1	Session One Reference Committee Report Template
2	May 21, 2022
3	
4	Reference Committee Chair: Madame Speaker, Reference Committee One has considered each
5	of the items referred to it and desires to present the following report. The Committee's
6	recommendations on each item will be submitted on our consent calendar.
7	
8	<u>Speaker:</u> Should the Congress approve the consent calendar, all items on the consent calendar will be dimensed of in that single action. There will not be any apportunity for discussion on any
9 10	will be disposed of in that single action. There will not be any opportunity for discussion on any item that is included on the consent calendar after the consent calendar is adopted. It is
11	important, therefore, to extract an item from the consent calendar at this time if you wish to
12	discuss that item. A motion to extract something from the consent calendar does not require a
13 14	second. Any delegate may extract an item from the consent calendar by so moving that the item be extracted and the item will be extracted without objection. The items on the consent calendar
15	are listed in the report of the reference committee and are being projected on the screen. Does
16	anyone have anything they would like to have extracted?
17	
18	A: CONSENT CALENDAR
19 20	Madame Speaker, the Committee wishes to place on the Consent Calendar the following items:
20 21	1. Resolution 22-01 "Changing the name of the Congress of Delegates Policy and Operations Manual to Congress of Delegates Manual" ADOPT
22	2. Resolution 22-03 "Bylaws Regarding Geographical Balance of Board" ADOPT
23	SUBSTITUTE RESOLUTION
24	3. Resolution 22-07 "Requirement for COVID-19 Vaccination at NYS Public Schools
25	Once Vaccine Fully FDA-Authorized" NOT ADOPT
26	4. Resolution 22-09 "Higher Premiums for Individuals Who Decline COVID-19
27	Vaccination and Lower Premiums for Individuals Who Are Fully Vaccinated" NOT
28	ADOPT
29	5. Resolution 22-12 "Support Efforts to Prevent Global Environmental Change" ADOPT
30	SUBSTITUTE RESOLUTION
31	6. Resolution 22-13 "Educating Future Family Physicians on Global Climate Change and
32	Health" ADOPT SUBSTITUTE RESOLUTION
33	7. Resolution 22-15 "Access to Over-the-Counter Oral Contraceptives" AMENDED BY
34	DELETION
35	8. Resolution 22-17 "Support the Provision of Telemedicine Across States Lines" ADOPT
36	9. Resolution 22-19 "Opposing State Legislative Restrictions on FDA Approved
37	Medications" REAFFIRM AS CURRENT POLICY
38	10. Resolution 22-21 "Oppose Segregation of Health Care by Insurance Status" ADOPT
39	SUBSTITUTE RESOLUTION
40	11. Resolution 22-23L "THC Physician Protection" NOT ADOPT
41	
42	Madame Speaker, the Committee moves adoption of the Consent Calendar as listed.
43	
44	

1	Madame Speaker, the Committee considered Item 1 on the Consent Calendar, Resolution 22-01:
2 3 4	SUBJECT: Changing the name of the Congress of Delegates Policy and Operations Manual to Congress of Delegates Manual
5 6 7	RESOLVED, that the bylaws be amended to rename the Congress of Delegates Policy and Operations Manual to Congress of Delegates Manual (COD Manual).
8 9 10	All testimony was in support and there was no existing policy which existed so we will be establishing this as policy. Recommend to adopt as written.
10 11 12	Madame Speaker, the Committee recommends Resolution 22-01 BE ADOPTED.
13 14 15	Madame Speaker, the Committee considered Item 2 on the Consent Calendar, Resolution 22-03:
16	SUBJECT: Bylaws Regarding Geographical Balance of Board
17 18	RESOLVED that the New York State Academy of Family Physicians bylaws should be amended to formally establish and authorize use of geographic location in filling offices, and be it further
19 20 21 22	RESOLVED that the New York State Academy of Family Physicians bylaws are amended pursuant to the following:
22 23 24	Amendment to the Bylaws of the New York State Academy of Family Physicians
24 25 26 27	Material in italics represents new language. Material crossed out is existing language which would be deleted.
28 29 30	The Bylaws of the NYSAFP are hereby amended by adding a new section 5 to Chapter 6 and by amending Chapter 7, Section 11. The amended Bylaws would read:
31 32 33 34 35 36 37 38 39 40	Section 5. The Academy leadership has tried to assure geographic balance in the composition of the Board of Directors, in the presidency and in the delegation to the AAFP Congress of Delegates. Downstate New York is generally considered to be New York City, Long Island and Westchester County. Everywhere else in the state is considered to be upstate. To achieve geographic balance, Student and Resident representatives to the Board shall be divided equally among upstate and downstate members of these membership categories. Also, the delegation to the American Academy of Family Physicians Congress of Delegates shall be comprised of an upstate delegate and alternate and a downstate member and a downstate member.
41 42	Chapter 7, Section 11 is hereby amended to read:

