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3 Title: MSMS Bylaws Revision to Codify Standard Practice for Members Joining or
4 Transferring Membership

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6 Introduced by: Joseph Wilhelm, MD, for the Ingham County Delegation

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8 Original Author: Joseph Wilhelm, MD

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10 Referred To: Reference Committee C

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12 House Action: **APPROVED AS AMENDED ON 1ST READING**
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15 Whereas, Article III, Section 1 of the Michigan State Medical Society (MSMS) Constitution
16 states: "DEFINITION---Component societies shall consist of those county medical societies which
17 hold charters from this Society," and

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19 Whereas, Article III, Section 2 of the MSMS Constitution states: "GEOGRAPHICAL SCOPE---
20 Not more than one component society shall be chartered in any county of the State. The House of
21 Delegates may, however, in its discretion, grant a charter to a component society comprising two
22 or more counties," and

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24 Whereas, Section 2.20 of the MSMS Bylaws states: "MEMBERSHIP PREREQUISITE-All
25 members of the several component societies, when in good standing, are thereby and must be
26 members of this Society. All members of this Society must be members of a component medical
27 society or direct members through the Resident and Fellow Section or the Medical Student
28 Section," and

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30 Whereas, Section 2.30 of the MSMS Bylaws states: "ACTIVE MEMBERS-To be eligible for
31 active membership in any component society, doctors of medicine must hold an unrevoked,
32 permanent license that is not currently under suspension in Michigan, or if unlicensed, must be
33 engaged in academic teaching, research or administration. To maintain active membership in any
34 component society, doctors of medicine must maintain active membership in this Society and
35 comply with all the provisions of the Bylaws of this Society and the component society," and

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37 Whereas, Section 4.10 of the MSMS Bylaws states: "MEMBERSHIP AS PRIVILEGE-NOT
38 RIGHT---Admission to membership in any component society is not a matter of right, but one of
39 privilege, to be accorded or withheld at the sole discretion of such society. Each component
40 society may determine the manner of electing its members and shall be the sole judge of the
41 qualifications of applicants for membership therein. There shall be no discrimination on the basis
42 of race, religion, sex, ethnic origin, or sexual orientation," and

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44 Whereas, it is the practice of our county medical societies and our MSMS that new
45 members to MSMS join the component medical society of the county where they either live or
46 primarily work, and

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48 Whereas, the MSMS website states, "When you become a member of MSMS, you also
49 become a member of the county medical society in which you live or work," and

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Whereas, any current member wishing to transfer membership to another county medical society must first receive a good standing certification from the former county medical society and approval from the new county medical society, and

Whereas, the county medical societies became aware in July 2020 of physician(s) and/or physician group(s) being allowed to join and/or to transfer membership to inactive counties (counties with no discernable county medical society leadership, structure, operations, or membership dues requirements) in which they did not live and/or primarily work, and

Whereas, MSMS staff did not notify the county medical societies when these members transferred membership, and

Whereas, the county medical societies initiated discussion about these aberrant situations with MSMS staff on July 20, 2020, and

Whereas, following that discussion, the MSMS Board of Directors considered and approved a motion at the October 2020 Board meeting re-interpreting the Bylaws stating, "that the MSMS Board of Directors acknowledge MSMS Legal Counsel's interpretation that the MSMS Bylaws do not expressly require a physician to live or work in a county in order to hold membership in that county medical society," and

Whereas, this practice of allowing physicians to join and/or transfer to counties in which they do not live and/or primarily work continues to occur since the October 2020 MSMS Board meeting, and

Whereas, this practice creates an incentive for physicians and/or physician groups regardless of where they live or work to join inactive counties without membership dues to reduce their cost, and

Whereas, this practice is disruptive and harmful to the integrity and vitality of the county medical societies and MSMS; therefore be it

RESOLVED: That the MSMS Bylaws be amended as follows. Deletions are indicated by ~~strikethroughs~~, additions are indicated in **bold type**.

2.20 MEMBERSHIP PREREQUISITE-All members of the several component societies, when in good standing, are thereby and must be members of this Society. All members of this Society must be members of a component medical society **where they reside or primary location of practice** or direct members through the Resident and Fellow Section or the Medical Student Section.

4.10 MEMBERSHIP AS PRIVILEGE - NOT RIGHT--- **Anyone eligible may apply for component membership within the county where they reside or primary location of practice. Any exception would require written, mutual agreement between the physician and/or physician group, MSMS, and the respective county(ies).** Admission to membership in any component society is not a matter of right, but one of privilege, to be accorded or withheld at the sole discretion of such society. Each component society may determine the manner of electing its

99 members and shall be the sole judge of the qualifications of applicants for
100 membership therein. There shall be no discrimination on the basis of race, religion,
101 sex, ethnic origin, or sexual orientation.
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103 5.10 CHANGE OF LOCATION - PROCEDURE---When a member of a component society,
104 by reason of change of **residence or primary location of practice** ~~location~~, desires
105 to transfer membership to another component society, such member shall make
106 application thereto accompanied by tender of dues for the remaining half of the
107 current year (any major fraction of a half being regarded as a full half and any minor
108 fraction being disregarded). Thereupon, the secretary of the society to which
109 application is made shall request certification of standing from the Society from
110 which the member desires to transfer and upon receipt of such request the secretary
111 of the latter Society shall supply certification of good standing, provided the
112 following requirements have been met:
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114 WAYS AND MEANS COMMITTEE FISCAL NOTE: \$1,000-\$2,000 for new MSMS policy.
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Background: This resolution is the same as Board Action Report 3-22 with the addition of "primary" to place of work.

Relevant MSMS Policy: None

Relevant AMA Policy: None

Sources:

1. <https://connect.msms.org/Membership/Join>
2. Source: January 14, 2021, MSMS Board of Directors Meeting Packet The Saginaw County Medical Society has approved also submitting this resolution on their behalf.