



# Congress of Delegates Primer

Draft 3/10/25



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# Table of Contents

<b>Introduction</b> .....	3
<b>Composition</b> .....	3
<b>Qualifications</b> .....	4
<b>Responsibilities</b> .....	4
<b>Speaker</b> .....	5
<b>Vice Speaker</b> .....	5
<b>Vacancies in Offices of Speaker or Vice Speaker</b> .....	5
<b>Meetings</b> .....	5
<b>Secretary</b> .....	5
<b>Delegate Responsibilities</b> .....	5
<b>Alternate Delegate Responsibilities</b> .....	5
<b>Committees of the Congress of Delegates</b> .....	6
<b>Rules/Order of Business</b> .....	7
<b>Publication of Resolutions</b> .....	7
<b>Reference Committees</b> .....	7
<b>Parliamentary Procedures</b> .....	10
<b>Resolutions</b> .....	12
<b>ACOFP Position Statements</b> .....	13
<b>Effect of Words</b> .....	13
<b>Frequently Asked Questions</b> .....	14
<b>Resources</b> .....	15
<b>Sample Resolution</b> .....	15
<b>Action Item Flow Chart</b> .....	18
<b>Purposes of Motions</b> .....	19

# **ACOFP Congress of Delegates Handbook**

## **Introduction**

The Congress of Delegates (COD) is the policy-making and legislative body of the American College of Osteopathic Family Physicians (ACOFP) and shall perform such functions as set forth in the bylaws. This Handbook has been prepared so that all who participate in the annual meeting of the COD may have a better understanding of the methods and rules under which it operates.

The COD meets only once a year, at the beginning of the Spring Convention. In order that the many resolutions placed before the COD may be considered carefully and expeditiously, it is necessary to have a well-established routine for the conduct of business.

This routine demands the close cooperation of the members of the Board of Governors and its and the ACOFP staff. The members of the COD have the duty of considering not only the wishes of their affiliate societies, but also the welfare of the college and of the osteopathic family medicine profession.

The following pages contain information regarding the organization and operation of the COD. A careful reading of this material will give each member of the Congress an informed view of the activities and procedures that lead to the establishment of policy for the ACOFP and for the profession of osteopathic family medicine.

## **General Information for Affiliate Executive Directors, Delegates and Alternates**

### **Composition**

- A. The ACOFP Executive Director shall provide to the Secretary of each ACOFP affiliate society in writing the number of delegates to which that Society is entitled at least 60 days before the annual meeting of the Congress of Delegates.
  - (1) Each affiliate society shall be entitled to at least one voting delegate, who shall be a member in good standing, and shall be entitled to an additional voting delegate for every 25 members thereafter, or the majority fraction thereof, active members, plus one voting delegate from each approved undergraduate chapter located within the geographic boundaries served by the ACOFP affiliate society.
  - (2) Each affiliate society shall select the delegates and respective alternate delegates to the Congress of Delegates under the above provisions.
  - (3) The Secretary of each affiliate society shall certify its delegates and alternate delegates to the ACOFP Executive Director in writing at least 60 days prior to the annual meeting of the Congress of Delegates.
  - (4) Each affiliate society shall be entitled to one voting family medicine resident delegate who meets the following criteria.
    - (a) Be currently enrolled and in good standing in an ACGME residency program in the affiliate which the delegate represents.
    - (b) Be a member in good standing of the ACOFP affiliate society (if such an affiliate society exists).
    - (c) Be a member in good standing with ACOFP.

- (5) Each affiliate society shall determine the method of choosing the delegate. This delegate shall be a voting member of the affiliate society delegation.
- B. One-fourth of the credentialed delegates shall constitute a quorum of the Congress of the Delegates.
  - C. One voting delegate and one alternate delegate shall represent the Student Association of the American College of Osteopathic Family Physicians (Student Association of the ACOFP). The delegates shall be appointed annually by the National Student Executive Board. The National Student Executive Board shall certify its delegate and alternate delegate to the ACOFP Executive Director in writing at least 60 days prior to the Annual Meeting of the Congress of Delegates.
  - D. One voting delegate and one alternate delegate shall represent the Resident Members of the American College of Osteopathic Family Physicians. The delegates shall be appointed annually by the Resident Council of the ACOFP. The Resident Council shall certify its delegate and alternate delegate to the ACOFP Executive Director in writing at least 60 days prior to the Annual Meeting of the Congress of Delegates.

## **Qualifications**

- A. Delegates and alternate delegates to the Congress of Delegates shall be active members or academic members in good standing of this College and their ACOFP affiliate societies.
- B. The members of the Board of Governors shall attend the meetings of the Congress of Delegates and shall have voice but no vote or privilege of motion unless they are duly elected delegates.
- C. All delegates and alternate delegates to the Congress of Delegates shall abide by the rules and regulations of the ACOFP Congress of Delegates and of their respective affiliate delegations.