Section 11. The term of office of delegates and alternate delegates to the American Academy of 1 2 Family Physicians Congress of Delegates is for two (2) years, to be staggered in such a way that 3 one (1) delegate and one (1) alternate delegate are elected each year. Furthermore, each election of a delegate and alternate shall reflect the geographic balance required by Chapter 6, 4 5 Section 5 of these Bylaws. In the event that a delegate is unable to act or is prevented from 6 acting, the first alternate to replace a delegate shall be the alternate senior in years of service in 7 the Congress of Delegates of the American Academy of Family Physicians-alternate delegate 8 from the same geographic region as the delegate who vacates the office shall become the new 9 delegate and shall complete the term of the delegate who has vacated the office. In the event that a delegate resigns, is elected to the American Academy of Family Physicians Board, or 10 otherwise leaves office, such alternate will succeed the delegate and a vacancy will exist in the 11 12 office of alternate delegate. Such vacancy shall be filled pursuant to Chapter 6, Section 4 of 13 these bylaws. The delegates elected to represent this Academy at the Congress of Delegates of 14 the American Academy of Family Physicians are expected to have had prior experience on the 15 Board of Directors of the New York State Academy of Family Physicians, or prior experience on 16 a committee or commission of the American Academy of Family Physicians and shall be required to present such resolutions as have been passed by the Congress of Delegates or 17 18 Board of Directors of this Academy of Family Physicians. They shall furthermore speak for the adoption of the resolutions they present. The delegates shall be depended upon to use their 19 judgment considering the good and welfare of the New York State Academy of Family 20 21 Physicians in acting upon any motions and resolutions about which they have not been 22 instructed. 23 24 The delegates shall submit a report to the Board of Directors. Such report is to be submitted 25 within thirty (30) days after the meeting of the American Academy of Family Physicians to the 26 secretary who will present it to the Board of Directors. The report will be published in the 27 succeeding issue of the periodic publication of the NYSAFP. The delegates and alternate delegates to AAFP shall be members of the Board of Directors. 28 29 30 Alternate delegates should attend the meeting of the Congress of Delegates of the American Academy of Family Physicians and be prepared to assume duties, obligations, and rights of said 31 32 delegates. 33 34 -The testimony was split on this resolution with a slight edge to support. Discussion focused on 35 this having been a longstanding but informal tradition throughout the years. Questions were raised by the reference committee over why the section regarding prior experience with 36 NYSAFP/AAFP commissions and committees was crossed out, as it is a reasonable prerequisite 37 38 and there was not any testimony on this portion of the proposed change. The committee received clarification from Dr. Mumford regarding this particular phrase and the reference committee 39 requested that this be left in as a reasonable expectation. The reference committee recommended 40

