Insurance Subcommittee (X12N) Constitution

(ASC91)
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1 Preamble

1.1 Introduction
The Accredited Standards Committee (ASC) Steering Committee (Steering) is responsible for this policy and associated procedures. X12 members agree to adhere to X12’s policies and procedures as a condition of membership. Non-member participants afforded specific collaboration privileges agree to adhere to X12’s policies and procedures as a condition of those privileges. Any party may submit a revision suggestion via X12’s online Feedback form.

1.2 Authority
X12’s primary organizational policies are established in the X12 Bylaws (CAP01) and supplemented by other corporate governance. The ASC’s committee-specific rules are established in the ASC Operating Manual (ASC01) and supplemented by other committee-level governance. Unless otherwise specified herein, these subcommittee-specific rules stand alone and cannot be supplemented with additional rules. Any permitted supplemental governance must be reviewed by the P&P task group and posted on X12’s publicly accessible policy and procedure web page.

1.3 Name/Formation
The Insurance Subcommittee (X12N) was established on February 4, 1991.

1.4 Purpose and Scope
The X12N Purpose and Scope (ASC90) defines X12C’s purpose and scope.

2 Amendments to this Constitution
All proposed amendments to this constitution must be processed according to ASC Subcommittees and Subordinate Groups (ASC05).

When the subcommittee is proposing the amendments, the subcommittee may seek input or advice from the Policies and Procedures Task Group (P&P) at any time. When the subcommittee is proposing the amendments, a draft version of the Constitution must be distributed to subcommittee constituents at least fourteen (14) calendar days before a vote on the amendments. If at least two-thirds (2/3) of the X12N constituents approve of a motion to move the proposed amendments forward for P&P review, the subcommittee chair submits the draft version to P&P per the requirements set forth in ASC Subcommittee and Subordinate Groups (ASC05) section 4.1 Process for Revisions Proposed by a Group.

When this Constitution is being revised to align with new, clarified, or revised corporate or
committee policies or procedures, the revisions are processed per the requirements set forth in 
ASC Subcommittee and Subordinate Groups (ASC05) section 4.2 Process for Policy-Related 
Revisions.

3 Stakeholders and Constituents

The corporate policies on stakeholders and constituents are established in the X12 Bylaws 
(CAP01) and supplemented by X12 Membership (CAP04). In addition, X12N establishes the 
following more restrictive policies which apply to the subcommittee and its task groups and work 
groups.

X12N is open to any X12 member representative with a material interest in the functions defined 
in the X12N Purpose and Scope (ASC90). X12N requires X12 members to register interest in 
the subcommittee by becoming an X12N stakeholder. X12 members who meet the specific 
requirements defined in Section 3.1 Establishing Stakeholder Status are automatically granted 
recognition as an X12N stakeholder. X12N stakeholders must meet the requirements defined 
in Section 3.2 Maintaining Stakeholder Status to continue to be recognized as an X12N 
stakeholder. The member representatives of an X12N stakeholder are automatically considered 
to be constituents of X12N and all its subordinate groups, except for any exceptions established 
herein.

X12N stakeholders have a responsibility to ensure their member representatives (X12N 
constituents) participate in X12N collaborations consistently. All X12N constituents have the 
right to speak in meetings, participate in collaboration activities, and propose and second 
motions. Voting rights with X12N are defined in Section 5 Voting below.

3.1 Establishing Stakeholder Status

To establish X12N stakeholder status, any member representative of an X12 member 
must participate as an observer at one or more X12N full subcommittee sessions at an 
X12 Standing meeting. At the conclusion of the Standing meeting at which the member 
representative participated as an observer, stakeholder status is automatically conferred 
upon the X12 member.

3.2 Maintaining Stakeholder Status

To maintain X12N stakeholder status, at least one of the member’s representatives 
must attend at least one X12N full subcommittee session during at least one of the 
previous three X12 Standing meetings. An X12N stakeholder who is unrepresented at 
three consecutive X12 Standing meetings loses its stakeholder status at the conclusion of 
the third consecutive meeting and all the stakeholder’s representatives lose their 
X12N constituent status.

An X12N stakeholder who loses their stakeholder status based on attendance is eligible
to regain stakeholder status by meeting the requirements defined in Section 3.1 Establishing Stakeholder Status.

### 3.3 Waiving Participation Requirements

In certain cases, the X12N chair has the authority to waive the participation requirements defined in Section 3.1 and confer stakeholder status on an X12 member not otherwise entitled to be recognized as a stakeholder.

The X12N chair bases such a waiver on the following criteria.