## **Responsibilities**

The ACOFP Congress of Delegates shall be the legislative and policy making body of this College. No appropriation shall be made by the Congress of Delegates except upon recommendation of the Executive/Finance Committee, and approval by the Board of Governors. All resolutions, motions or otherwise, having for their purpose the appropriation of funds, shall first be referred without discussion to the Executive/Finance Committee of the Board of Governors. An adverse ruling on such motions may be overruled by a three-fourths vote of the Congress of Delegates.

## **What is a resolution?**

A resolution is a mechanism for introducing recommendations on an idea, problem, or opportunity for the COD to discuss, debate, and act upon. Resolutions are submitted to ask the ACOFP to take a formal position or action on a particular subject (e.g., health care reform, public health issues, physician socioeconomic/practice concerns), revise and/or negate current policies of the ACOFP, or to modify ACOFP's Constitution and Bylaws. Resolutions may also request the ACOFP take a direct action, for example, advocate on a particular issue, study an issue for report back at a date-certain meeting, write a letter on behalf of a particular issue or concern, etc. These "directives," if approved, are normally given to one of the various committees/work groups or task forces of the ACOFP for handling.

## **Speaker**

- A. A Speaker shall be elected by the Congress of Delegates at its annual meeting, shall preside over the Congress of Delegates, and shall vote only in the event of a tie vote.
- B. The Speaker shall be conversant with the Constitution & Bylaws, the Policy Manual, the Rules, and Parliamentary Authority adopted by the College, and shall preside at all meetings of the Congress of Delegates and shall appoint the chair and members of the committees of the Congress.
- C. The Speaker shall be responsible, with the advice of the Board of Governors, for formulating the agenda.

## **Vice Speaker**

A Vice Speaker shall be elected by the Congress of Delegates at its annual meeting, shall possess the above qualifications of the Speaker, and shall be present at all meetings of the Congress of Delegates to preside in the absence of, or at the request of, the Speaker.

## **Vacancies in Offices of Speaker or Vice Speaker**

In the event of a vacancy in both the offices of Speaker and Vice Speaker, the positions shall be filled by Presidential appointment to serve until the next annual meeting.

## **Meetings**

- A. The annual meeting of the Congress of Delegates shall be held in conjunction with the annual convention of the College.
- B. Notice of special meetings of the Congress of Delegates shall be published at least thirty (30) days prior to the first day of each meeting.
- C. A special meeting of the Congress of Delegates may be called by the President, forty percent (40%) of the credentialed delegates by signed petition to the Speaker, or simple majority of the Affiliate Societies.

## **Secretary**

The Executive Director of the College shall be the Secretary of the Congress and shall keep or cause to be kept minutes of the actions of the Congress proceedings.

## **Delegate Responsibilities**

Delegates have several responsibilities, including an opportunity to serve on a reference committee, testify at the reference committee hearings and participating in caucuses. After the reference committees present their reports, the delegates have the opportunity to testify and vote on the recommendations of the reference committee for action.

Prior to the COD meeting delegates should collaborate with their colleagues to draft resolutions for consideration at COD meetings, submit and/or review advance online testimony. Following the meeting delegates should report highlights of COD meetings to the leadership or membership of the organizations they represent.

## **Alternate Delegate Responsibilities**

Alternate delegates do not have the privilege of access to the floor but may be seated in the visitors' section until they serve in the "delegate" capacity.

Alternate delegates may testify on resolutions and reports in reference committees and participate in caucuses. Because alternate delegates technically are not COD members, they cannot introduce resolutions or vote. However, they can be temporarily credentialed to

substitute for a delegate, and thus speak and debate on the floor, offer amendments to pending matters, and make motions and vote on the outcome of items of business. In order to access the floor, alternate delegates must be formally recredentialed as a delegate.

## Committees of the Congress of Delegates

Per the ACOFP bylaws, Article V. Section 4, the Speaker “shall appoint the chair and members of the committees of the Congress.” The following are considered committees of the Congress of Delegates and will be appointed annually by the Speaker:

### a. Constitution & Bylaws/Policy & Organizational Review Committee

The mission of the Constitution & Bylaws/Policy & Organizational Review Committee is to maintain accurate up to date Constitution and Bylaws documents of the ACOFP and to serve as a resource to officers and affiliate societies. To maintain an accurate up-to-date policy manual and recommend changes in policy and procedures to the Board of Governors.