41 *a substitute resolution reflecting this change.*

42

43 -Adopt substitute resolution

44

RESOLVED that the New York State Academy of Family Physicians bylaws should be 1 2 amended to formally establish and authorize use of geographic location in filling offices, 3 and be it further 4 5 RESOLVED that the New York State Academy of Family Physicians bylaws are 6 amended pursuant to the following: 7 Amendment to the Bylaws of the New York State Academy of Family Physicians 8 9 Material in italics represents new language. Material crossed out is existing language 10 which would be deleted. 11 12 The Bylaws of the NYSAFP are hereby amended by adding a new section 5 to Chapter 6 13 and by amending Chapter 7, Section 11. The amended Bylaws would read: 14 15 **Section 5.** The Academy leadership has tried to assure geographic balance in the 16 17 composition of the Board of Directors, in the presidency and in the delegation to the AAFP Congress of Delegates. Downstate New York is generally considered to be New 18 York City, Long Island and Westchester County. Everywhere else in the state is 19 20 considered to be upstate. To achieve geographic balance, Student and Resident 21 representatives to the Board shall be divided equally among upstate and downstate members of these membership categories. Also, the delegation to the American 22 23 Academy of Family Physicians Congress of Delegates shall be comprised of an upstate 24 delegate and alternate and a downstate delegate and alternate. The office of presidentelect shall rotate annually between an upstate member and a downstate member. 25 26 27 Chapter 7, Section 11 is hereby amended to read: 28 29 Section 11. The term of office of delegates and alternate delegates to the American 30 Academy of Family Physicians Congress of Delegates is for two (2) years, to be staggered in such a way that one (1) delegate and one (1) alternate delegate are elected each year. 31 Furthermore, each election of a delegate and alternate shall reflect the geographic 32 33 balance required by Chapter 6, Section 5 of these Bylaws. In the event that a delegate is unable to act or is prevented from acting, the first alternate to replace a delegate shall 34 35 be the alternate senior in years of service in the Congress of Delegates of the American Academy of Family Physicians alternate delegate from the same geographic region as 36 the delegate who vacates the office shall become the new delegate and shall complete 37 38 the term of the delegate who has vacated the office. In the event that a delegate 39 resigns, is elected to the American Academy of Family Physicians Board, or otherwise leaves office, such alternate will succeed the delegate and a vacancy will exist in the 40 office of alternate delegate. Such vacancy shall be filled pursuant to Chapter 6, Section 4 41 of these bylaws. The delegates elected to represent this Academy at the Congress of 42 Delegates of the American Academy of Family Physicians are expected to have had prior 43 experience on the Board of Directors of the New York State Academy of Family 44

1	Physicians, or prior experience on a committee or commission of the American Academy
2	of Family Physicians and are expected to have had prior experience on the board of the
3	New York State Academy of Family Physicians, or prior experience on a committee or
4	commission of the American Academy of Family Physicians shall be required to present
5	such resolutions as have been passed by the Congress of Delegates or Board of Directors
6	of this Academy of Family Physicians. They shall furthermore speak for the adoption of
7	the resolutions they present. The delegates shall be depended upon to use their
8	judgment considering the good and welfare of the New York State Academy of Family
9	Physicians in acting upon any motions and resolutions about which they have not been
10	instructed.
11	
12	The delegates shall submit a report to the Board of Directors. Such report is to be
13	submitted within thirty (30) days after the meeting of the American Academy of Family
14	Physicians to the secretary who will present it to the Board of Directors. The report will
15	be published in the succeeding issue of the periodic publication of the NYSAFP. The
16	delegates and alternate delegates to AAFP shall be members of the Board of Directors.
17	
18	Alternate delegates should attend the meeting of the Congress of Delegates of the
19	American Academy of Family Physicians and be prepared to assume duties, obligations,
20	and rights of said delegates.
23 24 25	RESOLUTION.
25 26 27	Madame Speaker, the Committee considered Item 3 on the Consent Calendar, Resolution 22-07:
28 29	SUBJECT: Requirement for COVID-19 Vaccination at NYS Public Schools Once Vaccine Fully FDA-Authorized
30	RESOLVED that the New York State Academy of Family Physicians (NYSAFP) supports
31	legislative action for a COVID-19 vaccine requirement for public school attendance for children
32	age 5 years and older in NY State, once the FDA grants "full approval" (not just emergency or
33	EUA) for COVID-19 vaccination for this age group, and be it further
34	
35	RESOLVED, the New York State Academy of Family Physicians (NYSAFP) delegates to the
36	American Academy of Family Physicians (AAFP) Congress of Delegates introduce a resolution
37	directing the AAFP to develop a policy supporting a nationwide COVID-19 vaccine requirement
38	for public school attendance for children 5 years and older, once the FDA grants "full approval"
39	(not just emergency or EUA) for COVID-19 vaccination for this age group.
40	
41	-Testimony was in opposition due to political pressure, legal concerns, and the need for
42	additional data regarding childhood COVID vaccination. Committee recommends not adopting.
43	

