How CPhA Policy Becomes Reality

According to CPhA bylaws, adopted in 1970 and amended periodically, the Association is governed by two separate and distinct bodies – a Board of Trustees and a House of Delegates. The bylaws divide authority between these two bodies, assigning responsibility for establishing association policy to the House of Delegates and giving the Board of Trustees responsibility for implementing policy and governing CPhA’s operations.

In both areas, final authority really rests with the association’s membership, since members elect the Board of Trustees and appoint or elect delegates to represent them in the House of Delegates.

The Board of Trustees: The governing body

The Association’s governing body consists of 27 members, of which most are elected by the general membership.

Eight regional trustees sit on the Board, each representing one of the state’s geographic areas.

In addition, there are seven Academy Trustees, one Trustee from each Academy, shall be on the Board of Trustees.

Elected every year are the President-Elect and Speaker-Elect; Treasurer is elected every other year. Two other members of the Board of Trustees are the Immediate Past President and the Speaker.

One student representative for the ASP chapter of each California School of Pharmacy will be a member of the Board of Trustees; however, all student representatives shall collectively have only one vote.

The Executive Committee and Audit & Finance Committee are composed of 7 of the 27 members, and serve as the Association’s voting officers, including; president (who serves as the Board’s chair); immediate past president; president-elect; treasurer; Trustee-at-Large, the CEO as the Secretary, and the House of Delegates’ Speaker plus the Speaker-Elect as a non-voting member.
CPhA’s president-elect is elected annually; the treasurer is elected every other year. Regional trustees are elected every other year, alternating between even-numbered regions one year and odd-numbered regions the next. The speaker-elect is elected by a quorum of the House of Delegates at the closing session of CPhA’s Outlook.

In accordance with the bylaws, the board is charged with the overall responsibility of governing the association. The board's activities include:

♦ Establishing priorities in implementing CPhA’s policies;
♦ Approving the annual budget as submitted by CPhA’s Audit and Finance Committee;
♦ Employing the Association’s CEO;
♦ Approving policy committee appointments; and
♦ Creating academies or other specialty sections.

The Board is granted broad and unlimited powers in governing the Association’s activities and programs. It reports annually to the House of Delegates and is accountable to the membership.

The Board of Trustees meets each year in person and as needed by conference calls; the Board’s Executive Committee and Audit & Finance Committee may meet more frequently.

Policy Committees: A vital role in the Association

The Association has two 12-member policy committees – all appointed annually by CPhA’s incoming president. Committee membership is solicited through announcements in California Pharmacist and Insights.

Members of the two policy committees meet annually at CPhA headquarters in Sacramento. All CPhA members are invited to recommend topics for consideration by the policy committees. Proposals are submitted and committee members receive background material on all subjects.

After the committee meeting, a report containing the recommendations and accompanying background information is presented and sent to committee members for approval. Any member of the committee disagreeing with the report has an opportunity to prepare a minority report.

Committees reports are printed in California Pharmacist and placed on the website and are emailed to members of the House of Delegates in order to have time to discuss policy issues with their respective association members prior to Outlook.

House of Delegates: Establishes CPhA policies

The House of Delegates serves as the Association’s legislative body. Most of the delegates are appointed or elected from CPhA’s local affiliates, Academies and student chapters. Delegate representation is based on the number of members in each affiliate organization: Each affiliated local association is entitled to two delegates for the first 50 active members and one delegate for each additional 25 active members or major fraction thereof. Each affiliated student chapter shall be entitled to two delegates for up to the first 100 student members and one additional delegate for each additional 50 student members or major fraction thereof. Each recognized academy shall be entitled to one delegate for each 50 active members up to the first 100 members and one additional delegate for each additional 100 members or major fraction thereof, to a maximum of six delegates for any single academy.

The California Society of Health-Systems Pharmacists (CSHP) and the California Employee Pharmacists Association (CEPA) are also given seats in the House.

Other voting delegates include members of the Board of Trustees; past presidents and past speakers of the House of Delegates.

