

(49) Medical Necessity Proxy Vote

The Speaker shall authorize a member, who has been clinically diagnosed with a health condition, to vote by proxy, following the completion of a proxy vote request form and submission of a letter from the member's health provider, regardless of the member seeking temporary or an as-needed basis proxy vote status. Submission of written requests to vote by proxy and written proxy instructions may include electronic delivery by email. The proxy vote request form shall allow either temporary proxy vote status for acute health conditions or proxy vote status on an as-needed basis for chronic health conditions; only one health care provider letter is required for chronic health conditions to satisfy the required documentation, which shall remain valid for the duration of the member's elected term. The Speaker may extend a temporary proxy vote request if the medical condition is prolonged further than anticipated. Proxy vote requests filed by members with chronic medical conditions shall be granted, by the Speaker, an initial 30-day grace period from the day of the filed proxy vote request form, in the event that the health care provider is unable to submit the required letter in time for the member to utilize his/her proxy vote. Proxy vote request forms shall be filed annually for members with chronic medical conditions, confirming information on the form is accurate and updated.

Once approved, the Speaker shall direct the requesting member's respective majority leader or minority leader to vote for the absent member by proxy vote. If the majority leader or the minority leader is unable to attend session, he or she shall designate another member to execute proxy votes in accordance with this section. If the designated proxy is absent or missing during the floor vote, it is the responsibility of the member voting by proxy to alert floor staff as soon as possible and before vote closes.

A member authorized by the Speaker to vote by proxy shall prepare and submit written voting instructions (including electronically) prior to each applicable floor session. The instructions shall identify the particular daily calendar item(s) on which the member will be voting by proxy, and clearly state how the member wishes to have the member's vote recorded for each calendar item(s). For each calendar item, a member shall indicate one of the following: a vote in favor of the calendar item or a vote against the calendar item. The member may also place remarks that correlate with each calendar item. The Speaker may provide a form (electronic or print out) to facilitate the proxy process. The written voting instructions shall be both submitted to the member's majority leader or minority leader and filed with the Clerk of the House. The member's majority leader or minority leader shall follow the written voting instructions exactly as submitted, by announcing the other member's proxy vote or by responding to a voice vote or roll call for the member voting by proxy.

A member authorized by the Speaker to vote by proxy may change the written voting instruction with regard to a particular calendar item at any time prior to the convening of session. Any revised voting instructions shall be submitted in writing as required herein.

The House Journal shall identify any members who voted by proxy on each calendar item. Any member whose vote is cast by proxy shall be counted to establish a quorum.