Chair/Vice-Speaker	Antonios J. Tsompanidis, DO, FACOFP <i>dist.</i>
Vice-Chair	Harry J. Morris, DO FACOFP
Member	Seth Carter, DO, MSMEd
Member	Lauren Clemmons, DO, FACOFP
Member	Kevin V. de Regnier, DO FACOFP <i>dist.</i>
Member	Elizabeth Dos Santos Chen, DO
Member	Regan P. Shabloski, DO, FACOFP
Member	William H. Stager, DO, MS, FACOFP <i>dist.</i>
Member	William B. Swallow, DO, MS, FACOFP
Member	Geraldine N. Urse, DO FACOFP, <i>dist.</i>
Member	Rachel A. Young, DO, FACOFP
Speaker	Elizabeth A. Palmarozzi, DO FACOFP
Co-Staff Liaisons	Justina Burk & Annie DeVries

### b. Congress Credentialing Committee

The mission of the Congress Credentialing Committee is to ensure that the voting members of the ACOFP Congress of Delegates are appropriately credentialed, in accordance with the Bylaws of the College. Credentialing begins two hours before the start of the COD (12-2 pm).

Chair	Ellice Goldberg, DO, FACOFP
Vice-Chair	Matthew A. Davis, DO, MBA, FACOFP
Member	Thuy-Tien V. Le, DO
Member	Shannon Ramsey Jimenez, DO, FACOFP
Member	Jilliane K Pitcher, DO, FACOFP
Staff Liaison	Annie DeVries

### c. Resolutions Review Committee

The mission of the Resolutions Review Committee is to ensure that all resolutions are placed on the agenda of the Congress of Delegates and assure that the grammar and format of all resolutions meet the ACOFP standards.

Chair/Speaker	Elizabeth A. Palmarozzi, DO, FACOFP
Vice-Chair	Antonios J. Tsompanidis, DO, FACOFP <i>dist.</i>

Member	Rachel A. Young, DO, FACOFP
Member	Seth H. Carter, DO, MSMEd
Member	Patrick J. Hanford, DO, FACOFP <i>dist.</i>
Member	Alicia A. Martin, DO
Staff Liaison	Annie DeVries

Committees of Congress are not considered “standing committees” falling under a department referenced in the ACOFP Bylaws Article X. Section 3 since they are appointed by the Speaker and solely exist to support the Congress of Delegates. As such, appointments to these committees are not subject to the term limits set forth in Article X. Section 5 which only pertains to standing committees.

### **Rules/Order of Business**

The rules can be found [here](#). The order of business at the annual meeting of the ACOFP Congress of Delegates shall be as follows unless otherwise ordered by a two-thirds majority vote of the delegates present: 1.) Call to Order; 2.) Invocation; 3.) President's Report; 4.) Secretary/Treasurer's Report; 5.) Executive Director's Report; 6.) Special Committee Reports; 7.) Old Business; 8.) New Business; 9.) Elections and 10.) Adjournment.

### **Publication of Resolutions**

The ACOFP shall publish all resolutions adopted in each Congress of Delegates session on its website and in any other appropriate member publication. The resolutions are usually sent out to Delegates by mid-February.

The ACOFP Constitution and Bylaws/Policy and Organizational Review Committee shall maintain a “sunset review” procedure for all current and future policies. This procedure should assure that each policy shall be reviewed every five years, with a report to the Congress of Delegates as to whether the policy is to be reaffirmed, amended, or deleted.

### **Reference Committees**

Reference Committees meet virtually on a Saturday usually a month prior to the start of Congress. The meetings typically begin at 11 am CT and are sequential. If a meeting ends early, the next one will begin immediately. Please note only delegates/alternates are allowed to speak during the open session, and everyone MUST register for a zoom link. There are usually 3-4 reference committees which all are appointed by the Speaker & Vice Speaker. In choosing members, the Speaker & Vice Speaker review the submitted list of delegates and are encouraged to appoint a committee diverse in terms of specialty and geographic representation, gender, age, and ethnicity.

### **General Procedures for Reference Committees**

**Duties/Responsibilities:** The primary responsibility of a reference committee is to recommend to the COD an appropriate course of action on matters that have been placed before it. This duty should be accomplished by:

- evaluating all resolutions received by the committee,
- basing its recommendations on the best information and advice that is available, and
- making decisions in the best interests of the public and the profession.

It is not the duty of the reference committee to attempt to prevent the Congress from acting on any matter that has been presented. Nor is it the committee's duty to accept

automatically and without deliberation the opinions of its own members or the opinions of those who have testified.

The reference committee fulfills its duty when it takes into consideration all of these factors and advises the Congress to approve, disapprove, amend, postpone, or replace by a substitute resolution, any resolution that has been placed before it.

**Authority:** Reference committees have a good deal of authority but must act within the standing rules of the Congress and within the framework of the Constitution and Bylaws. The reference committees may not only recommend action on resolutions before them but may also propose resolutions on their own initiative. They may call upon the officers, members of the Board of Governors, committees, and the members of the staff when they desire to gain additional information. They may make an explanation of the committee's decision before recommending to the Congress that a resolution be approved, disapproved, amended, postponed, or replaced by a substitute resolution.

