HL7 Decision-making Practices

Version 5.3, Adopted by the TSC November 2021

Note:
These Decision-making Practices (DMP) are written from the point of view of a Group with an open membership. Most sections apply to all groups and are not modifiable. Sections that can be modified via the HL7 DMP Addendum are:
5 - Quorum Requirements   7 – Electronic Voting (particularly items c, d and e in Section 7.1 and items c and d in Section 7.2)   8 – Proxy Participation (for closed Groups)

Instructions:
The HL7 Decision-making Practices (DMP) will be in place for all HL7 Work Groups, Committees, Task Forces, and Councils (referred to as "Groups"). Groups must approve and post this default DMP on the "Documents and Presentations" section of their website. Group-specific modifications must be made via the DMP Addendum. Proposed modifications shall be submitted via the DMP Addendum Template to the Technical Steering Committee (TSC). Approved modifications will be posted along with the HL7 DMP on the Decision-Making page of HL7.org: http://www.hl7.org/participate/decisionmaking.cfm. Filename for approved modifications: DMP Addendum_[group name]_[ddmmyy].doc Note that substantive changes are indicated below with a ==yellow== highlight.

Document Revision History	
Version Number	Adoption Date
Version 5: moved to standard across HL7 with exceptions noted per modifications template.	February 2018
Version 5.: replaced wiki references with Confluence references	April 2019
Version 5.2.1: updated Section 3.1.1	August 2019
Version 5.2.2 – removed reference to Steering Divisions; minor updates to reflect nature of virtual meetings; minor updates to eVoting section to align with the GOM	August 2021

HL7 Decision-making Practices

Version 5.3, Adopted by the TSC November 2021

Version 5.3 – Changed the terms WG, Work Group, and Committee to the more generic "Group." Added section on eVoting without a motion. Update GOM and other references	November 2021

HL7 Decision-making Practices

Version 5.3, Adopted by the TSC November 2021

Contents

1 Introduction

This document defines the decision-making practices (DMP) used by Health Level Seven (HL7)Groups. They were developed to ensure consensus, openness, and balance of interest. Balance of interest is related to Normative ballot procedures. (Refer to HL7 Essential Requirements: Due process requirements for HL7 American National Standards (HL7 ER) for additional information on Normative ballots and balance of interest. §01.03 presents the ANSI position, while §02.03.03 presents the HL7 process for seeking balance in normative ballot consensus groups).

HL7 Decision-making Practices

Version 5.3, Adopted by the TSC November 2021

The practices as outlined in this document are designed to enable timely decision-making balanced with an earnest attempt to ensure that input from all affected parties is considered. The decision-making practices are intended to govern the standard operating procedures of Groups and not intended to conflict with rules governing ballot procedure as defined by the American National Standards Institute (ANSI), the HL7 Governance and Operations Manual (GOM), and the HL7 Essential Requirements (HL7 ER).

In the event of joint meetings, the DMP of the host Group shall be the governing document.

2 Open Meetings

All Groups must include this section

Groups that may hold closed meetings, where this section does not apply, are the HL7 Board of Directors, the Technical Steering Committee (TSC), and committees appointed by the Board or TSC.

   a) Meetings and conference calls are open to all interested parties unless specifically restricted to members in their Mission and Charter statement.

   b) The purpose of these meetings and calls is to transact business including the resolution of design and implementation issues related to the Group's area of responsibility or area of interest and to make decisions relevant to their business.

   c) Unless stipulated as above, meetings of the Group are open to everyone to ensure that viewpoints of all affected parties have an opportunity to be shared and considered. Everyone will be given an opportunity to speak; however, the chair may limit discussion on topics deemed to be non-constructive. Guests (non-members) are welcome to participate in the Group or may be invited to participate and are recognized as guests of HL7.

   d) Individuals may be expected to attend a particular meeting if they are key participants for an item on the agenda.

   e) Other HL7 members may be asked to attend to provide input regarding a particular issue.

   f) In keeping with the ANSI policy on openness, guests may participate on all matters related to the development of HL7 specifications, although they will typically only address specific questions in the course of a Group meeting.

   g) HL7 Staff members who participate and are members of the Group shall have voting privileges.

2.1 Working Group Meetings (WGM)

WGMs are held in person and virtually and may be attended by any registered WGM attendee who wishes to participate, unless the group is a closed group, per their Mission & Charter.

Participants should introduce themselves and identify the nature of their affiliation with HL7.

2.2 Scheduled Conference Calls

Scheduled or periodic conference call meetings of any open Group may be attended by anyone, consistent with HL7's Open Meeting Policy (See Section 2). This does not apply to closed Groups, which will have closed list servers.

