CONSEN AGENDA – FOR COLLECTIVE ACTION BY THE HOUSE OF DELEGATES

Mr. Speaker, I present for consideration Resolution No. H-500 and the Committee recommends that it be APPROVED:

H-500 AOA CONSTITUTION & BYLAWS – AOA EXECUTIVE DIRECTOR – TITLE CHANGE

CONSTITUTION

Article VII – Officers

Section 2-Administrative Officers
The administrative officers shall be an Executive Director, CHIEF EXECUTIVE OFFICER, a Controller, a General Counsel, and an Editor who shall be appointed by the Board of Trustees and employed to serve for such term as the Board shall define. The duties of these officers shall be those usual to such officers in their respective offices and such others as are set forth in the Bylaws. The Executive Director, CHIEF EXECUTIVE OFFICER shall be the Secretary of the Association.

Article IX - Amendments
This Constitution may be amended by the House of Delegates at any annual meeting by a two-thirds vote of the total number of delegates accredited for voting, provided that such amendments shall have been presented to the House and filed with the Executive Director, CHIEF EXECUTIVE OFFICER at a previous annual meeting, who shall cause them to be distributed by first class mail, postage prepaid, to each divisional and specialty society entitled to and voting representatives to the house of delegates, posted on the AOA’s website, and published in the Journal of the American Osteopathic Association not less than two months or more than four months prior to the meeting at which they are to be acted upon.
BYLAWS

Article I - Divisional, District and Affiliated Societies

Section 1-Divisional Societies

Upon such application, the Executive Director CHIEF EXECUTIVE OFFICER and the Board of Trustees shall investigate and, finding satisfactory proof, shall recommend to the House of Delegates that a charter be issued. The Association shall not issue such a charter to more than one divisional society in a given area.

Section 3-Affiliated Organizations

Upon application from any organization for a charter as an affiliated organization, the Board of Trustees and the Executive Director CHIEF EXECUTIVE OFFICER shall investigate such organization and, upon satisfactory proof of a general agreement in policy and governing rules with those of this Association, shall recommend to the House of Delegates the issuance of such a charter. The Association shall not issue a charter to any organization, which duplicates the function or prerogatives of any presently affiliated organization. All organizations which have as their membership osteopathic physicians in good standing with the AOA, whether holding a current charter of affiliation or not, shall have as a medium of communication all publications of the AOA.

Article IV - Code of Ethics

Section 2

The Code of Ethics may be amended by the House of Delegates at any annual meeting by two-thirds vote of the total number of delegates accredited for voting, provided a copy of the proposed amendment is deposited with the Executive Director CHIEF EXECUTIVE OFFICER at least 90 days before the annual meeting at which it is to be voted upon.

It shall be the duty of the Executive Director CHIEF EXECUTIVE OFFICER to have the proposed amendment distributed by first class mail, postage prepaid, to each divisional and specialty society entitled to send voting representatives to the House of Delegates, posted on the AOA’s website, and published in The Journal of the American Osteopathic Association not later than one month before the annual meeting at which the amendment is scheduled for consideration.

Article V - House of Delegates

Section 1-Certification of Delegates and Alternates

a. Divisional Societies

The Executive Director CHIEF EXECUTIVE OFFICER of this Association shall furnish to the secretary of each divisional society, 75 days before the first day of the annual meeting of the House of Delegates, a statement of the number of regular members of this Association located in the area represented by that divisional society or, in the case of the uniformed services divisional society, the number of regular members of this Association currently serving in the uniformed services of the United States.

Based on that statement, each divisional society shall select, in a manner prescribed by its
Committee on Constitution & Bylaws

Constitution and Bylaws, the number of delegates (and their alternates) to the House of Delegates of this Association to which it is entitled under the provisions of the Constitution of the American Osteopathic Association. Delegates and alternates must be regular or student members in good standing of this Association and of the divisional societies, which they represent. Delegates (and their alternates) shall serve during the annual meeting of the House of Delegates and during the interim between annual meetings or until their successors are elected. The secretary of each divisional society shall certify its delegates and alternates to the Executive Director CHIEF EXECUTIVE OFFICER of this Association in writing at least 30 days prior to the first day of the annual meeting of the House of Delegates.

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b. Specialty Colleges
Each AOA recognized specialty college shall select one delegate and at least one alternate to the AOA House of Delegates in a manner prescribed in its constitution and Bylaws. No specialty college delegate or alternate shall also be a member of the divisional society's delegation to the AOA's House of Delegates. The Secretary of each specialty college shall certify the name of its delegate and alternate to the executive director CHIEF EXECUTIVE OFFICER of the AOA at least 30 days prior to the first day of the annual meeting of the AOA House of Delegates. Each delegate and alternate must be a member in good standing of this association and his specialty college.