1 Madame Speaker, the Committee recommends Resolution 22-07 **NOT BE ADOPTED**.

2 3

Madame Speaker, the Committee considered Item 4 on the Consent Calendar, Resolution 22-09: 4 5 SUBJECT: Higher Premiums for Individuals Who Decline COVID-19 Vaccination and 6 7 Lower Premiums for Individuals Who Are Fully Vaccinated 8 9 RESOLVED that the New York State Academy of Family Physicians (NYSAFP) will advocate that health and life insurance companies offer lower premiums/cost of coverage for adolescents 10 and adults who do receive COVID-19 vaccination, as opposed to those who are eligible and 11 decline this vaccine. Alternatively they may charge higher premiums to insured adolescents and 12 adults that are eligible and not "fully vaccinated" against COVID-19, using current CDC 13 14 guidelines to define "fully vaccinated" and, be it further 15 16 RESOLVED that the New York State Academy of Family Physicians (NYSAFP) will bring a 17 resolution to the American Academy of Family Physicians (AAFP) Congress of Delegates directing the AAFP advocate for health and life insurance companies offer lower premiums/cost 18 of coverage for adolescents and adults who do receive COVID-19 vaccination, as opposed to 19 those who are eligible and decline this vaccine, using current CDC guidelines to define "fully 20 vaccinated." 21 22 -Testimony was overwhelmingly in opposition to this resolution. Support was found for its intent, 23 24 but it is not a feasible recommendation. The committee recommends not adopting this resolution. 25 26 Madame Speaker, the Committee recommends Resolution 22-09 NOT BE ADOPTED. 27 28 Madame Speaker, the Committee considered Item 6 on the Consent Calendar, Resolution 22-12: 29 30 31 SUBJECT: Support Efforts to Prevent Global Environmental Change 32 RESOLVED that the New York State Academy of Family Physicians (NYSAFP) support public 33 policies in New York that address BROADLY how to prevent future environmental change and 34 35 the inequity of the impact of climate change on health outcomes. 36 37 -Testimony was primarily in support of this resolution, however, some of the language was unclear. The reference committee felt that changes to the language of the resolution could be 38 made to make the resolution more concise. The committee recommends adopting the substitute 39 resolution: 40 41 42 RESOLVED that the New York State Academy of Family Physicians (NYSAFP) support 43 public policies in New York that address **BROADLY** preventing future changes that 44

1 2 3	<i>could negatively impact the environment</i> and the inequity of the impact of climate change on health outcomes.
5 4 5 6	Madame Speaker, the Committee recommends Resolution 22-12 ADOPT SUBSTITUTE RESOLUTION.
7 8	
9 0	Madame Speaker, the Committee considered Item 7 on the Consent Calendar, Resolution 22-13:
1 2	SUBJECT: Educating Future Family Physicians on Global Climate Change and Health
2 3 4 5 6 7	RESOLVED that the New York State Academy of Family Physicians encourage every New York State family medicine residency program and medical school to educate future physicians on the connection between climate change and health and their role in addressing the topic with their patients.
7 8 9 0 1 2 3	- Testimony was overwhelmingly in support of the intent of this resolution, but not the language of the resolution as written. We agree that education on climate change is important for our physicians however, the extent to which patients should be educated during their medical care encounters was a concern. We recommend removing the words 'with their patients' in the resolve and adopting a substitute resolution.
4 5 6 7	RESOLVED that the New York State Academy of Family Physicians encourage every New York State family medicine residency program and medical school to educate future physicians on the connection between climate change and health and their role in addressing the topic with their patients.
8 9 0 1	Madame Speaker, the Committee recommends Resolution 22-13 be ADOPT SUBSTITUTE RESOLUTION .
2 3 4	Madame Speaker, the Committee considered Item 8 on the Consent Calendar, Resolution 22-15:
5 6	SUBJECT: Access to Over-the-Counter Oral Contraceptives
5 7 8 9 0 1	RESOLVED that the New York State delegates to the American Academy of Family Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support the application of drug manufacturers to the U.S. Food and Drug Administration for approval of current prescription oral contraceptives to be accessed over-the-counter, and, be it further
2 3 4 5	RESOLVED that the New York State delegates to the American Academy of Family Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support further research on the use of over-the-counter and non-physician prescribed oral contraceptives as well as develop a report that focuses on a cost-benefit analysis of the implementation of over-the-counter oral