1. Receipt of a petition for immediate stakeholder status from an X12 member representative. The petition must be submitted via this online form.
2. Verification of the following:
   a. The X12 member representative attended at least two of the last three standing meetings. This participation may have been as an X12 member representative or as a non-member observer.
   b. The X12 member representative subsequently changed employment.
   c. The new employer is an X12 member.
   d. The X12 member representative is listed on the new employer’s member representative roster.
3. The concurrence of X12N Management.

### 4 Observers

Any X12 member representative is permitted to attend any session of the X12N subcommittee or its subordinate groups conducted at a Standing meeting; however, such individuals are only afforded speaking privileges upon invitation of the presiding chair and are not entitled to any other stakeholder or constituent privileges.

Non-member attendees of an X12 Standing meeting may attend any session of the X12N subcommittee or its subordinate groups; however, such individuals are only afforded speaking privileges upon invitation of the presiding chair and are not entitled to any other stakeholder or constituent privileges.

### 5 Voting

Corporate balloting, record date, and voting requirements are established in the X12 Bylaws (CAP01). Per the X12 Bylaws, X12N confers voting rights on recognized stakeholders and conducts all subcommittee voting as stakeholder ballots, executed as either a meeting vote or an electronic vote. The X12 Bylaws expressly prohibit proxy voting within X12. As such, an X12N stakeholder’s voting right must be exercised by one of the X12N stakeholder’s representatives as noted below and an X12N constituent’s voting right in an X12N subordinate group must be exercised by the X12N constituent themselves, not by a proxy voter. X12N
specific requirements for task group and work group voting are described in Section 11.1 Subordinate Group Policies.

The primary representative of an X12N stakeholder, who is entitled to vote per X12 Membership (CAP04), has the right to vote on behalf of the X12N stakeholder in subcommittee ballots. In the absence of the primary representative, the alternate representative of the X12N stakeholder has the right to vote on behalf of the X12N stakeholder in subcommittee ballots without a formal delegation of the voting right from the primary representative. Specific to subcommittee voting conducted at a Standing meeting, the primary representative may delegate the X12N stakeholder’s voting right to another of the X12N stakeholder’s representatives for a specific meeting, or portion thereof. This does not constitute proxy voting as the X12N stakeholder’s voting right is being exercised by one of the X12N stakeholder’s representatives. The primary representative is not entitled to delegate the voting right for any subcommittee ballot conducted as an electronic vote.

6 Meetings

Corporate meeting requirements are established in the X12 Bylaws (CAP01) and supplemented by Meetings (CAP06). In addition, X12N establishes the following more restrictive policies which apply to the subcommittee and its task groups and work groups.

X12N meets as a subcommittee at each X12 Standing meeting and may conduct interim meetings as determined by the X12N chair. X12N task groups and work groups meet during a Standing meeting at least once per calendar year and may conduct interim meetings as determined by the subordinate group’s chair.

X12N adheres to the corporate notice requirements for Standing meeting session notification but hereby establishes a more restrictive notice requirement for interim meetings. Notice of any X12N interim meeting must be distributed at least fifteen (15) calendar days before the commencement of the interim meeting. X12N also establishes a more restrictive policy related to waiving the interim meeting notice requirements. If any X12N group wishes to hold an interim meeting with less than a fifteen calendar day notice the following applies.

1. The group’s chair issues a meeting notice at least six (6) calendar days before the scheduled interim meeting. The notice clarifies that the meeting will be held only if the group agrees to waive the notice requirement as the timeliness criterion is not being met.
2. The group’s constituents respond to the meeting notice, indicating agreement or disagreement with waiving notice.
3. The meeting is convened if at least twenty (20) percent of the constituents agree to waive the notice requirement and hold the meeting. The absence of a response from any constituent will be counted as an agreement to waive notice and hold the meeting.

X12N officers and secretaries must recognize that meeting minutes are public and should be well-written, clear, concise, and professional. Corporate meeting minute requirements, including
the permitted level of detail, are established in the X12 Bylaws (CAP01). In addition, X12N establishes the following more restrictive minutes policies that apply to the subcommittee and its task groups and work groups.