Section 2-Voting
Each delegate shall have one vote in the House, except when one-fourth of the members present shall call for the yeas and nays on any question; the Executive Director CHIEF EXECUTIVE OFFICER shall, before any other motion can be made, call the roll by divisional societies and enter the yeas and nays in the record. In recording such vote each divisional society shall be given one vote for each 20 regular members of the American Osteopathic Association located in the area represented by that divisional society (or in the case of the uniformed services divisional society, one vote for each 20 regular members of the American Osteopathic Association currently serving in the uniformed services of the United States), as certified to 75 days before the annual meeting of the House of Delegates under the requirements of Section 1 of this Article, and such votes may be cast by any one of the delegation then seated or divided among the various members of the delegation as the delegation in caucus shall decide.

Section 3-Committee on Credentials
The Committee on Credentials shall consist of three or more members appointed by the President and it shall be the duty of the Committee to receive and validate the credentials of the delegates to the House and to report all delegates entitled to be seated in the House. The Executive Director CHIEF EXECUTIVE OFFICER shall furnish the Credentials Committee a list showing the number of delegates to which each divisional society is entitled. In case any organization has selected more than its legal representation, the Executive Director CHIEF EXECUTIVE OFFICER shall drop surplus names from the list, beginning at the bottom, and shall notify the divisional society of his action.

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Section 10-Representation of Student Councils
The student council of each accredited college of osteopathic medicine and each branch campus may be represented in the House of Delegates by its president (and such president’s alternate elected by such student council) as a member of the delegation of the divisional society representing the state in which such college of osteopathic medicine and branch campus is located. Each such
student delegate shall be accredited in the same manner and have the same privileges as the other
members of the divisional society delegation; however, the chief administrative officer of each
accredited college of osteopathic medicine and each branch campus shall certify the student council
president and alternate to the Executive Director CHIEF EXECUTIVE OFFICER of this
Association in writing or by electronic communication at least 30 days prior to the first day of the
annual meeting of the House of Delegates and such Executive Director CHIEF EXECUTIVE
OFFICER shall forthwith similarly certify each student council president and alternate to the
secretary of the appropriate divisional society.

Section 11–Representation of Osteopathic Physicians In Postdoctoral Training
Osteopathic physicians in postdoctoral training may be represented in the House of Delegates by
two individuals who, at the time of the annual meeting, shall be enrolled in postdoctoral training
programs. The two individuals and their alternates shall be selected by vote of the AOA's Council
of Interns and Residents. The delegates (and alternate delegates) selected by the Council of Interns
and Residents shall serve as the representatives of osteopathic physicians in postdoctoral training
and shall not also be members of a divisional society or specialty college delegation to the AOA's
House of Delegates. The chair of the Council of Interns and Residents shall certify the name of its
delegates and alternate delegates to the Executive Director CHIEF EXECUTIVE OFFICER of the
AOA in writing or by electronic communication at least 30 days prior to the first day of the annual
meeting of the AOA House of Delegates. Each delegate and alternate must be a member in good
standing of this Association.

Section 12–Representation of Student Osteopathic Medical Association
The Student Osteopathic Medical Association (SOMA) may be represented in the House of
Delegates by one member of the SOMA Board selected by vote of the SOMA Board (or such
SOMA member’s alternate, who shall also be a member of the SOMA Board selected by the SOMA
Board). No SOMA delegate or alternate shall also be a member of a divisional society’s delegation
representing the state in which such SOMA Board member’s osteopathic college is located. The
SOMA delegate shall be accredited in the same manner and have the same privileges as the other
members of the divisional society delegation; however, the Chief Administrative Officer of SOMA
shall certify the SOMA delegate and alternate to the Executive Director CHIEF EXECUTIVE
OFFICER of this Association in writing or by electronic communication at least 30 days prior to the
first day of the annual meeting of the House of Delegates.

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Article VII–Board of Trustees

Section 1–Duties
The Board of Trustees shall:

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b. Appoint an Executive Director CHIEF EXECUTIVE OFFICER, a Controller, a
General Counsel, and an Editor, and shall fix the amount of their salaries and the length of
their terms of office. It shall fix the duties of the Executive Director CHIEF EXECUTIVE
OFFICER, Controller, General Counsel, Editor and all other officials, committees,
departments and bureaus necessary to the proper execution of the policies of the
Association and not fixed by these Bylaws.