1	contraceptives on factors including prevention of pregnancy and women's education, poverty
2	status, and overall health outcomes to be presented to AAFP membership.
3 4	-Testimony was overwhelmingly in support of this resolution. Opposition was in concern for the
5	health and safety of patients and for the need for the second resolve. The committee feels the
6	second resolve weakens the first resolve. The committee recommended a substitute resolution
7	with the elimination of the second resolve.
8	
9	
10	RESOLVED that the New York State delegates to the American Academy of Family
11 12	Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support the application of drug manufacturers to the U.S. Food and Drug Administration for
12	approval of current prescription oral contraceptives to be accessed over-the-counter, and,
13 14	be it further
15	
16	RESOLVED that the New York State delegates to the American Academy of Family
17	Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support
18	further research on the use of over-the-counter and non-physician prescribed oral
19	contraceptives as well as develop a report that focuses on a cost-benefit analysis of the
20	implementation of over-the-counter oral contraceptives on factors including prevention of
21	pregnancy and women's education, poverty status, and overall health outcomes to be
22 23	presented to AAFP membership.
24	Madame Speaker, the Committee recommends Resolution 22-15 be AMENDED BY
25	DELETION.
26	
27	
28	Madame Speaker, the Committee considered Item 9 on the Consent Calendar, Resolution 22-17:
29 30	SUBJECT: Support the Provision of Telemedicine Across States Lines
31	Sebiler. Support the riotision of relationence fieross States Lines
32	RESOLVED, the NYSAFP will make a statement in support of telemedicine abortion
33	across state lines, and further be it
34	
35	RESOLVED, the NYSAFP will support laws and regulations to protect abortion providers
36	licensed in New York State who offer services to out-of-state patients, and further be it
37	
38	RESOLVED, that the New York State delegates to the American Academy of Family
39	Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support
40	telemedicine abortion across state lines and protect providers and patients from
41 42	animalization of abortion completes
4/	criminalization of abortion services.
43	-Testimony was primarily in support of the resolution. Concern was raised regarding the legality

1 2	forward to the AAFP we recommend changing the title to more accurately reflect the nature of the resolution.
3 4 5	Madame Speaker, the Committee recommends Resolution 22-17 BE ADOPTED
6 7 8	Madame Speaker, the Committee considered Item 10 on the Consent Calendar, Resolution 22- 19:
9 10	SUBJECT: Opposing State Legislative Restrictions on FDA Approved Medications
11 12	RESOLVED, the New York State Academy of Family Physicians will oppose laws and
13 14 15	regulations that place restrictions on or allow criminalization for provision of medications approved by the FDA, including medication abortion and gender-affirming care, and be it further
15 16 17 18 19 20	RESOLVED, the New York State Academy of Family Physicians will support laws and regulations to protect providers licensed in New York State who offer medication abortion, gender-affirming care and other FDA approved medication treatments in New York State and across state lines, and be it further
21 22 23 24	RESOLVED that the New York State delegates to the American Academy of Family Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to oppose laws and regulations that place restrictions on or allow criminalization for provision of medications approved by the FDA, including medication abortion and gender-affirming care.
25 26 27 28 29	-Testimony was overwhelmingly in support of this resolution. This is an already existing AAFP policy addressing these concerns. The committee agrees with this resolution and recommends reaffirming this as existing policy.
29 30 31 32	Madame Speaker, the Committee recommends Resolution 22-19 BE REAFFIRMED AS CURRENT POLICY
33 34 35 36	Madame Speaker, the Committee considered Item 11 on the Consent Calendar, Resolution 22-21:
37	SUBJECT: Oppose Segregation of Health Care by Insurance Status
38 39 40 41 42 43	RESOLVED that the New York State delegates to the American Academy of Family Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support the creation, passage, or implementation of legislation or regulations restricting or prohibiting segregation of healthcare on the basis of insurance status, and be it further,
43 44 45 46	RESOLVED that the New York State Academy of Family Physicians collaborate with relevant stakeholders in New York State to advocate for the desegregation of academic medical centers, ending of separate or unequal care to patients on the basis of insurance status and