1. All X12N groups will approve final minutes for every meeting convened, minutes will be styled according to the approved template to ensure consistent content and formatting.
2. Within five (5) calendar days of any X12N meeting or session, the group’s secretary or chair will post draft minutes to the group’s collaboration workspace for a seven calendar day review. Any corrections to or comments on the draft minutes posted within the review period must be considered by the group.
3. If no corrective comments are posted within the review period, the minutes are considered approved when the review period closes.
4. Standing Meeting Minutes
   a. The minutes for all X12N groups that conduct at least one session during a Standing meeting are submitted to X12 staff as a set.
   b. Each group submits their approved minutes to the X12N secretary within 5 calendar days of the approval noted in item 3 above.
   c. The X12N secretary gathers the approved minutes and submits them to X12 staff at support@x12.org within 24 calendar days of the close of the Standing meeting.
5. Interim Meeting Minutes
   a. The group’s chair or secretary submits the approved minutes of any X12N interim meeting directly to X12 staff at support@x12.org within 5 calendar days of the approval noted in item 3 above, copying the X12N secretary.

Without regard to whether the information is provided by an X12N constituent, a guest speaker, or an observer, any special presentation provided at an X12N subcommittee, task group, or work group meeting must be approved at least 15 calendar days before the meeting by both the X12N chair and the ASC chair. Within 5 calendar days of approval by the ASC and X12N chairs, a special presentation must also be announced to X12N constituents and other meeting attendees. A special presentation must have clear applicability to an X12N supported business process, maintenance request, or another X12N activity. No accommodation is made or intended for the presentation of any product or service sales pitch. A co-chair who wishes to invite a guest speaker must coordinate with the X12 executive director in advance.

7 Appointments within the Subcommittee

Per ASC Subcommittees and Subordinate Groups (ASC05), the X12N chair has the authority to establish appointed positions within the subcommittee as necessary to facilitate the activities of the subcommittee and its subordinate groups, with or without amending this Constitution. The X12N chair appoints an X12N constituent who meets the criteria established in Section 8 Subcommittee Positions, is entitled to hold appointed positions per Membership (CAP04), and has the experience and knowledge to successfully perform the duties of the position to serve in each appointed position. Appointees serve at the pleasure of the X12N chair but at a minimum, appointments must be confirmed or reassigned every two years.
8 Subcommittee Positions

ASC Subcommittees and Subordinate Groups (ASC05) governs the number of positions subcommittee and subordinate group officers can hold. To ensure the workload is reasonably balanced among the X12N constituents, a constituent generally holds only one appointed or elected position within the subcommittee. In extenuating circumstances, the X12N chair has the authority to permit an exception that allows an individual X12N constituent to concurrently hold two appointed or elected positions for a limited period not to exceed one two-year term. These exceptions and the underlying extenuating circumstance are documented in the X12N Management task group’s meeting minutes.

9 Subcommittee Roles and Responsibilities

ASC Subcommittee and Subordinate Groups (ASC05) defines the ASC’s policies and procedures related to qualifications and election of subcommittee officers. In accordance with ASC05, X12N will have a chair and may elect a vice chair at the discretion of the subcommittee. X12N officer elections are conducted in advance of the Winter standing meeting of odd-numbered years. X12N’s officer titles are held by the X12N constituent.

The X12N chair cannot concurrently hold another elected position within the X12N subcommittee. Generally, the X12N vice-chair cannot concurrently hold another elected position within the subcommittee; however, the X12N chair has the authority to authorize the X12N vice-chair to hold another elected position in an extenuating circumstance. The exception and the underlying extenuating circumstance must be documented in the X12N Management task group’s meeting minutes.

ASC05 also defines the criteria, requirements, and responsibilities for other subcommittee positions, including secretary, Procedure Review Board (PRB) representatives, and X12J (TAS) representatives.

The chair appoints an X12N constituent as described in Section 7 Appointments Within the Subcommittee for the following subcommittee positions.

- Primary PRB representative
- Primary X12J representative
- X12N secretary

The chair may appoint an X12N constituent as described in Section 7 Appointments Within the Subcommittee for the following subcommittee positions.

- A PRB alternate representative who represents the subcommittee when the primary is unavailable.
- An X12J alternate representative who represents the subcommittee when the primary is unavailable.
10 X12N Subordinate Groups

Policies related to the X12 hierarchical structure and subordinate groups are defined in the X12 Bylaws (CAP01) and supplemented by ASC Subcommittees and Subordinate Groups (ASC05). X12N hereby establishes the following more restrictive policies which apply to X12N’s task groups and work groups.

Any X12N constituent or co-chair may present a recommendation for the establishment of a new subordinate group to the X12N chair for consideration.

Per the X12 Bylaws (CAP01), the X12N chair establishes and disbands standing and ad hoc subordinate groups, including task groups and work groups, as necessary to accomplish the work of the subcommittee. All X12N subordinate groups except the X12N Management task group are established as advisory to the X12N subcommittee, with the decisions and actions of the group presented as recommendations to the subcommittee and subject to confirmation via an X12N subcommittee ballot. The X12N Management task group is established with specific authority as described in Section 12.1 X12N Management.