HL7 Decision-making Practices

Version 5.3, Adopted by the TSC November 2021

All meeting announcements, minutes, and other notices will be sent to the list and posted to the Group's Confluence page (see Section 3). Therefore, anyone expecting to participate is encouraged to join the public list so that the Group can communicate with them.

3   Meeting Notifications

All activities shall be conducted in a public light with efforts made to ensure ample notification of those interested. The Group shall utilize the following key mechanisms to notify interested parties of its activities

 a) Group listserv
 b) Group web pages under http://www.hl7.org/permalink/?WorkGroups
 c) Group space on Confluence https://confluence.hl7.org/
 d) Group space on Zulip chat.fhir.org

The Group may provide notification of activities via its space on Zulip chair.fhir.org

Minimal notification requirements dictate that announcements and supporting materials shall be posted to *both* the listserv and the web or confluence page. (The web page must contain a link to the agenda if the agenda is not on the web page.)

Any use of the terms **post**, **posted**, or **posting** refers to notification, subject to the above constraints.

NOTE: For consistency across Groups, TSC recommends that minutes, agendas, and action items use the HL7 Work Group Meeting Minutes templates in Confluence.

Approved minutes shall be posted under the "Agenda & Minutes" section of the Group's Confluence page.

3.1   Meeting Agenda Notification Timing

 a) Meeting notification and the proposed agenda are provided prior to the meeting. See Sections 3.1.1and 3.1.2 below for advance notification requirements for WGM agendas vs. scheduled conference call agendas.
 b) Binding decisions can be made only at quorate meetings or via electronic voting with the required advance notification: A binding decision refers to any decision made by the Group that establishes a practice, formal recommendation, or formal action (e.g., creating a new program, rendering guidance, etc.).
 c) The co-chairs of the Group shall make every attempt to ensure that all parties with an interest in agenda topics are made aware of the meeting time and location subject to the documented notification requirements and the stated openness of the Group. As appropriate, Group activities will be cross posted to other HL7 lists, depending upon the topic and type of meeting as indicated in the following list. The GOM stipulates that all face-to-face meetings require at least 30 days' notice.

3.1.1   WGM Agendas

 a) WGM schedules are posted in the meeting brochure; Group agendas are posted on the Group's Confluence page.

b) Once a Group has decided to meet at a WGM, and requested rooms, any change to the plan must be communicated with ample notice, at least 30 days in advance of the meeting.

c) The preliminary agenda is finalized and posted as required by HL7 Headquarters. It must be hyperlinked from the WGM Information Confluence page.

d) Recognizing the dynamic nature of the WGM, the agenda may require updates during the course of a meeting. The agenda of record shall be updated, and notification given via ==the Group's listserv and announcement via Whova at least 2 quarters prior to the event==.

3.1.2 Scheduled Conference Call Agendas

Scheduled conference call agendas shall be posted by close-of-business of the first business day prior to a call.

Preliminary agendas for the next conference call are to be determined at the close of each teleconference.

3.2   Out of Cycle Face-to-Face Meetings

Groups requiring face-to-face meetings between scheduled WGM sessions or conference calls have two options:

a) An 'Out of Cycle Meeting' can be convened as defined in GOM §12.03, which requires 30 days' notice.

b) The issues may be discussed in an informal group, bringing forward recommendations to the list or as a discussion topic for the next regularly scheduled WGM session or conference call. Recommendations brought forward by the informal group are not binding decisions until acted upon by the Group in regular session conforming to the notification requirements defined in Section 3.

4   Decision Publication

4.1   Meeting Minutes

a) Minutes will be produced and published for all WGM sessions and conference calls achieving quorum (see Section 5).

b) The presiding co-chair of the meeting is responsible for ensuring that minutes are taken and posted.

c) When quorum is not achieved, the production of minutes is at the discretion of the presiding co-chair.

d) Minutes shall include, at a minimum, the following information:

   i.   Date, time and location of the session/call

   ii.   List of attendees including names and organizations

   iii.   Identification of presiding chair (if the presiding chair changes during meeting this must be noted in the minutes.)

   iv.   Assertion of quorum (met or not met)

      v.   A summary of discussion topics and the outcome of proposals or motions made (including vote tallies if votes were taken)

e) Minutes shall be published on the Group's Confluence page and listserv.

f) Minutes from a WGM session shall be posted within 2 weeks after the WGM; minutes from a conference call shall be posted within one week following the call.

4.2 Electronically Recording Meetings

a) Groups may decide that they wish to electronically record a session, conference call, or event through audio or video recordings.

b) Electronic recordings will not replace the minutes, or the requirements for minutes as defined in Section 4.1.