<u> </u>	promoting policies that ensure that all patients are seen by the same doctors, at the same locations, and at the same time, regardless of insurance status.
<u>-</u> }	locations, and at the same time, regardless of insurance status.
, ; ; ;	-Testimony was overwhelmingly in support of this resolution. Opposition was in concern for the impact of this on private practices, although the committee determined that the focus of this resolution was hospitals and academic medical centers. The first resolution did not reflect this and the committee recommends changing the language in both resolve clauses to add academic
3	medical centers and hospitals, to protect private and small group practices.
)	
) <u>-</u> 	RESOLVED that the New York State delegates to the American Academy of Family Physicians (AAFP) Congress of Delegates will bring a resolution to the AAFP to support the creation, passage, or implementation of legislation or regulations restricting or prohibiting segregation of healthcare on the basis of insurance status, <i>in hospitals and</i> <i>academic medical centers and protect private and small group practices</i> , and be it further
	further,
	RESOLVED that the New York State Academy of Family Physicians collaborate with relevant stakeholders in New York State to advocate for the desegregation of academic medical centers <i>and hospitals</i> , ending of separate or unequal care to patients on the basis of insurance status and promoting policies that ensure that all patients are seen by the same doctors, at the same locations, and at the same time, regardless of insurance status.
	Madame Speaker, the Committee recommends Resolution 22-21 ADOPT SUBSTITUTE RESOLUTION.
	Madame Speaker, the Committee considered Item 11 on the Consent Calendar, Resolution 22-23L:
	SUBJECT: THC Physician Protection
	RESOLVED, the New York State Academy of Family Physicians adopt a policy that physicians should be shielded from liability arising from lawsuits related to medical competency claims related to marijuana impairment when providing usual and customary medical treatment, and be it further
	RESOLVED, the New York State Academy of Family Physicians advocate for liability
	protections from lawsuits related to medical competency claims related to marijuana impairment when providing usual and customary medical treatment.
	-Testimony was in opposition to this resolution as the focus was unclear on whether this was focusing on physicians or patients, and legal concerns existing in either direction. The committee recommends not adopting this resolution.
	Madame Speaker, the Committee recommends Resolution 22-21 NOT BE ADOPTED

- 2 Madame Speaker, We move the adoption of the Committee's report. 3
- 4 Madame Speaker, We would like to thank the members of my Reference Committee. We would 5
- also like to thank the members of the Academy who testified at the Reference Committee for 6
- 7 their insight and their cooperation. We would like to thank Penny Ruhm and Kelly Madden for
- 8 assisting the Committee in preparing this report.
- 9

1

10 REFERENCE COMMITTEE SESSION ONE

- Jane Simpson, DO 11 Chair:
- Vice Chair: Wesley Ho, MD 12
- Advisor: Marc Price, DO 13
- Lily Eisenberg, MD Member: 14
- Wayne Strouse, MD Member: 15
- 16 Resident: Lewis Wong, MD
- Sabba Sarwar 17 Student:
- Kelly Madden, MS Staff: 18
- Staff: Penny Ruhm, MS 19
- 20