**Referral of Items of Business to Reference Committees:** The reference committees receive items of business for consideration by referral from the Congress of Delegates. At the opening meeting of the Congress, the list of referrals prepared by the Speaker is presented to the Congress for approval. Hearing no objection, the list stands as presented.

**Conduct of Hearing:** The primary duty of a reference committee is to receive and evaluate opinions so that it may present a well-informed recommendation to the Congress. Opinions are received during the open hearing that is conducted by the reference committee. During actual deliberations of the committee, the committee and its staff will meet in executive session.

**Duties of the Chair:** The chair of the reference committee should preside at both of the above meetings and should perform the usual duties of a chair in maintaining order, facilitating the transaction of business and in ruling on length and pertinence of discussion.

The chair should not permit the making of motions or the taking of formal votes at an open hearing, since the objective of the hearing is to receive information and opinions and not to make decisions of any sort that would bind the reference committee in its subsequent deliberations. The final motions should be held in executive session as noted above.

The chair should ensure that all who want to be heard are heard but should be watchful against prolonged holding of the floor by one or more persons at the expense of others who may wish to counsel with the committee. The chair, with the consent of the committee, may place reasonable limitations on discussion and debate.

Committee members may ask questions to be sure that they understand the opinions being expressed or may answer questions if a member seeks clarification; however, the committee members are not to engage in debate with those presenting testimony or express opinions during the hearings. Their responsibility is to listen carefully and evaluate all the opinions presented so that the reference committee may provide the voting body with a carefully considered recommendation.

It is the responsibility of the chair to review and approve the reference committee report, as prepared by ACOFP support staff, prior to publication. The chairs should coordinate this activity with their reference committee secretaries.

## **Testimony**

- ▶ Each individual speaking to an issue must be recognized by the reference committee chair. When called upon, the individual should:
- ▶ Identify oneself by name.
- ▶ Specify whether testifying as an individual, or offering testimony on behalf of a delegation, caucus, or Section (and if so, state the name of the group).
- ▶ Disclose any conflicts of interest with respect to the issue at hand. ACOFP policy defines a conflict of interest as “having a substantial financial interest or leadership position in commercial enterprise, which interest will be materially affected by a matter.” A substantial financial interest is further defined as 5% or greater ownership stake and/or receiving \$25,000 or more annually from a commercial entity.
- ▶ Clearly state his or her intent in offering comments – provide testimony in support or opposition of the resolution or recommend a compromise position or a substitute resolution or resolved.
- ▶ Offer general background or propose alternative language, if appropriate; and
- ▶ Direct testimony to the Reference Committee, not to other hearing participants.

Wording for alternative language or a proposed substitute resolution should be submitted in writing to reference committee staff. Written material that accompanies the testimony may also be presented to the reference committee staff for discussion at the committee’s executive session.

## **Executive Session**

Following its open hearing, a reference committee goes into executive session to deliberate and to construct its report. It has the prerogative to call into its executive session anyone it may wish to hear or question. The reference committee reviews the testimony that was submitted and discusses its options for disposing of each item. During executive session, the reference committee may review existing ACOFP policy and directives, background material from other sources, or medical journals. The reference committee may also consider substitute resolutions that were presented during the open hearing. Legal counsel and other ACOFP senior leadership team members are available to all reference committees during their deliberations.

A reference committee has wide latitude in its efforts to facilitate expression of its recommendations on assigned business. A reference committee may choose to amend a resolution, consolidate kindred resolutions by constructing a single substitute, or recommend that an item be adopted, not adopted, or referred.

**Staff Liaisons:** Each reference committee will be provided with 2-3 staff members to assist the committee in the development of their report. These staff have expertise in the committee’s defined responsibilities and should be used as a valuable source of information and experience. Verbatim minutes of the reference committee will not be taken; however, committee staff will assist making track changes and in the development of a cohesive report that will be acted upon by the Congress as a whole.

**Delivery of Reports:** These reports will be emailed out within 7-10 days following the reference committees. Once received delegates should review the reports and affiliate

societies should plan to caucus with their delegates prior to the start of Congress of Delegates.

**Presentation of Reports to Congress of Delegates:** The reports of the reference committees are presented by the Chair and /or the Vice Chair. The Speaker will announce the order that the reference committee reports will be heard and acted upon. In the event of debate or discussion, the Chair and members of a reference committee are free to reply to any questions or to comment. If the Chair desires, they may call on a member of a committee/work group, member of the Board of Governors or staff to supply the information requested. The Chair of the committee, however, should be prepared to comment on the position that their committee has taken.

