Actions of the 2015 House of Delegates

Substitute Bylaw Amendment 1-15  
HOD Action:  **Adopted**  
Title: “Authorization to Conduct Electronic Meetings of the Tennessee Medical Association”

Substitute Bylaw Amendment No. 2-15  
HOD Action: **Adopted as Amended**  
Title: “Authorization to Conduct Electronic House of Delegate Meetings of the Tennessee Medical Association”

Bylaw Amendment 1-15  
HOD Action: **Adopted**  
Title: “AMA Delegation Becoming a Committee of the Tennessee Medical Association Board of Trustees”

Bylaw Amendment 2-15  
HOD Action: **Adopted**  
Title: “Dividing TMA Regions by Counties Rather than Component Medical Societies”

Bylaw Amendment 3-15  
HOD Action: **Not Adopted**  
Title: “Resident and Student Delegate Representation in Tennessee Medical Association House of Delegates”  
Subtitle: “Cutoff Date for Membership in Order to be Eligible to be a Delegate in the Tennessee Medical Association House of Delegates and Making Bylaws Regarding Medical Student Section Delegation Consistent”

Bylaw Amendment 4-15  
HOD Action: **Adopted**  
Title: “Parliamentary Procedure for the Tennessee Medical Association”

Bylaw Amendment 5-15  
HOD Action: **Adopted**  
Title: “Resident and Student Delegate Representation in Tennessee Medical Association House of Delegates”  
Subtitle: “Cutoff Date for Membership in Order to be Eligible to be a Delegate in the Tennessee Medical Association House of Delegates and Making Bylaws Regarding Medical Student Section Delegation Consistent”

Bylaw Amendment 6-15  
HOD Action: **Adopted**  
Title: “Parliamentary Procedure for the Tennessee Medical Association”

Resolution of Commendation – Senator Henry

Emergency Resolution No. 1-15  
HOD Action: **Adopted**  
Title: “Protection of the Doctor-Patient Relationship”  
Author: Adele Lewis, MD, Nashville Academy of Medicine

Resolution No. 1-15  
HOD Action: **Adopted by Unanimous Consent**  
Title: “The Approaching Physician Shortage Crisis” [Reaffirmation of Resolution No. 5-08]

Resolution No. 2-15  
HOD Action: **Adopted by Unanimous Consent**  
Title: “Repeal of Provisions of the Tennessee Uniform Accident and Sickness Policy Provision Law (UPPL)” [Reaffirmation of Resolution No. 9-08]

Resolution No. 3-15  
HOD Action: **Adopted**  
Title: “Supervisory Relationship Notation in Controlled Substance Monitoring Database (CSMD)”  
Author: Charles Leonard, MD, Lakeway Medical Society
Resolution No. 4-15  
HOD Action: **Withdrawn by House Vote**  
Title: “Outreach to Dormant and Revoked Charter Societies”  
Author: Edward Capparelli, MD, Ex-Officio

Resolution No. 5-15  
HOD Action: **Adopted as Amended**  
Title: “A Plan to Govern Tennessee Medical Association by Regions”  
Author: John W. Hale, Jr., MD, Ex-Officio

Resolution No. 6-15  
Withdrawn

Resolution No. 7-15  
HOD Action: **Referred for Decision to the Board of Trustees**  
Title: “Insure Tennessee”  
Author: John McCarley, MD, Chattanooga Hamilton County Medical Society

Resolution No. 8-15  
HOD Action: **Adopted**  
Title: “Tennessee Drug Shortages”  
Author: Chris Young, MD, Ex-Officio

Resolution No. 9-15  
HOD Action: **Adopted**  
Title: “Tennessee Health Care Innovation Initiative”  
Author: Joseph E. Huffstutter, MD, Chattanooga Hamilton County Medical Society

Resolution No. 10-15  
HOD Action: **Adopted as Amended**  
Title: “Health Disparities”  
Author: Vijay Appareddy, MD, Chattanooga Hamilton County Medical Society