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Article VIII--Duties of Officers

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Section 5--Executive Director CHIEF EXECUTIVE OFFICER
The Executive Director CHIEF EXECUTIVE OFFICER shall:

a. Be the chief administrative officer of the Association and of the central office. He shall be the executive and recording secretary of the Association. He shall counsel with the other administrative officers and with the heads of departments in the central office to produce the greatest possible cooperation and efficiency in the conduct of the affairs of the Association under the President and the Board of Trustees. He shall cooperate with the chairmen of various agencies of the Association in the execution of the policies of the Association as outlined by the House of Delegates. It shall be his duty to coordinate the work performed by the various departments, bureaus, and committees of the Association.

b. Direct the joint activities of the Association and the divisional societies as provided by the Bylaws, and may select one or more of the trustees or like officers of the divisional societies, to assist him in this work in their respective areas.

c. Be responsible for the correspondence of the Association and shall keep accurate record of the proceedings of the House of Delegates and the Board of Trustees.

d. Be responsible for the supervision of assistance to the divisional societies in all matters according to the policies laid down by the Association and for the supervision of the execution of plans of the Association with regard to colleges, affiliated organizations and campaigns.

d. Keep on file an accurate record of all transactions of his office, which shall at any time be subject to examination by the President or the Board of Trustees, shall make an annual report to the House of Delegates and Board, and shall perform such other duties as are prescribed by the Board not in conflict with the Constitution and Bylaws of this Association.

c. Be the statistical officer of the Association, and shall have charge of the archives, including legal, historical and scientific records of value to the Association.

d. Be authorized to provide such assistance as is necessary for the proper conduct of the central office, subject to the directives of the Board of Trustees, and at the expiration of his term shall deliver to his successor all property and papers pertaining to his office. He shall file bond with such surety company and in such amount as the Board of Trustees shall determine.

Section 6--Controller
The Controller shall:

a. Have charge of the funds and assets of the Association, cooperate with the Executive Director CHIEF EXECUTIVE OFFICER and Editor under the direction of the Board of Trustees, and disburse such funds only in the manner prescribed by the Board of Trustees.

* * *

d. Be provided with such assistance as is necessary to the proper conduct of his office, subject to the directives of the Board of Trustees through the Executive Director CHIEF EXECUTIVE OFFICER. He shall file bond with such surety company and in such sum as the Board of Trustees may determine.
Section 8—Editor
The Editor shall:

a. Have the editorial direction, in accordance with the established policies of the Board of Trustees and House of Delegates, of The Journal of the American Osteopathic Association, other periodical publications of the Association and of the AOA Yearbook and Directory, under the general supervision of the Executive Director CHIEF EXECUTIVE OFFICER, and shall cooperate with all departments of the central office.

b. Be provided with such assistance as is necessary to the proper conduct of his office, subject to the directives of the Board of Trustees through the Executive Director CHIEF EXECUTIVE OFFICER.

Article IX—Departments, Bureaus, and Committees
The Board of Trustees and House of Delegates, consistent with the powers given to it by these Bylaws, shall establish and determine the duties of departments, bureaus, councils, commissions, committees, and task forces necessary to further the policies of the Association. The Association’s departments shall include the Departments of Affiliated Affairs, Business Affairs, Educational Affairs, Governmental Affairs, Professional Affairs, and Research, Quality & Public Health. The activities of all departments, bureaus and committees shall, so far as possible, be executed in close cooperation with the Executive Director CHIEF EXECUTIVE OFFICER. Upon the expiration of the terms of office of chairs and members of the departments, bureaus, or committees, all records of the same shall be delivered by the chairs to the Executive Director CHIEF EXECUTIVE OFFICER. All employed staff of departments, bureaus, and committees in the offices shall be under the jurisdiction of the Executive Director CHIEF EXECUTIVE OFFICER.

Article XI—Amendments
Section 1—Bylaws
These Bylaws may be amended at any annual or special meeting of the House of Delegates by a two-thirds vote of the total number of delegates accredited for voting, provided that the amendment shall have been filed with the Executive Director CHIEF EXECUTIVE OFFICER at least two months before the meeting at which the amendment is to be voted upon. Upon receiving a copy of the amendment, it shall be the duty of the Executive Director CHIEF EXECUTIVE OFFICER to cause it to be distributed by first class mail, postage paid, to each divisional and specialty society entitled to send voting representatives to the House of Delegates, posted on the AOA’s website, and published in The Journal of the American Osteopathic Association at least one month before the meeting. The Board of Trustees may revise the proposed amendment if necessary to secure conformity to this Constitution and Bylaws and shall then refer it to the House for final action not later than the day prior to the end of the meeting.