## Parliamentary Procedures

### ARTICLE XV (The below sections refer to the ACOFP Bylaws)

#### **Section 1.** Parliamentary Authority

*Robert's Rules of Order*, newly revised, shall govern the proceedings of the College in all matters to which they are applicable and not provided for and in which they are not inconsistent with the Constitution & Bylaws or the special rules of order of this College.

#### **Section 2.** Order of Business

The Order of Business of the Congress of Delegates shall be prepared by the Speaker of the Congress with the assistance of the Board of Governors and may be changed by a two-thirds majority vote of the delegates present.

### ARTICLE XVI – AMENDMENTS

#### **Section 1.** Notification

These Bylaws may be amended at any annual meeting of the Congress of Delegates by a two-thirds vote of the total number of delegates credentialed for voting, provided that the proposed amendment shall have been filed with the Executive Director of the College at least 60 days before the first day of the meeting of the Congress of Delegates and that the Executive Director shall have notified the membership of the College in writing of the proposed amendment at least 30 days preceding the first day of the meeting of the Congress of Delegates.

## Tutorial Guide

1. Say “I move”, instead of “I make a motion”.
2. In Resolutions, amendments to “Resolves” are discussed before any “Whereas” amendments.
3. Resolutions will be stated to the Congress in the following way --- “I present for consideration Resolution 10”.
  - a. “the Committee recommends it be *approved* and I so move.”
  - b. “the Committee recommends it be *amended* as follows and *approved*, and I so move.”
  - c. “the Committee recommends it be *disapproved*. To start debate, I move the Resolution be approved.” (All motions should be stated in the affirmative.) If you agree with the decision of the Committee, you will vote “**nay**,” against the Resolution.

d. Since resolutions come from a committee, they do not need a second.

4. All amendments will be “old material crossed out, new material in bold/color”. This will not be printed on every Resolution.

5. A Resolution or Motion, once the Congress has begun, may be withdrawn only by the Delegation. Only the maker (author) of the motion may ask for withdrawal.

6. Regardless of whether or not the maker of a motion accepts a “friendly amendment,” it must be opened to debate and voted on formally, unless adopted by “unanimous consent.”

7. Amendments to the original motion or resolution are “1st order.” Amendments to a pending amendment are of “2nd order.” Only one amendment of each order can be pending at any time. No amendment above the 2nd order will be allowed until disposition of the pending 2nd order amendment is resolved.

8. Amendments, and amendments to amendments, must be seconded.

9. Do not misuse the motion to “Table”:

a. “*Postpone temporarily*” (motion to table) terminates at the end of the current meeting. It supersedes all other motions except recess and adjourn, it requires a second, is not debatable, and requires a majority vote. It may be taken from the table only during the current meeting, which requires a motion and a second, is not debatable, and requires a majority vote.

The purpose of the motion to lay on the table is to set aside routine business to turn to something more urgent. Because it is not debatable, requires a majority vote, and has a high precedence, members are sometimes tempted to use the motion to kill the main motion. This is an improper use of the motion to table and is an example of how parliamentary procedure earns the adverse term - “railroading.”

Another misuse of the motion to lay on the table is to confuse the motion with the motion to postpone to a certain time. Often, when a member wishes to postpone a main motion until later in the same meeting or until a later meeting (only the following meeting according to Robert's Rules), the member uses the motion to lay on the table rather than the proper motion: the motion to postpone to a certain time.

b. “*Postpone definitely*” sets a definite future time or date for debate. It needs a second, can have brief debate, is amendable only to time or date, and needs a majority.

If a member wishes to suppress action on a main motion, they should move to postpone it indefinitely, which is debatable. Improper use of the motion to table allows tyranny of the majority – there is nothing wrong with majority rule as long as it includes the right of the minority to speak.

c. Confusion results between the motion to postpone definitely and the motion to lay on the table (postpone temporarily). Often, members use the motion to table when they really mean to postpone definitely. There is no such motion as “to table until the next meeting.”

d. Finally, and probably most importantly, someone of ill-will could move to “table” a sensitive issue, no debate would be allowed, and it would require only a majority vote. The assembly might then forget “to remove it from the table”, and it would die a quiet, unnoticed death when the final gavel ending the meeting came down.

Saying “Call the question” means to vote immediately. It requires a second, is not debatable, requires a two-thirds majority, and must stand alone and not in combination with any other motion.

10. A “Motion to Reconsider” can be made only by a member of the prevailing side.
11. All members who wish to comment in debate should have a turn before another member speaks yet again.
12. When discussing a Motion, Resolution, or Amendment, please state up front, whether you speak in SUPPORT OF, or OPPOSITION TO, the item at hand.
13. Respect other members by taking discussion outside of the room and by turning off cell phones and other portable electronic devices.

