
2022-23 House of Delegates

Report of the House Rules Review Committee

Committee Members

Lucinda Maine, Chair
Adriane Irwin
Nimit Jindal
Cathy Kuhn
Terri Moore
Kevin Musto
Brent Reed

Ex Officio Members

Melissa Duke, Speaker of the House
Brandi Hamilton, Speaker-elect of the House

2022-2023

APhA House Rules Review Committee Report

The 2022-2023 APhA House Rules Review Committee (HRRC) consists of the following APhA members and long-time Delegates:

Lucinda Maine, Chair
Mineral, VA

Adriane Irwin
Albany, OR

Nimit Jindal
Washington, DC

Cathy Kuhn
Dublin, OH

Terri Moore
Arlington, VA

Kevin Musto
Smyrna, DE

Brent Reed
Charlotte, NC

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 May 3, 2022, July 6, 2022, and July 7, 2022, and made the following recommendations.

Guidance 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 recommends the following guidance be accepted by the APhA House of Delegates.

- Unfilled Delegate Seats
 - The Committee reviewed the current history of unfilled delegate seats per a standard annual review process following March 2022 House sessions. The Committee noted the continued impact of the COVID-19 pandemic on delegations and delegates. Similar to what was approved in 2020, the Committee agreed to not inactivate any delegate seats due to 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 March 2020 will remain in effect and delegation coordinators are able to follow the existing processes to reactivate those seats upon request. Additionally, the Committee reviewed and confirmed that no updates are needed to the process for requesting reactivation of an inactivated delegate seat.
- Urgent New Business Item Process
 - Access to proposed policy language and background information of urgent new business items was an issue observed in the March 2022 House sessions. Only a handful of delegates had access to background information prior to discussion of the urgent new business item. This created inequities among delegations and limited the ability for quality debate on the subject matter.
 - The Committee discussed ways to address this issue and agreed that when two house sessions are scheduled to handle regular business of the House then no action should be taken on urgent new business items during the first session of the House. Existing House Rule 13 already outlines how urgent new business items are to be handled when a new business open hearing is scheduled to take place.
 - *“Approved urgent items shall be considered with other New Business Items and discussed during the New Business Open Hearing, if one is scheduled to take place. Appropriate action will be recommended by the New Business Review Committee in the same manner as other New Business Items.”*
 - Existing House Rule 13 does not address what should occur when a new business open hearing is not scheduled nor when only a single session of the House is scheduled. The Committee recommends that any urgent new business item have adequate time for review by delegates of background material prior to debate on any item.
 - The Committee recognizes the issue of addressing an urgent item in a timely fashion while balancing time for review of background materials. In addition to existing House Rule 6 where the Speaker develops the agenda for all House session in consultation with the Secretary, the Committee recommends the Speaker of the House integrate time for Delegate review for any urgent new business items accepted by House leadership for consideration.
 - The Committee recommends an addition to House Rule 13 to emphasize the need for adequate time for review of urgent new business items, which can be found in the last section of this report.
- Motion to Refer
 - The Committee observed an abundance of referrals during the March 2022 House session. Additionally, there were multiple items where additional delegates were still present at microphones to participate in debate. In

these instances, the motion to refer, per Robert's Rules if approved overrides continued debate.

- The Committee recommends the Speaker of the House have the ability to facilitate further discussion on an item based on the flow of the House session.
- State Caucus Support / expansion efforts
 - The committee recommends APhA staff develop additional opportunities for delegations to caucus during the annual meeting or during virtual house sessions. The committee discussed virtual opportunities to caucus and to expand onsite caucus opportunities for delegations that may need support to facilitate an opportunity to connect with other delegates. One idea to consider is to develop broader caucus events that may not be delegation specific, but rather have a regional focus or just an opportunity to discuss policy topics further.
- Guidance to Speaker for a Fall 2022 Virtual House of Delegates session
 - The Committee discussed the need for earlier engagement in the policy development process but cautioned that virtual engagement is not the same as in-person engagement. The impact of COVID-19 on the House processes warranted usage of the virtual house to handle referred business in the Fall of 2020 and 2021.
 - The committee agreed that a strong rationale for convening a virtual house session needs to be in place with a focus on addressing a specific topic or timely issue that cannot wait for discussion during in-person sessions at the APhA annual meeting. Additionally, the subject matter should be of the nature that will allow for effective debate in a virtual House setting.
 - The committee continues to recommend the Speaker have the prerogative to determine the agenda of a virtual house session, but encourages additional guidance be obtained from former leaders or the house rules review committee, if available, to develop a recommendation to conduct a virtual house. The committee noted that this is the process that has been used to-date to develop an agenda and schedule a virtual house session.
 - The Committee discussed the timing of a virtual house and noted that there will never be a single day or time that will work for all delegates. Additionally, the committee is not recommending an annual virtual house at this time due to the reasons mentioned in previous notes where some subjects may not be best handled in a virtual house format.
 - The Committee recommends incorporation of additional virtual feedback options similar to open hearings be considered by the Speaker and staff to solicit feedback on timely issues that may need further development. This model would provide a feedback process similar to existing House committee reports and provide an additional virtual engagement opportunity for delegates.