5   Quorum Requirements

Quorum requirements differ for open and closed membership groups. Most Groups are open membership. Others, like the TSC have a defined membership.

Quorum for an open membership Group requires that a co-chair and at least two other Group members be present, where no single organization or party represents more than a simple majority of the voting Group members present. Quorum for closed membership groups requires that a presiding chair (or designate) and at least half of the voting members be present.

In all cases, the presiding chair may be counted as the co-chair representing his/her constituents in the event no other co-chairs of that constituent are present.

A motion may be made, by any member, to defer major decisions even if quorum is met, particularly if key stakeholders are not present.

5.1 Preponderance of Interest

a) To ensure balanced decision-making, no single organizational interest may wield a "Preponderance of Influence" within a Group.

b) Preponderance of Influence is defined as having one organization representing more than 50 percent of the voting Group members in session.

5.2 Presiding Chair Vote

a) The presiding chair may cast a vote in only two circumstances:

      i.   The presiding chair may cast a tie-breaking vote.

     ii.   The presiding chair may vote when that vote corrects potential preponderance of influence concerns within the Group. For example: Six members are present, one of whom is the presiding co-chair. Three others are with the same organization; the co-chair's vote removes the majority vote of the over-represented organization and thus brings the committee into balance.

b) In all circumstances, the Group can have only one presiding chair, with any other co-chairs participating as regular members when not presiding. Note that the presiding chair can change

within the course of a given session so long as a public statement recognizing the change is made and recorded in the minutes.

c) Although any issue may be discussed at any time, binding actions cannot be taken without sufficient notification (see Section 3) and quorum (see Section 5). Absence of either of these conditions allows the Group to issue recommendations that must subsequently be ratified by the WG or Committee subject to satisfying constraints placed upon binding decisions.

d) No co-chair should preside over discussions or a vote for which they could reasonably be perceived to have a vested interest.

6 Decision Making Requirements

6.1 Group Decisions

a) The Groups will strive for consensus in decision-making; however, decisions of the Group are affirmed by simple majority.

b) Any participant concerned that a given organization has undue representation or influence within a session of the Group may invoke the "Preponderance of Influence" clause (see Section 5.1). This invocation is non-debatable.

6.2 Revisiting Decisions

a) It is recognized that revisiting previously made decisions inhibits progress and should be discouraged. That said, circumstances might exist that warrant re-opening discussion on a previously resolved issue.

b) To dissuade this practice, such re-opening requires a formal motion, second, and two-thirds (66%) majority affirmative vote subject to the quorum rules in this document.

c) For the decision to revisit a previous decision to be considered binding, advance notification as specified in Meeting Notifications (Section 3) is required.

d) The Meeting Notifications (Section 3) can be waived to expedite ballot reconciliation items if the Group determines that the new discussion represents the same range of views as addressed in the original decision.

7 Electronic Voting

To facilitate decision making between WGMs, there are two methods of electronic voting allowed.

7.1 Electronic Voting on a Motion

a) At the discretion of the Group Chair or Group members, decisions considered outside of the WGM may be resolved electronically.

b) Electronic voting will be announced by one of the co-chairs on the Group list server. Co-chairs may conduct the eVote using the list server or any other tool available to them.

c) If the motion was NOT made, seconded and discussed during a quorum meeting then, the Co-chair will circulate the motion and request a second via the list service. Once seconded there will

be a period of not less than 3 days of discussion via the list server prior to the opening of the e-vote.

d) Electronic votes will be held open for a minimum period of 3 days. The voting period will be defined in the announcement of opening the e-vote.

e) Quorum for electronic voting will be set at 90% of the number of attendees at the last WGM session or conference call at which quorum was achieved. Refer to Section 5 for WGM quorum requirements.

f) While voting may continue to the close of the voting period, the motion may be declared as passed or failed given the results of a majority of quorum. If quorum has not been achieved at the end of the announced voting period, the vote will be closed as unsuccessful due to lack of quorum.

g) The results of electronic votes are determined as per Section 7.1.

7.2 Electronic Voting for Routine Decision Without a Motion

a) For routine decisions, such as input on decision topics or approval of documents including Project Scope Statements (PSS), Publication Requests, STU Extension Requests, STU Update Requests, and others as determined by the Group co-chairs, voting can be done electronically without a motion.

b) A list of the routine decisions under consideration will be distributed by the Group co-chairs to the Group members with options to vote affirmative, negative, abstain, or refer to telecom. For negative and refer to telecom votes, a comment is required from the voter.

a) Quorum for electronic voting will be set at 90% of the number of attendees at the last WGM session or conference call at which quorum was achieved. Refer to Section 5 for WGM quorum requirements.

b) Electronic votes will be held open for a minimum of 3 days. At the next Group meeting, either at the WGM or via conference call, after the voting period has completed, as long as quorum has been met, all items that have not received a negative or refer to telecom vote will be noted as approved. Items which have passed but still have a negative with comment or refer to telecon vote will need to be discussed by the Group and disposed of as a regular course of business, which may include a vote to re-open the item.