## **Resolutions**

### **What is a resolution?**

A resolution is a mechanism for introducing recommendations on an idea, problem, or opportunity for the COD to discuss, debate, and act upon. Resolutions are submitted to ask the ACOFP to take a formal position or action on a particular subject (e.g., health care reform, public health issues, physician socioeconomic/practice concerns), revise and/or negate current policies of the ACOFP, or to modify ACOFP’s Constitution and Bylaws. Resolutions may also request the ACOFP take a direct action, for example, advocate on a particular issue, study an issue for report back at a date-certain meeting, write a letter on behalf of a particular issue or concern, etc. These “directives,” if approved, are normally given to one of the various committees/work group or task forces of the ACOFP for handling.

### **Who can create (or author) a resolution?**

Anyone who is an ACOFP member/delegate can/may/should submit a resolution through their affiliate society.

### **Where do I submit my resolution?**

Email your resolution in a Microsoft word format to ACOFP Executive Assistant, Annie DeVries [annied@acofp.org](mailto:annied@acofp.org).

### **When is the resolution deadline?**

The deadline is January 15 every year.

### **Below are recommendations to assist in the preparation of a resolution:**

The [ACOFP resolution template](#) is available for use by all authors. This template provides an outline of the resolution document and notes the following:

*Please Note:* To find out whether the ACOFP has previously taken action on a topic, please search the [ACOFP resolution database](#).

In addition to the “whereas” clauses and “resolved” recommendations, each resolution forwarded for consideration should include:

- **Title:** a title that is brief and self-explanatory.
- **Author:** the name of the individual(s) or delegation submitting the resolution.

- **WHEREAS** statements – clear, concise 1 – 2-line statements noting the rationale and reasoning for presenting the resolution,
- **RESOLVED** statements – clear, concise 1-line statements of intent, actionable request, and/or affirmative actions. Resolved statement(s) should serve as stand-alone items of policy and/or terms of intent.
- Background information – staff creates this section to reflect current ACOFP policy, recount the historical action on that specific, and related, topics and other relevant background that may be useful to the delegates.
- Fiscal Impact – estimated financial impact to the ACOFP. *(Please note: should a resolution require financial implications or funds not included in the current year's budget, the Speaker will refer the resolution directly to the Finance Committee and ACOFP staff will add a fiscal note indicating the financial implications of the recommendations contained in the resolution.)*
- Citations of relevant policy to facilitate independent review by delegates of pending resolutions, and, if the resolution asks for action by the ACOFP.
- A listing of sources referenced within the resolution.

## **ACOFP Position Statements**

[ACOFP Policies](#) set by the Congress of Delegates are part of a 5-year sunset review process. The ACOFP Constitution & Bylaws Committee reviews each policy. As part of this process, those entities review the policy and respond to the following questions:

- Are the policies still relevant?
- Has the policy directive been met?
- Are there recommended modifications and/or updates that should be made to the existing policy?
- Should the policy be afforded additional review based on changes in medical practice, changes in laws and legislation, etc.?
- Should the policy be merged with another policy to make it a stronger statement?
- Should the policy be sunset (discontinued)?

ACOFP policies are consistently used when advocating on behalf of osteopathic physicians, osteopathic medical students, the osteopathic profession, and patients to assist in the development of legislation and regulatory language assisting DOs, osteopathic medical students, and patients. They may also be utilized in the governance of the Association.

## **The Effect of Words**

- Use Encourage (no financial) versus Support
- Create or Develop (means funding and must be granted to make)

## Frequently Asked Questions

### **Q: What actions can a resolution call for?**

A: Possible actions include:

- Adding policy to the Policy Compendium
- Forwarding an issue to the American Osteopathic Association (AOA)
- Lobbying a piece of legislation
- Developing Education
- Forming a Task Force on the issue
- Further study by the relevant ACOFP component
- Working with regulatory agencies
- Implementing community initiatives

### **Q: Does the COD consider only resolutions as business?**

A: No. The ACOFP Board, Committees, Work Groups etc. also develop ideas and recommend actions through reports (not resolutions) to the COD.

### **Q: Can I write a resolution on any topic?**

A: The resolution, and its recommendation(s), can be related to any topic that directly involves the practice of medicine, and physicians in particular. A good rule of thumb is to focus on what role physicians can play in addressing the issue.

### **Q: Will I have the opportunity to speak on my resolution?**

A: All ACOFP delegates have the opportunity to testify on any resolution, including their own, during the annual session of the ACOFP Congress of Delegates and at reference committee hearings held virtually a few weeks prior to the COD. Delegates also may extract an item for debate before the COD.

When providing testimony before a reference committee or the Congress, be sure to cite: (1) your name, (2) whom you represent, (3) whether you have any conflicts, and (4) your position on the item.

