a division of the assembly | Yes | No | No | No | None |

Restorative Main Motions - no order of precedence. Introduce only when nothing else pending.

| | | | | | | |
|-------------------------------------|----------------------------------------------|-----|-----|-----|-----|----------|
| (36) Amend a previous action | I move to amend the motion that was ... | No | Yes | Yes | Yes | Varies |
| (38) Reconsider motion | I move to reconsider ... | Yes | Yes | Yes | No | Majority |
| (42) Cancel previous action | I move to rescind... | No | Yes | Yes | No | Majority |
| (44) Take from table | I move to resume consideration of ... | No | Yes | No | No | Majority |