Resolution No. 11-15  
HOD Action: **Referred to Board of Trustees**  
Title: “Associate Membership for Nurse Practitioners”  
Author: Edward Capparelli, MD, Ex-Officio

Resolution No. 12-15  
HOD Action: **Referred to Board of Trustees**  
Title: “Associate Membership for Physician Assistants”  
Author: Edward Capparelli, MD, Ex-Officio

Resolution No. 13-15  
HOD Action: **Adopted as Amended**  
Title: “Expansion of Access for Office Based Surgery”  
Author: Gary Kimzey, MD, The Memphis Medical Society

Resolution No. 14-15  
HOD Action: **Referred to Board of Trustees**  
Title: “Prevention of Misleading Health Care Representation”  
Author: Phillip Langsdon, MD, The Memphis Medical Society

Resolution No. 15-15  
HOD Action: **Adopted**  
Title: “Maintenance of Certification Advocacy”  
Author: Adele Lewis, MD, Nashville Academy of Medicine
Resolution No. 16-15
Title: “Availability of Drug Prices by Pharmacies, Insurers and On-Line Prescribing Sites”
Author: Thomas Gettelfinger, MD, The Memphis Medical Society
HOD Action: Referred to Board of Trustees

Resolution 17-15
Withdrawn

Resolution No. 18-15
Title: “Physician-Led Patient Centered Team-Based Care as Policy of the Association”
Author: John W. Hale, Jr., MD, Ex-Officio
HOD Action: Adopted
INTRODUCED BY: TMA BOARD OF TRUSTEES  
KEITH G. ANDERSON, MD, CHAIR

SUBJECT: AUTHORIZATION TO CONDUCT ELECTRONIC MEETINGS OF THE TENNESSEE MEDICAL ASSOCIATION

RESOLVED, That Bylaw Chapter V, Section 7 be amended by insertion as follows:

Sec. 7. The Board of Trustees and any committee, subcommittee, task force, or work group organized by the Board shall hold such meetings, as often and in such manner as it deems necessary, whether by teleconference, electronic means, or otherwise, at the call of the chair, and the Board shall also meet on the last day of the annual meeting...; and be it further

RESOLVED, That Bylaw Chapter VI be amended by insertion as follows:

Sec. 6. The Judicial Council may conduct its meetings or hearings by electronic means at the call of the Judicial Council president. And be it further

RESOLVED, That Bylaw Chapter X, Section 10 be amended by insertion to read as follows:

Sec. 10. A meeting of the Board of Trustees may be called by any Trustee. The Trustee calling the meeting is authorized to conduct the meeting by electronic means. Notice of such meeting...

CODE: changes in wording signified by underline _______________  
deletion of wording signified by strikethrough ------------------
RESOLVED, That Bylaw Chapter III, Section 2 be amended by insertion and deletion as follows:

Sec. 2. The House of Delegates shall meet annually at the time and place of the annual meeting of the Association. Any House of Delegates meeting other than the annual meeting may be conducted by electronic means as authorized by state law. Special meetings....

CODE: changes in wording signified by underline ____________
deletion of wording signified by strikethrough ----------------
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Bylaw Amendment No. 1-15

INTRODUCED BY:  TMA BOARD OF TRUSTEES
KEITH G. ANDERSON, MD, CHAIR

SUBJECT:  AMA DELEGATION BECOMING A COMMITTEE OF THE TENNESSEE MEDICAL ASSOCIATION BOARD OF TRUSTEES

RESOLVED,  That the Bylaws be amended to make the Tennessee Medical Association (TMA) Delegation to the American Medical Association a committee under the auspices of the TMA Board of Trustees; and be it further

RESOLVED,  That Bylaw Chapter III, Section 7 be amended by insertion and deletion as follows:

