

A DELEGATE'S TEXTBOOK

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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 fourteen (14) members, twelve (12) of which are elected by the general membership; The Officers and Board of Trustees consist of the President, President-Elect, Immediate Past President, Speaker and Speaker-Elect of the House of Delegates, Chief Executive Officer/Secretary, six (6) Trustees elected from among the active membership of the Association and one (1) Student Pharmacist Trustee elected from among the membership of the Academy of Student Pharmacists.

Elected every year are the President-Elect and Speaker-Elect of the House of Delegates. The Treasurer is elected every other year to a two-year term of office. Trustees are elected to three (3) year terms of office, with staggered terms such that two Trustees are elected every year. The Chief Executive Officer/Secretary is appointed by and serves at the pleasure of the Board of Trustees.

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
- Employing the Association's CEO;
- Approving policy and other 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 meets multiple times each year in person and as needed by conference calls; the Board's Executive Committee and Finance Committee may meet more frequently.

Policy Committees: A vital role in the Association

The Association has one or more policy committees – appointed annually by CPhA's incoming president. Committee membership is solicited through announcements in the California Pharmacist and the weekly CEO Message.

Members of the policy committee(s) meet annually at CPhA headquarters in Sacramento and may also meet by conference call. All CPhA members are invited to recommend topics for consideration by the policy committees – both in the area of policy and Standards of Practice. 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.

Committee reports are placed on the CPhA 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 the Annual Meeting.

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, special interest groups (SIG) 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 special interest group shall be entitled to one delegate.

Recognized non-affiliated associations such as The California Society of Health-Systems Pharmacists (CSHP) are entitled to two (2) delegates in the House of Delegates.

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

Local associations, special interest groups and student chapters are urged to appoint or elect delegate representatives early each year so that each delegate will have a full opportunity to review and discuss policy committee reports with their respective bodies.

The House of Delegates meets at the Annual Meeting at the direction of the Speaker of the House. The delegates act officially in several areas:

- Acting upon the reports submitted by policy committee(s);
- 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 one or more reference committees consisting of at least seven (7) members to review the policy committee reports and items of new business referred by the Speaker. One representative of each policy committee serves on the reference committee that hears the report of that policy committee. The reference committee(s) 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 committee(s) 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 committee(s) convenes 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 recommend referral of the matter to committee for further consideration. They may also recommend to: 1) amend policy recommendations, 2) archive newly adopted policy and 3) 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 no later than 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 committee for further consideration. The floor of the House is not the appropriate place to extensively rewrite policy or to attempt implementing a poorly written policy proposal. 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 special interest group (SIG). All current active memberships are counted each year, and these numbers are used to determine the number of delegates per local association, school and special interest group according to the formulas stipulated in Chapter IV, Article I of the CPhA Bylaws. Notifications are sent to local association presidents, ASP presidents and SIG Chairpersons advising them on the number of delegates they are entitled for representation at the upcoming Annual Meeting. These Presidents/Chairpersons are responsible for completing and submitting a delegate appointment form in a timely manner. Members of the Board of Trustees, past presidents, past speakers of the House of Delegates also serve as delegates. Recognized non-affiliated associations, such as the California Society of Health Systems Pharmacists are also represented in the House according to the CPhA Constitution and Bylaws.

Delegate Mailings

Delegates receive at least one mailing (may be by email/posting) prior to the Annual Meeting. This mailing contains the policy committee reports, this general delegate information sheet, a copy of the House of Delegates By-Laws, a copy of the Standing Rules, a copy of Board of Trustees Election Policy 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 special interest group delegate, the local association president may be asked to submit an alternate. If a Board of Trustee member, past president, past speaker or SIG delegate sits as a local association delegate they are only entitled to a single vote.

If delegates' names are not received prior to the Annual Meeting, they must be submitted prior to the Opening Session of the House of Delegates.

If a delegate is unable to attend a session of the House of Delegates 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.

A Brief Overview of *Parliamentary Procedures* derived from the CPhA House of Delegates Bylaws, Standing Rules and Robert's Rules of Order

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 New Business item is considered adopted unless a motion to refer is presented and approved by the House.
- 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 to committee for further 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 6 below).
- Under House Bylaws and Standing Rules, motions to amend require 2/3 majority for adoption.

5. Motions to ARCHIVE a newly adopted policy

- Made by Chair of Reference Committee.
- Motions from a Committee do not require a second
- **If motion to archive is approved**, the policy is archived and will not be subject to the housekeeping provisions of the Standing Rules
- **If the motion to archive is defeated**, the policy remains in place and continues to be subject to the housekeeping provisions of the Standing Rules

6. 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.

7. 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.

8. CALLS

A call for the question, if recognized by the Speaker, 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 Speaker, 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

9. 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 of new business.