- Policy Review Committee
 - The Committee reviewed the processes for the Policy Review Committee and noted a gap in the rules related to reviewing existing policies by topic with the purpose of ensuring uniformity across related policy statements or for the purpose of amending to contemporary language.
 - The Committee noted that the Speaker does have the authority to assign topics to the Policy Review Committee, but acknowledged that the Policy Review Committee, by design, does not engage subject matter experts and instead engages delegates with a policy process background and broad subject matter knowledge of pharmacy.
 - The Committee identified two methods for addressing this issue. The first would be through the new business item process. A delegate would introduce amendments to existing language. Should multiple amendments be necessary to different statements and policy topics then the new business item should be handled as a consent agenda where delegates can vote on all of the individual recommendations as a block, instead of as individual votes. This would allow delegates to pull any statement or recommendation within the new business item out for separate debate. To facilitate this, an additional change to House Rule 13 is recommended by the Committee and is outlined in the last section of this report.
 - The second method would be facilitated by the Speaker of the House through existing House Rule 14. The Speaker may engage a separate group of subject matter experts or delegates to review a subset of existing policies to provide proposed recommendations that are referred to the current Policy Review Committee. The Policy Review Committee would then review these recommendations as contemporary issues assigned to them by the Speaker and make a formal recommendation for consideration by the House.
- Consent Agenda Process
 - The committee reviewed the consent agenda process used in advance of the March 2022 House sessions and noted the guidance is not codified with the House rules, but rather has been in operation through guidance provided by prior House Rules Review Committees.
 - The committee recommends continuation of existing guidance to conduct an electronic poll in advance of an in-person March House session to encompass policy recommendations from committees. The Committee specifically noted the success in streamlining processes by using this format to handle business of the 2021-2022 Policy Reference Committee, which allowed for discussion of policy implementation to occur during the 2022 APhA Annual Meeting and Exposition open hearing session for the policy reference committee.

- The committee further recommends including recommendations of the New Business Review Committee to be incorporated into the electronic poll process and handled through the consent agenda process for the March 2023 House sessions.
- In order to ensure clarity on the electronic poll and consent agenda processes the Speaker, Committee Chairs, and APhA staff should continue to provide clear guidance during webinars. Additionally, clear guidance should be provided during ongoing and new caucus events. Special attention should be given to how any delegate can pull an item from the consent agenda for further discussion.

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 13 New Business

The New Business Review Committee shall consist of 7–10 delegates, including the Chair, and are appointed by the Speaker. The Committee members should be present for open forum sessions held in person or virtually. After reviewing feedback provided from APhA members, the Committee will meet in executive session to develop recommendations on assigned New Business Items.

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

An urgent item can be considered, without a suspension of the House rules, if presented to the Speaker, with necessary background information, at least 24 hours prior to the beginning of any House session. Urgent items are defined as matters that, due to the nature of their content, must be considered by the House outside of the normal policy processes. The House leadership (Speaker, Speaker-elect [when present], and Secretary) will evaluate submitted urgent items based on the timely and impactful nature of the presented item and determine if the urgent item is to be approved as New Business. The House shall then be informed of any approved urgent items to be considered by the House as soon as is possible by the Speaker. Approved urgent items shall be considered with other New Business Items and discussed during the New Business Open Hearing, if one is scheduled to take place. No immediate action shall be taken on urgent new business items without prior review of proposed statements and background information by all delegates. Appropriate action will be recommended by the New Business Review Committee in the same manner as other New Business Items. Urgent items denied consideration by House Officers may still be addressed by the House, with a suspension of House rules at the House session where New Business will be acted upon.

Delegates wishing to amend existing APhA policy on topics not covered within the Policy Committee or Policy Review Committee agenda may submit proposed policy statements through the New Business Review Process. Restatements of existing policy are discouraged and should be included only as background information.

The New Business Review Committee's report to the House of Delegates shall include one of the following recommended actions for each New Business Item considered:

- (a) Adoption of the New Business Item
- (b) Rejection of the New Business Item
- (c) Referral of the New Business Item
- (d) Adoption of the New Business Item as amended by the committee
- (e) No action

The New Business Review Committee's recommendations will be addressed by the House of Delegates in the following order:

1. New Items submitted by the Policy Review Committee
2. General New Business Items
3. Urgent New Business Items

If the New Business Review Committee recommends no action on a New Business Item, the Speaker of the House shall place the New Business Item before the House of Delegates for consideration and action. Each whole-numbered statement within the New Business Item ~~should~~ shall be considered separately. A consent agenda process may be used to consider multiple recommendations within a single New Business Item, in accordance with Robert's Rules of Order. ~~Consideration of the New Business Item in its entirety requires suspension of House rules.~~

New Business Items can be considered at a virtual session of the House of Delegates at the discretion of the Speaker, in accordance with these rules of procedure. Debate on new business items in a virtual session will be time limited. At the Speaker's discretion, proposed New Business items may be referred to the next session of the House for further deliberation.