Sec. 7 The Board of Trustees shall appoint the members of the Tennessee Medical Association (TMA) American Medical Association (AMA) delegation in accordance with the Constitution and Bylaws of the AMA for terms of two years and such delegation shall be a committee of the Board of Trustees. To be eligible to serve on the TMA AMA delegation, one must have been a member of TMA for the five consecutive years prior to election. The Association shall pay the reasonable expenses of each member of the delegation representing the Association at the American Medical Association meetings. Reasonable expenses shall be determined by the Board of Trustees; and be it further

RESOLVED,  That Bylaw Chapter IV, Section B.2 be amended by deletion as follows:

Sec. 2. By September 1 ...

f) By December 1 of each year, submit nominees to the chief executive officer for open positions for: speaker and vice-speaker of the TMA House of Delegates, president-elect, councilors, and board of trustees; and be it further

RESOLVED,  That Bylaw Chapter IV, Section B.4 be amended by deletion as follows:

Sec.4. In the membership-at-large balloting for president-elect, if no one receives a majority of the votes cast, the top two vote recipients shall be in a runoff to decide the election. There will be no runoff balloting for Councilors, or Board of Trustees unless there is a tie for the most votes received. All
ballots for president-elect, and Councilors, except for runoff ballots, shall be
designed to allow members to indicate “write in” votes; and be it further

**RESOLVED.** That Bylaw Chapter IV, section C.4 be amended by deletion as follows:

**Sec.4.** In the event of the death, resignation, disability, or removal of any officer of this Association, other than the president or a member of the Board of Trustees, the vacancy so created shall be filled by the Board of Trustees and the officer so appointed shall serve until the next election.
RESOLVED, That the Bylaws be amended to list the counties comprising each Tennessee Medical Association region rather than listing component medical societies; and be it further

RESOLVED, That Bylaw Chapter IV, Section B.5., be deleted and amended as follows:

Sec. 5. There is hereby established a system of eight regions within the state made up of various component medical societies. As used in these Bylaws, such regions shall be comprised of the component medical societies located in the counties indicated below. Members of Tennessee Medical Association shall be represented at the House of Delegates in, and vote in, the following regions:


Region 3: Bedford, Cheatham, Coffee, Dickson, Franklin, Giles, Houston, Lawrence, Lincoln, Marshall, Maury, Montgomery, Moore, Robertson, Stewart, Wayne, and Williamson.

Region 4: Davidson.


Region 6: Bledsoe, Bradley, Hamilton, Marion, Meigs, McMinn Polk and Rhea.

Region 7: Anderson, Blount, Campbell, Claiborne, Cocke, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, and Union.
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Bylaw Amendment No. 5-15

INTRODUCED BY:   COMMITTEE ON CONSTITUTION AND BYLAWS
                  DAVID G. GERKIN, MD, CHAIR

SUBJECT:          PARLIAMENTARY PROCEDURE FOR THE TENNESSEE MEDICAL
                  ASSOCIATION

RESOLVED, That Bylaw Chapter IX be amended by insertion and deletion as follows:

The deliberations of the Association shall be guided by parliamentary usage as
contained in the most recent edition of “The American Institute of
Parliamentarians’ Standard Code of Parliamentary Procedure.”
RESOLVED, That Bylaw Chapter III, Section 3 be amended by insertion and deletion as follows:

Sec. 3. Each component society shall be entitled to send to the House of Delegates each year one delegate for every fifty active, veteran, and intern and resident members, and one for every fraction thereof, based upon the number of such members in the component society in good standing as of the end of the year preceding the meeting of the House. Each component society shall also be entitled to send one student delegate from its membership to the House for each medical school in its territorial jurisdiction. Each component...
RESOLUTION OF COMMENDATION

INTRODUCED BY: ADELE LEWIS, MD, DELEGATE
NASHVILLE ACADEMY OF MEDICINE

SUBJECT: RECOGNITION OF SENATOR DOUGLAS HENRY

Whereas, Senator Douglas Henry has dedicated his life to public service, having served at the Tennessee General Assembly longer than anyone else in history, serving first as a member of the Tennessee House of Representatives during the 79th General Assembly, then being elected as a state senator beginning in the 87th General Assembly, a 58-year legacy of serving the people of Tennessee; and