### **Q: What if I need to make an amendment to my resolution after I have submitted it?**

A: Proposed amendments can be presented as testimony during the reference committee hearings. Please also email [annied@acofp.org](mailto:annied@acofp.org) in advance preferably with track changes of the original resolution so it can be shared via the zoom screen during the virtual reference committee or during the COD.

Amendments also may be offered on the floor if the item is extracted for debate and is not recommended for referral. If the reference committee has recommended the item for referral, a motion to defeat referral must be approved before amendments can be accepted.

### **Q: If my resolution is referred, does that mean nothing will come of it?**

A: Only an approved recommendation to “not adopt” will halt a resolution. Resolutions that have been referred will either be sent back to the author, ACOFP Board, committee, or work group with

an explanatory statement for study and could report back to the next years COD. This ensures ACOFP will take a close look at the issue to determine possible action.

**Q: How can I follow the course of my resolution once it is voted on by the Congress of Delegates?**

A: View the following documents on the [ACOFP Congress of Delegates webpage](#):

1. Final Actions: A record of how the Congress voted on each item of business will be indicated on the final resolution and uploaded to the Resolution Database. Staff also updates the Board of Governors with a tracking document for implementations on actions which includes which component(s) will be responsible for the item. A status report on each item will be added to this document and uploaded to the Congress of Delegates webpage with other agenda materials two weeks prior to the next annual Congress of Delegates.

**Resources**

[Resolution Writing Workshop 101 for Students and Residents](#)

[How to Write a Board Resolution: Best Practices - Board Portal Software | BoardEffect UK](#)

[AOA House of Delegates Primer](#)

(If you need assistance in writing or submitting a resolution, please contact your affiliate society or ACOFP staff.)

**Sample Resolution**



RES 24  
C 4/24

SUBJECT: Removing Intrusive Mental Health Questions from Licensure and Credentialing Applications

SUBMITTED BY: Michigan Association of Osteopathic Family Physicians (MAOFP)

REFERRED TO: 2024 American College of Osteopathic Family Physicians (ACOFP) Congress of Delegates

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RESOLUTION NO. 24

- 1 WHEREAS, medical students, residents, fellows, and early-career physicians experience higher
- 2 rates of burnout compared to peers of comparable age in the general U.S. population (1);
- 3 and
- 4 WHEREAS, early-career physicians also report high rates of depressive symptoms and fatigue (1);
- 5 and
- 6 WHEREAS, the “quadruple aim” of healthcare added a call for improvements in the quality of work
- 7 lives of physicians and other health care providers (2); and
- 8 WHEREAS, since 2004, physician suicide prevalence has increased, with male physicians having a
- 9 40% higher rate of suicide and female physicians having a 130% higher rate of suicide
- 10 than the general population (3); and

11 WHEREAS, in 2017, a national study found approximately 40% of sampled physicians were  
12 hesitant to pursue formal mental health treatment due to apprehensions about potential  
13 consequences to their medical licensure (4,5); and

14 WHEREAS, 32 state medical licensing bodies and 22 nursing licensure boards continue to ask  
15 mental health questions on applications (6-8); and

16 WHEREAS, in 2005, 51 state medical licensing applications were reviewed and 49 (96%)  
17 contained questions pertaining to the physical or mental health or substance use history of  
18 the applicant and 34 (69%) state applications contained at least one "likely impermissible"  
19 or "impermissible" item based on the Americans with Disabilities Act (ADA) and  
20 appropriate case law (9); and

21 WHEREAS, these questions about mental health are stigmatizing, discriminatory, violate personal  
22 privacy, and have not been shown to elicit responses by which professional competence  
23 can be judged (9); and

24 WHEREAS, the presence of these questions on licensing applications may cause physicians to  
25 avoid or delay treatment of personal illness (9) due to fear of negative consequences in the  
26 workplace, including retribution, exclusion, loss of license or even their job (4); and

27 WHEREAS, states in which neither the initial nor the renewal application were consistent with the  
28 Federation of State Medical Boards' (FSMB's) recommendations had physicians who were  
29 statistically significantly more likely to be reluctant to seek help (odds ratio, 1.21; 95% CI,  
30 1.07-1.37; P=.002) (4); and

31 WHEREAS, reluctance to seek help was more prevalent in states where the initial and renewal  
32 medical licensure application forms were considered "inconsistent" with FSMB  
33 recommendations, defined as asking about *ever* having a history of mental health  
34 conditions and/or seeking treatment versus simply asking about current (within the last  
35 12 months) mental health conditions and/or treatments (4); and

36 WHEREAS, the 2018 FSMB policy highlights the difference between impairment and illness by  
37 specifically attributing the "inability of a physician to provide medical care with reasonable  
38 skill and safety due to illness or injury" as impairment (10); and

