**Work Item 0809018**: Our discussions with Dan Russler involved certain facets of the Sarbanes Oxley Act (SOX). Although not germane to non-profit organizations, aspects of SOX, such as a whistleblower policy, have come to be considered de facto good corporate practice.

**Source**: Mark McDougall, Executive Director; Chuck Meyer, HL7 Vice Chair

**Ratified by the EC**: 09/29/2008

**GOC analysis/rationale**: The addition of a whistleblower policy to the GOM can only serve to strengthen governance and operations. The model presented is based on documentation provided by the American Society of Association Executives (ASAE).

**Proposed revision**:

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**06.12 Whistleblower Policy**

**06.12.01 Reporting Encouraged**

HL7 encourages complaints, reports or inquiries about presumed illegal practices or serious violations of HL7 policy, including questionable conduct by HL7 itself, by its leadership, or by others on its behalf. Appropriate subjects to be raised under this policy would include financial improprieties, accounting or audit matters, ethics violations, or other similar illegal or improper practices or policies. Other subjects with existing complaint mechanisms should be addressed under those mechanisms, such as matters related to the reconciliation of unresolved negative ballots. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

**06.12.02 Protection from Retaliation**

Retaliation by or on behalf of HL7 against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy is strictly prohibited. This protection extends to those whose allegations are made in good faith but prove to be mistaken. However, HL7 reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

**06.12.03 Reporting Process**

Complaints, reports or inquiries under this policy may be made anonymously or confidentially. They should describe in detail the specific facts demonstrating the basis for the complaint, report or inquiry. They should be directed to the Chief Executive Officer or Chair of the Board of Directors; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to the Vice-chair of the Board. A prompt, discreet, and objective review or investigation will be conducted promptly. Staff or volunteers must recognize that HL7 may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously. Reports or complaints that can not be substantiated or further collaborated shall be dismissed.