Whereas, During Senator Henry’s time in the Senate, Tennessee has seen thousands of healthcare related bills impacting hundreds of thousands of patients in Tennessee; and

Whereas, Senator Henry understands the importance of the physicians in Nashville and the state of Tennessee, having worked in partnership with the Tennessee Medical Association to heighten the recognition of physicians and ensure that their voices are heard on legislative issues; and

Whereas, As a member of the Senate Health Committee, Senator Henry sought the advice of the Tennessee Medical Association on every piece of legislation affecting patient care, and relied heavily on our position in determining his own; and

Whereas, Throughout his terms as senator, he was outspoken in Committee about his support of the physician community and he was reluctant to oppose any position physicians took due to the extensive training and experience of medical issues that he felt should not be questioned; and

Whereas, His passion for healthcare extended in a personal way to quiet visits to General Hospital to visit its children’s wards and put a face to the patients we serve daily in healthcare; and

Whereas, Senator Henry supported the Tennessee Medical Association in helping us to accomplish one of our biggest goals in a decade, with the passage of the Tennessee Civil Justice Act of 2011 (SB 1522/HB 2008); and

Whereas, Senator Henry has worked to make Tennessee a more livable and vibrant state by introducing legislation to aid in healthcare, economic development, education, and traffic safety; and
RESOLUTION OF COMMENDATION
SENATOR DOUGLAS HENRY

Whereas, Senator Henry has known that the true strength of any state is its commitment to serve its citizens, reflected in the drive to ensure appropriate patient care; and

Whereas, These values were displayed daily by Senator Henry’s leadership, his willingness to listen, and above all, his passion about physicians issues for more than five decades. Now, therefore be it

RESOLVED, That the Tennessee Medical Association House of Delegates publicly recognize Senator Douglas Henry for his unwavering support of physicians in Tennessee because he has led Nashville, Davidson County, and the State of Tennessee through times that have propelled Tennessee to be recognized as a top location for healthcare in the country; and be it further

RESOLVED, That a copy of this resolution be shared with Senator Douglas Henry and communicated to the membership of the Tennessee Medical Association.
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Emergency Resolution No. 1-15

INTRODUCED BY:  ADELE LEWIS, MD, DELEGATE
NASHVILLE ACADEMY OF MEDICINE

SUBJECT:  PROTECTION OF THE DOCTOR-PATIENT RELATIONSHIP

RESOLVED, That the Tennessee Medical Association uphold and defend the sanctity of the doctor-patient relationship and stand against legislative interference in this relationship and against unenforceable mandates.

Sunset: 2022
ADOPTED BY CONSENT APRIL 10, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 1-15

INTRODUCED BY: TMA BOARD OF TRUSTEES
KEITH G. ANDERSON, MD, CHAIR

SUBJECT: THE APPROACHING PHYSICIAN SHORTAGE CRISIS
(REAFFIRMATION OF RESOLUTION NO. 5-08)

REFERRED TO: CONSENT CALENDAR

RESOLVED, That the Tennessee Medical Association will work toward expanding residency positions and medical schools; and be it further

RESOLVED, That the Tennessee Medical Association will seek to invigorate our young people's interest in medicine as a career with effective mentoring programs; and be it further

RESOLVED, That the Tennessee Medical Association will partner with public and private concerns regarding a solution to the enormous individual financial burden of medical education; and be it further

RESOLVED, That the Tennessee Medical Association will adopt a posture that graduate medical education (GME) must be expanded and Medicare caps on GME must be lifted; and be it further

RESOLVED, That the Tennessee Medical Association will seek to build a statewide and national consensus regarding the future physician shortage crisis and exercise its responsibility to our state and country to ensure that an adequate supply of physicians will be available for our next generation.