Local associations, academies and student chapters are urged to appoint or elect delegate representatives early in the fall so that each delegate will have a full opportunity to review and discuss policy committee reports with their respective bodies.
Delegates meet at Outlook at the direction of the Speaker of the House. The delegates act officially in several areas:

- Acting upon the reports submitted by each of the policy committees;
- Adopting any new business items introduced by delegates in accordance with House rules;
- Reaffirming CPhA’s Code of Ethics; and
- Electing the speaker-elect of the House of Delegates.

**Reference committees encourage open discussion**

The Speaker appoints two seven-member reference committees to facilitate discussion of committee reports and items of new business. One representative of each policy committee serves on the reference committee that hears the report of that policy committee. The reference committees convene at Outlook and serve as a hearing body to obtain input and, if necessary, further refine policy proposals.

The reference committee hearing – similar to a legislative committee – allows everyone an opportunity to speak on the issues and to allow for consensus building. This use of the reference committees expedites final action at the House’s closing session; where there is insufficient time to rehear debate. Because of this, it is important for delegates to attend these hearings. Delegates who fail to attend or participate in reference committee hearings are denying themselves the opportunity to be heard on important issues.

Following the hearings, the reference committees convene to make recommendations on policy committee reports or any new business items submitted prior to the Opening Session of the House of Delegates. They may recommend adoption or rejection of policy committee proposals, or they may refer the matter back to the policy committee. They are also empowered to: 1) amend policy recommendations, when appropriate, based upon discussions at the hearing; and 2) repeal existing policies. Reference committee recommendations are only recommendations, and delegates are not bound by reference committee actions.

The reference committee reports, containing their recommendations on policy committee reports and new business items, are available on the day immediately following the reference committee hearings. This allows time for delegates to caucus and discuss final language to be presented for House action at the closing session. It is important that delegates educate themselves on the issues at the reference committee hearings and come prepared to vote at the final session.

**The closing session is for voting, not debating**

The closing session of the House is not intended to be an open forum to discuss issues that are not relevant to the policy committee reports. Any items that obviously need further study should be referred back to the committee. The floor of the House is not the appropriate place to rewrite policy or to attempt implementing a poorly written policy. Delegates should come to the closing session with a formed opinion and ready to vote.

**Board of Trustees – Implementation of Association Policy**

After the House of Delegates has adopted a policy statement, it is up to the Board of Trustees to determine the best way to implement the policy. In some cases, implementation may require extensive staff time and considerable expenditure of Association funds. The Board considers these factors and assigns priorities based on the availability of resources. For example, if an item requires legislative enactment, the Board must make decisions about finding an appropriate bill sponsor, developing background information, identifying witnesses to testify at legislative hearings and timing the introduction of the bill.

This legislative process has served CPhA well since its adoption in 1970. This carefully constructed process – and the policies it has produced – is one reason CPhA has become the strongest state pharmacy association in the nation.
Delegate Information

Selection of Delegates
Most Delegates are selected by their respective local pharmacy association, school of pharmacy or academy. All current active memberships are counted in the last week of October, and these numbers are used to determine the number of delegates per local association, school and academy according to the formulas stipulated in Chapter IV, Article I of the CPhA Constitution. Notifications are sent to local association presidents, ASP presidents and Academy Chairpersons in early November advising them on the number of delegates they are entitled for representation at the upcoming Outlook. These people are responsible for completing and submitting a delegates appointment form in a timely manner. The membership numbers are reviewed for a second time in the first week of December; respective members are notified of any changes in the number of delegates. Members of the Board of Trustees, past presidents, past speakers of the House of Delegates may also serve as delegates. Non-affiliated associations, such as the California Society of Health Systems Pharmacists and the California Employee Pharmacists Association, are also entitled to representation in the House according to the CPhA Constitution.

Delegate Mailings
Delegates receive at least one mailing (may be by email) prior to Outlook. This mailing contains the policy committee reports, this general delegate information sheet, a copy of the House of Delegates By-Laws, a copy of Standing Rule 1, a copy of Board Policy 6 as well as New Business and Policy Amendment forms. Delegate mailings are sent only to active delegates. Alternates do not receive the mailings unless specifically requested.

Seating of Delegates
Delegates have assigned seating at both sessions of the House. Seating charts are designed and posted at the entrance to the room in which the House of Delegates is meeting. Delegate plaques are placed at each delegate's seat. Delegates must have a "DELEGATE" ribbon affixed to their badge and be seated with his/her delegation in order to vote.