Section 2—Articles of Incorporation
The Articles of Incorporation of this Association may be amended by the adoption of a resolution by the Board of Trustees setting forth the proposed amendment and directing that the amendment be submitted to a vote at a meeting of the House of Delegates, which may be either an annual or a special meeting. Written or printed notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be posted on the AOA’s website and delivered not less than
five nor more than 40 days before the date of the meeting, either personally or by mail, by or at the direction of the President, or the Executive Director (CHIEF EXECUTIVE OFFICER), or the officers or persons calling the meeting, to each delegate entitled to vote at such meeting.

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Article XII -- Gender Disclaimer
The American Osteopathic Association is open to persons of both sexes and does not discriminate against any person because of sex; therefore, the wording herein importing the masculine or feminine gender includes the other gender and imports no such discrimination.

Explanatory Statement:

The Committee recommends approval of the document with a global editorial change to make the language gender neutral: change “he” to “he/she” and “his” to “his/her”.

And I so move.

Mr. Speaker, I present for consideration Resolution No. H-501 and the Committee recommends that it be APPROVED:

H-501 AOA CONSTITUTION – ARTICLE VIII – BOARD OF TRUSTEES AND EXECUTIVE COMMITTEE – SECTION 1 BOARD OF TRUSTEES

Article VIII - Board of Trustees and Executive Committee

Section 1-Board of Trustees
The Board of Trustees of this Association shall consist of the President, President-elect, the Past Presidents for the preceding two years, First Vice-President, Second Vice-President, Third Vice-President, and twenty other members, six of whom shall be elected annually by the House of Delegates to serve for three years, a new physician in practice to serve for one year, an intern/resident member elected by the House of Delegates to serve for one year. Candidates for the new physician in practice position shall be osteopathic physicians who have completed their postdoctoral training within the past five years or received their DO degree within the previous ten years and shall be nominated by the Council of New Physicians in Practice. Candidates for the intern/resident position shall be enrolled in an AOA-approved internship or residency or, if enrolled in an ACGME-approved residency, shall have applied for AOA approval of their ACGME-approved residency. Candidates for the student position shall be nominated, in alternating years, by the Council of Osteopathic Student Government Presidents (COSGP) and the Student Osteopathic Medical Association (SOMA). The Board of Trustees shall be the administrative and executive body of the Association and perform such other duties as are provided by the Bylaws. All trustees, with the exception of the President, President-Elect and the Past Presidents for the preceding two years, the aggregate terms of Office of Trustees shall be limited to twelve (12) years, with the exception that a trustee may complete the term in which twelve (12) years or more of
service is completed. The intern/resident member shall be elected for a one-year term, but may be elected to serve an additional one-year term as the intern/resident member.

THE BOARD OF TRUSTEES SHALL BE THE ADMINISTRATIVE AND EXECUTIVE BODY OF THE ASSOCIATION AND PERFORM SUCH OTHER DUTIES AS ARE PROVIDED BY THE BYLAWS. THE BOARD OF TRUSTEES OF THIS ASSOCIATION SHALL CONSIST OF TWENTY-NINE MEMBERS:


B. EIGHTEEN AT-LARGE TRUSTEES, SIX OF WHOM SHALL BE ELECTED ANNUALLY BY THE HOUSE OF DELEGATES TO SERVE FOR THREE YEARS;

C. ONE NEW PHYSICIAN IN PRACTICE MEMBER ELECTED BY THE HOUSE OF DELEGATES TO SERVE FOR ONE YEAR. CANDIDATES FOR THE NEW PHYSICIAN IN PRACTICE POSITION SHALL BE OSTEOPATHIC PHYSICIANS WHO HAVE COMPLETED THEIR POSTDOCTORAL TRAINING WITHIN THE PAST FIVE YEARS OR RECEIVED THEIR DO DEGREE WITHIN THE PREVIOUS TEN YEARS AND SHALL BE NOMINATED BY THE COUNCIL OF NEW PHYSICIANS IN PRACTICE;

D. ONE INTERN/RESIDENT MEMBER ELECTED BY THE HOUSE OF DELEGATES TO SERVE FOR ONE YEAR. CANDIDATES FOR THE INTERN/RESIDENT POSITION SHALL BE ENROLLED IN AN AOA-APPROVED INTERNSHIP OR RESIDENCY OR, IF ENROLLED IN AN ACGME-APPROVED RESIDENCY SHALL HAVE APPLIED FOR AOA APPROVAL OF THEIR ACGME-APPROVED RESIDENCY. CANDIDATES FOR THE INTERN/RESIDENT POSITION SHALL BE NOMINATED BY THE COUNCIL OF INTERNS AND RESIDENTS;