Sunset: 2022
REPEAL OF PROVISIONS OF THE TENNESSEE UNIFORM ACCIDENT AND SICKNESS POLICY PROVISION LAW (UPPL)  
(REAFFIRMATION OF RESOLUTION NO. 9-08)

RESOLVED, That the Tennessee Medical Association seek the repeal of relevant provisions of the Uniform Accident and Sickness Policy Provision Law (UPPL) which prevent reimbursement for medical services for alcohol and narcotic-related injuries if such repeal is recommended in the Comptroller’s 2008 report.

Sunset 2022
ADOPTED APRIL 12, 2014

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 3-15

INTRODUCED BY: CHARLES E. LEONARD, MD, DELEGATE
LAKEWAY MEDICAL SOCIETY

SUBJECT: SUPERVISORY RELATIONSHIP NOTATION IN CONTROLLED SUBSTANCE MONITORING DATABASE (CSMD)

RESOLVED, That the Tennessee Medical Association formally request that the Department of Health invest in upgrades to the Controlled Substance Monitoring Database (CSMD) report so that each prescription reported includes the name of the midlevel prescriber as well as the midlevel prescriber’s supervising physician.

Sunset: 2022
TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 4-15

INTRODUCED BY: TMA JUDICIAL COUNCIL
    EDWARD W. CAPPARELLI, MD, CHAIR

SUBJECT: OUTREACH TO DORMANT AND REVOKED CHARTER SOCIETIES

RESOLVED, That the House of Delegates charge the Judicial Council to explore new mechanisms to encourage county and local participation, including but not limited to consolidation of several counties into one society, outreach of an active county to a dormant neighboring county, and use of metro society resources to reach out to dormant or revoked charter counties in their region and to report its findings to the House of Delegates in 2016.
ADOPTED AS AMENDED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 5-15

INTRODUCED BY: JOHN W. HALE, JR., MD, EX-OFFICIO DELEGATE

SUBJECT: A PLAN TO GOVERN TENNESSEE MEDICAL ASSOCIATION BY REGIONS

RESOLVED, That the Tennessee Medical Association commit to a complete study of its governance structure; and be it further

RESOLVED, That officers of the Tennessee Medical Association (TMA), Judicial Council, component societies, and sections, participate in the process to create a plan to govern TMA along regional lines; and be it further

RESOLVED, That a final report be presented to this House of Delegates in 2016 with any and all recommendations for modification to the Constitution and Bylaws.

Sunset: 2016
RESOLVED, That the Tennessee Medical Association support Governor Haslam in his continued
efforts to pass Insure Tennessee.
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 8-15

INTRODUCED BY: CHRISTOPHER YOUNG, MD, EX-OFFICIO DELEGATE

SUBJECT: TENNESSEE DRUG SHORTAGES

RESOLVED, That the Tennessee Medical Association work with the Tennessee Department of Health, Tennessee Pharmacy Association, Tennessee Hospital Association, and other pertinent stakeholders to develop a state specific database for drug shortages and develop strategies to mitigate drug shortages.

Sunset: 2022
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 9-15

INTRODUCED BY: JOSEPH E. HUFFSTUTTER, MD, DELEGATE
CHATTANOOGA HAMILTON COUNTY MEDICAL SOCIETY

SUBJECT: TENNESSEE HEALTH CARE INNOVATION INITIATIVE

RESOLVED, That the Tennessee Medical Association pursue legislation to oversee the implementation of the Tennessee Health Care Innovation Initiative and allow Tennessee Medical Association and other pertinent stakeholders the opportunity to address relevant issues to the Legislature.

Sunset: 2022
ADOPTED AS AMENDED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 10-15

INTRODUCED BY:  VIJAY APPAREDDY, MD, DELEGATE
                 CHATTANOOGA HAMILTON COUNTY MEDICAL SOCIETY

SUBJECT:  HEALTH DISPARITIES

RESOLVED, That the Tennessee Medical Association promote to physicians, healthcare providers and the communities they serve, an increased awareness, education, and intervention to reduce healthcare disparities and improve health outcomes in Tennessee.