8 Participation

All Groups must adopt 8.1. Open membership groups adopt 8.2. Closed membership groups may replace 8.2 with 8.3.

8.1 General Participation

a) Where possible, the co-chairs should accommodate schedules to ensure such representation can be present in the appropriate venue.

8.2 Statement of Position

a) Those wishing to establish a position in writing may do so subject to the notification requirements outlined in Section 3.

b) Statements of Position received prior to or during the meeting will be shared by the presiding chair as part of the discussion on the related topic.

c) The presiding chair has the responsibility to present these positions during relevant discussion, though they are not under any obligation to support or defend them.

d) These statements do not carry the weight of a vote and are included as informational only for consideration by the Group.

e) All Statements of Position received in electronic form will be included as attachments to the minutes.

8.3 Proxy Allowed – within a closed Membership Group

The following section is provided as candidate boilerplate for those closed membership Groups choosing the support proxy participation. It is not considered to be part of the "default" practices unless specifically adopted by the Group. If this section is adopted, it should REPLACE Section 8.1

a) Group members unable to participate in Group activities in person may do so by proxy.

b) The Group recognizes that competing interests sometimes prohibit a member's ability to participate in person at all meetings.

c) To address this concern, declared members may issue a formal proxy to allow their voice to be heard in their absence.

d) Proxies take the forms of Time-Limited, Issue-Limited and "Statement of Position". Note that a proxy can be both time-limited and issue-limited at the discretion of the issuing member.

8.3.1 Time-limited Proxy

a) A time-limited proxy empowers another individual to speak for the absent member. Time-limited proxies empower the proxy holder to represent the originating individual for the period of time designated in the proxy (for instance, the duration of a WGM).

b) Proxyholders may participate and vote *on all issues* on behalf of the issuing individual subject to the constraints in the proxy.

c) The time-limited proxy holder is restricted to individuals in attendance at the meeting.

8.3.2 Issue-limited Proxy

Contrasted with a time-limited proxy, an issue-limited proxy empowers the proxy participant to act on behalf of the issuing individual for all matters pertaining to the issue designated in the proxy itself.

Proxy holders may participate and vote in all matters *concerning the issue designated in the proxy* and subject to any constraints in the proxy. For instance, if an individual proffers a proxy on all issues related to HL7 Balloting, the acting proxy participant may engage only on those issues pertaining to balloting.

Note: A declared member may also declare their vote on a given issue by email in advance of the meeting.

8.3.3   Proxy Constraints

Proxy can only be conferred on another member of the closed member Group.

An individual can hold a proxy for multiple individuals.

Proxies are not transitive. A proxy for one individual cannot re-delegate that proxy to another.

8.3.4   Proxy Notification

a) Proxies must be identified to, at a minimum, the Group co-chairs, and co-chairs must announce the presence of the proxy to the members attending the meeting.

b) This notification must be provided either on paper and physically signed by the member (facsimiles are accepted) or received electronically from the e-mail address of the person conferring the proxy.

c) During a WGM, a proxy can be designated in front of either a co-chair or to an HL7 staff member.

d) Presence of a proxy shall be noted in the meeting minutes.

9   Robert's Rules of Order

The Group shall rely upon Robert's Rules of Order in the event that formal guidance of parliamentary procedure is needed or requested.

In the interest of ensuring the effective and active engagement of all participants, the Group shall follow its documented decision-making practices, referring to Robert's Rules of Order in the event of a question or concern. Since Robert's Rules of Order provides formalism for addressing almost all matters of process, this provides a "backup mechanism" of formality in the event that it is required.

It is the responsibility of the presiding chair to guide the Group to an efficient and effective outcome. The Group shall follow, in this order of precedence, these Decision-making Practices (which cannot conflict with the HL7 Bylaws, GOM, or ER), the HL7 GOM, the HL7 ER, the HL7 Bylaws, and Robert's Rules of Order. The established decision-making practices can refine certain policies and procedures so long as they remain in accordance with the HL7 GOM, HL7 ER, and Bylaws.

In the event that an issue arises where formality is required and no other guidance exists, Robert's Rules of Order shall take precedence. This provides a "common denominator" to keep in-check the power of the presiding chair and to confirm the rights of all participants and members.