E. ONE STUDENT MEMBER ELECTED BY THE HOUSE OF DELEGATES TO SERVE FOR ONE YEAR. CANDIDATES FOR THE STUDENT POSITION SHALL BE NOMINATED, IN ALTERNATING YEARS, BY THE COUNCIL OF OSTEOPATHIC STUDENT GOVERNMENT PRESIDENTS (COSGP) AND THE STUDENT OSTEOPATHIC MEDICAL ASSOCIATION (SOMA); AND

F. ONE PUBLIC MEMBER ELECTED BY THE HOUSE OF DELEGATES TO SERVE FOR A THREE-YEAR TERM, WITH A ONE-TERM LIMIT. CANDIDATES FOR THE PUBLIC MEMBER POSITION SHALL NOT BE PHYSICIANS AND SHALL BE NOMINATED BY THE COMMITTEE ON ADMINISTRATIVE PERSONNEL.

Explanatory Statement:

The AOA Board of Trustees has considered the addition of a public member to the Board of Trustees, similar to other healthcare organizations. This amendment, if approved, will
provide for the addition of a public member. The language of Article VIII, Section 1 is also revised to clarify the existing positions on the Board of Trustees.

Explanatory Statement:

This Amendment does not eliminate the Term Limit applicable to service on the Board of Trustees. The Constitution was amended at the July 2014 House of Delegates to move the term limit to a separate section, Article VIII, Section 2.

And I so move.

Mr. Speaker, I present for consideration Resolution No. H-503 and the Committee recommends that it be APPROVED:

H-503 AOA BYLAWS – ARTICLE VII – AOA BOARD OF TRUSTEES – SECTION 1--DUTIES

BYLAWS

Article VII—Board of Trustees

Section 1--Duties
The Board of Trustees shall:

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g. Approve from its own membership, based on the President’s appointment, the chairs of the departments. The department chairs shall direct the activities of their respective departments. HOWEVER, THE PUBLIC MEMBER OF THE BOARD SHALL NOT
BE ELIGIBLE TO SERVE AS A DEPARTMENT CHAIR. The Board shall also approve, based on the President’s appointment, the members of the various committees, bureaus, councils, commissions and task forces under the departments

And I so move.

Mr. Speaker, I present for consideration Resolution No. H-504, and the Committee recommends that the following AMENDMENTS be APPROVED and that Resolution H-504 (as amended) be REFERRED back to the Student Osteopathic Medical Association (SOMA)

H-504 HEALTH CARE AS A FUNDAMENTAL HUMAN PRINCIPLE RIGHT

Lines 14-15:

RESOLVED, that the American Osteopathic Association (AOA) declares healthcare is a human right THE RIGHT TO HEALTH as a fundamental principle; and be it further

Lines 16-18:

RESOLVED, that THIS RESOLUTION BE REFERRED TO THE COMMITTEE ON CONSTITUTION AND BYLAWS FOR CONSIDERATION TO AMEND the AOA will amend their Code of Ethics to include a section declaring healthcare THE RIGHT TO HEALTH to be AS an essential safeguard to human life and dignity and that access to health care to be AS an essential safeguard to human life and dignity and that access to health care is a fundamental right.

Explanatory Statement:
Changes were made to better reflect the language from the World Health Organization’s (WHO) constitution, which was cited by the SOMA’s initial resolution submission.

Following Referral, the Student Osteopathic Medical Association should work with the Council of Student Government Presidents to further clarify the resolution before submitting it for the 2016 House of Delegates. Amending the Code of Ethics requires prior publication.

And I so move.

Mr. Speaker, I present for consideration Resolution No. H-505 and the Committee recommends that it be APPROVED:

H-505 OSTEOPATHY’S PROMISE TO CHILDREN; REQUEST FOR AFFILIATE STATUS

And I so move.
Mr. Speaker, this concludes the Committee’s report. I would like to thank the members of the Committee.

Committee Members:
1. Linda Delo, DO – CHAIR  FLORIDA  
2. Tyler Cymet, DO – VICE CHAIR  MARYLAND  
3. Carl R. Backes, DO  ACOP  
4. Earnest Miller, DO  WEST VIRGINIA  
5. Keith Harvie, DO  NEW MEXICO  
6. Michelina DeSanti, DO  NEW JERSEY  
7. Sonia Rivera-Martinez, DO  NEW YORK  
8. Richard E Johnson, DO  PENNSYLVANIA  
9. John F. Uslick, DO  OHIO  
10. Karen Evans, DO  KANSAS  
11. Lawrence Prokop, DO  MICHIGAN  
12. David Grice, DO  ACOD  

STAFF
Josh Prober, JD