Sunset:  2022
Resolution No. 11-15

INTRODUCED BY:      EDWARD CAPPARELLI, MD, EX-OFFICIO

SUBJECT:            ASSOCIATE MEMBERSHIP FOR NURSE PRACTITIONERS

RESOLVED,  That Nurse Practitioners be encouraged to join the Tennessee Medical Association as associate (non-voting) members.
Resolution No. 12-15

INTRODUCED BY: EDWARD CAPPARELLI, MD, EX-OFFICIO

SUBJECT: ASSOCIATE MEMBERSHIP FOR PHYSICIAN ASSISTANTS

RESOLVED That Physician Assistants be encouraged to join the Tennessee Medical Association as associate (non-voting) members.
Resolution No. 13-15

INTRODUCED BY:  GARY KIMZEY, MD, DELEGATE
THE MEMPHIS MEDICAL SOCIETY

SUBJECT:  EXPANSION OF ACCESS FOR OFFICE BASED SURGERY

RESOLVED, The Tennessee Medical Association petition the Tennessee Board of Medical Examiners to expand access to Level III office-based surgery for ASA III patients when an anesthesiologist evaluates the patient pre-operatively, develops an anesthetic plan, and is present on-site to diagnose and treat peri-operative medical issues.

Sunset: 2022
Resolution No. 14-15

INTRODUCED BY:  PHILLIP LANGSDON, MD, DELEGATE
THE MEMPHIS MEDICAL SOCIETY

SUBJECT:  PREVENTION OF MISLEADING HEALTH CARE REPRESENTATION

RESOLVED, That the Tennessee Medical Association support legislation to prevent usage of any derivation of the terms medical or laser, or medical laser or any derivation of the term medical, unless the entity is owned and operated by a Tennessee licensed physician.
ADOPTED APRIL 12, 2015

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 15-15

INTRODUCED BY: ADELE LEWIS, MD, DELEGATE
NASHVILLE ACADEMY OF MEDICINE

SUBJECT; MAINTENANCE OF CERTIFICATION ADVOCACY

RESOLVED, That the Tennessee Medical Association (TMA) Board of Trustees assign a committee to review and report by the Fall Board meeting, the findings of the 2015 Maintenance of Certification (MOC) survey issued by Steven W. Swann, MD, FACS and to submit recommendations, if any, of appropriate advocacy action TMA should undertake to improve the MOC process for Tennessee physicians.

Sunset: 2022
INTRODUCED BY:  THOMAS C. GETTELFINGER, MD, DELEGATE
THE MEMPHIS MEDICAL SOCIETY

SUBJECT:  AVAILABILITY OF DRUG PRICES BY PHARMACIES, INSURERS AND ON-LINE E-PRESCRIBING SITES

RESOLVED. That the Tennessee Medical Association Legislative Committee with assistance from the Public Health Committee and the Professional Relations Committee seek legislation that pharmacies, insurers and on-line e-prescribing sites in Tennessee be required to make drug prices available on-line to prescribing Tennessee licensed physicians, both cash out-of-pocket prices and those actually charged a patient through his or her specific insurance plan.
TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 18-15

INTRODUCED BY: JOHN W. HALE, JR., MD, EX-OFFICIO

SUBJECT: PATIENT CENTERED PHYSICIAN-LED TEAM-BASED CARE AS POLICY OF THE ASSOCIATION

RESOLVED, That the Tennessee Medical Association adopts as its official policy physician-led team-based care yields the highest quality; the safest patient care; and the most savings to the health care system for the citizens of Tennessee; and be it

RESOLVED, That the Tennessee Medical Association adopt the following principles regarding physician-led team based care:

• Health care teams, no matter the setting, should be led by physicians.
• Health care teams should be led by physicians who have ultimate responsibility and authority to carry out final decisions about the composition of the team, practitioners are trained according to their unique function in the team, communication about patient care between team members is routine, and team members complete tasks according to agree upon protocols as directed by the physician leader; and be it further

RESOLVED, That it be a legislative priority to introduce legislation in the Tennessee General Assembly to reflect the policy and principles of physician-led team based care.

Sunset 2022