39 WHEREAS, the 2018 FSMB recommendations are to use:

- 40 • "only if impaired": if mental health questions are asked, they are limited to conditions  
41 resulting in impairment
- 42 • "only current": if mental health questions are asked, they are limited to questions about  
43 conditions within the last 2 years
- 44 • "safe haven non-reporting": if mental health questions are asked, safe haven nonreporting  
45 is offered [i.e., allowing physicians to not report diagnoses or treatment history if they are  
46 being monitored by and are in good standing with a Physician Health Program]
- 47 • "supportive language": inclusion of supportive or normalizing language regarding seeking  
48 mental health care (10); and

49 WHEREAS, only 1 state licensing board application was consistent with all 4 areas of the FSMB's  
50 recommendations and 5 states in the United States were inconsistent in all areas (11);  
51 now, therefore be it

52 RESOLVED, that the American College of Osteopathic Family Physicians (ACOFPP) supports the  
53 adoption of the 2018 Federation of State Medical Boards recommendations which limit  
54 licensing questions to current mental health conditions resulting in impairment by all  
55 states and territories; and, be it further

- 56 RESOLVED, that the ACOFP supports removing intrusive mental health questions from medical  
57 licensure and credentialing applications that are not compliant with the Americans with  
58 Disabilities Act (ADA); and, be it further
- 59 RESOLVED, that this resolution be forwarded to the 2024 American Osteopathic Association  
60 (AOA) House of Delegates for their consideration.

**FINAL ACTION: APPROVED as of April 3, 2024**

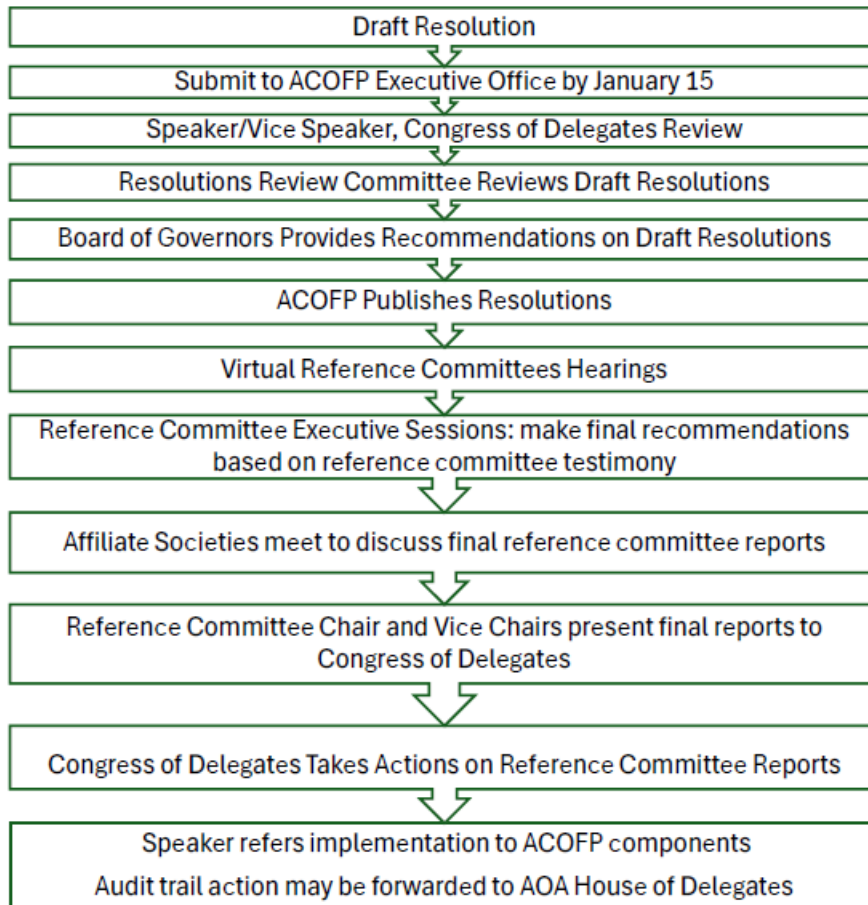
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# Action Item Flow Chart



## Action Item Flow Chart



## Purposes of Motions

<i>The Chief Purposes of Motions*</i>	
<i>Purpose</i>	<i>Motion</i>
Present an idea for consideration and action	Main motion Resolution Consider informally
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Close debate
Delay a decision	Refer to committee Postpone to a certain time Postpone temporarily Recess Adjourn
Suppress a proposal	Table Withdraw a motion
Meet an emergency	Question of privilege Suspend rules
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask member a question Question of privilege
Question the decision of the presiding officer	Point of order Appeal from decision of chair
Enforce rights and privileges	Division of assembly Division of question Parliamentary inquiry Point of order Appeal from decision of chair
Consider a question again	Resume consideration Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

*\*TMA follows the American Institute of Parliamentarians Standard Code of Parliamentary Procedure*