Miscellaneous
If a local association submits the name of a delegate who is already seated as a delegate by virtue of being a Board of Trustees member, a past president, past speaker, or an Academy member, the local association president will be asked to submit an alternate name.

If delegates' names are not received prior to Outlook, they must be submitted prior to the Opening Session on the first day of the convention.

If a delegate is unable to attend Outlook and someone is assigned to replace him/her, a Delegate Replacement form must be completed and signed by an officer of the organization which he/she represents. This must be done prior to the session which the delegate plans to attend.

**MOTIONS ARE ALLOWED FROM DELEGATES ONLY**

1. Motions to ADOPT Reference Committee Report
   - Made by Chair of Reference Committee.
   - Motions from a Committee do not require a second
   - If motion to adopt is approved: Policy Committee report, section thereof, or referred New Business item is considered adopted.
   - If motion to adopt is defeated: Policy Committee report, section thereof, or referred New Business item is considered defeated unless a motion to refer is presented and approved by the House. Previous policy (if applicable) stays in effect.
   - Takes a simple majority vote to adopt.

2. Motions to REJECT Reference Committee Report
   - Made by Chair of Reference Committee.
   - Motions from a Committee do not require a second
   - If motion to reject is approved: Policy Committee Report, section thereof, or New Business item is defeated. Previous policy (if applicable) stays in effect.
   - If motion to reject is defeated: Policy Committee Report, section thereof, or referred New Business item is referred back to next year’s appropriate committee (as determined by staff) for review.
   - Takes a simple majority vote to reject.

3. Motions to REFER Reference Committee Report
   - Generally made by Chair of Reference Committee, however, may be made by a Delegate at any time during debate on a motion to adopt, reject or repeal.
   - Motions from a Committee do not require a second, however, motions to refer originating from the floor do require a second.
   - If motion to refer is approved: Policy Committee Report, section thereof, or New Business item is referred back to next year’s appropriate committee (as determined by staff) for review.
   - If Reference Committee motion to refer is defeated: Policy Committee Report, section thereof, or New Business item requires a motion for adoption as originally submitted.
     - If motion is approved, Policy Committee Report, section thereof, or referred New Business item is adopted as submitted.
     - If motion is defeated, Policy Committee Report, section thereof, or referred New Business item is considered rejected.
   - If a motion from the floor to refer is defeated, debate returns to the motion pending at the time the referral motion was made.
   - Takes a simple majority vote to refer.
4. Motions to AMEND

- House Rules only allow amendments to Policy Committee reports be made by the Reference Committee. Amendments to Reference Committee reports from the floor require suspension of House Rules (see No 5 below).

- Under House Bylaws and Standing Rules, motions to amend require 2/3 majority for adoption.

5. Motions to SUSPEND the Rules of the House of Delegates

- Must be made by a Delegate
- Must be seconded
- Motion should include specific reason for which Delegate wishes rules suspended.
- Motion not debatable.
- Takes a 2/3 majority vote to suspend the rules.

6. Motions to RECONSIDER a Previously Considered Issue

- Must be made by a Delegate who voted on the prevailing side.
- Must be seconded
- Takes precedence over any other motion.
- Motion is debatable.
- Takes a simple majority vote to succeed.

7. CALLS

- **A call for the question**, if recognized by the Chair, limits debate to that which has already been given or otherwise recognized in advance by the Chair.
  - Must be seconded
  - Not debatable
  - Takes a two-thirds majority vote to succeed

- **A call for the division of the question**, if recognized by the Chair, requires that each whole numbered section of a report, as submitted by a Policy or Reference Committee, be considered separately and be put to a separate vote.
  - Must be seconded
  - Not debatable
  - Takes a simple majority vote to succeed

- **A call for a division of the House** requires that a show of hands or a standing of delegates occur for each side of the question and be counted accordingly.
  - Call maker need not have the floor
  - Does not require a second
  - Not debatable
  - Call does not require a vote

8. Actions on New Business Items not reviewed by a Reference Committee are governed by House Bylaws and Robert’s Rules of Order. The House of Delegates may adopt, reject, amend or refer the item.