Section 12 Task Groups and Section 13 Work Groups define governance specific to X12N subordinate groups. X12N’s subordinate groups do not define group-specific governance in a group charter.

10.1 Subordinate Group Policies

Except for the X12N Management task group, which is governed by policies specific to subcommittee leadership activities, the following policies apply to all X12N subordinate groups, including task groups and work groups.

X12N’s standing subordinate groups are established with a chair position or two co-chair positions. The inaugural chair or co-chairs may be appointed or elected at the discretion of the X12N chair. Subsequently, the chair or co-chairs are elected by the group’s constituents. If a group is established with co-chairs, one co-chair will be elected for a one-year term and the other for a two-year term to stagger election cycles. At any time, a subordinate group chair may ask the X12N chair to approve a non-standard one-year chair term so the group can maintain staggered officer terms over time. At any time, a subordinate group chair may ask the X12N chair to authorize additional co-chair positions based on the workload of the subordinate group. The X12N chair confers with the X12N Management task group before deciding on such a request. The X12N chair may later rescind one or more of the additional co-chair positions based on the workload of the subordinate group or the availability of qualified candidates. The X12N chair confers with the X12N Management task group before deciding on such an action.
X12N’s ad-hoc subordinate groups are established with a chair position which the X12N chair fills by appointment. The appointed chair serves through the life cycle of the ad-hoc group unless the appointed chair resigns or is removed by the X12N chair. If the appointed chair resigns or is removed the subcommittee chair appoints a replacement. Upon establishment, the subcommittee chair determines whether an ad-hoc subordinate group will be open to any X12N constituent or whether its constituents are appointed based on the group’s scope, deliverable(s) and expected life-cycle.

Per the X12 Bylaws, since X12N subordinate group decisions are advisory to the X12N subcommittee and subject to an X12N ballot, quorum for X12N subordinate groups is 5 eligible voters.

Regarding election ballots conducted by X12N’s subordinate groups, each election is conducted in accordance with ASC Subcommittees and Subordinate Groups (ASC05).

Regarding non-election ballots conducted by X12N’s task groups, each voting item is conducted as a stakeholder ballot with one representative of each X12N stakeholder having the right to vote.

Regarding non-election ballots conducted by X12N’s work groups, each voting item is conducted as a constituent ballot with any X12N constituent present or participating in an online collaboration having the right to vote.

Subordinate group officer elections are governed by the policies and procedures defined in Section 10 Subcommittee Officer Elections herein except for the following.

- The election timing is based on the two-year term cycle triggered by the current officer’s election instead of being set for the Winter Standing meeting of odd-numbered years.

Because of their influential position, subordinate group co-chairs must exercise care to avoid the appearance of controlling the discussion or the outcome of any action. To ensure there is no appearance of undue influence while also preserving the interests of each X12N stakeholder, including the stakeholder represented by the elected co-chair, the following apply to X12N’s subordinate group co-chairs. Subordinate group co-chairs are entitled to vote in all election ballots. For other types of administrative ballots and all technical ballots, one of the subordinate group’s co-chairs refrains from voting except to break a tie. The designated tiebreaker does not speak for or against the matter in any discussion or debate, nor exert any other influence on the outcome. The other subordinate group co-chair may vote at their own discretion and may speak for or against the matter in the debate preceding the vote. The X12N officers resolve any
issue related to subordinate group co-chair voting based on X12, ASC, and X12N policies and their assessment of the specific situation.

10.2 Subordinate Group Chair Responsibilities
The duties of subordinate group co-chairs are defined in ASC Subcommittees and Subordinate Groups (ASC05). In addition to the duties described, X12N subordinate group co-chairs represent the group at the next hierarchical level within X12N, with task group chairs representing the group in the X12N Management task group and work group chairs representing the group in the task group’s management group.

10.3 Subordinate Group Secretary
X12N subordinate group co-chairs may agree to request the X12N chair establish or terminate up to two appointed secretary positions based on the group’s workload and the availability of willing constituents. A subordinate group secretary serves at the pleasure of the subcommittee chair. At a minimum, subordinate secretory appointments are confirmed or reassigned every two years.

10.4 Other Subordinate Group Roles
X12N subordinate groups do not establish any other positions.

11 Task Groups
X12N has four established standing task groups as identified below. Additional standing task groups may be established and established standing task groups may be disbanded only by a revision to this Constitution. Ad-hoc task groups may be established and disbanded per Section 11 X12N Subordinate Groups without an associated revision to this Constitution.

In addition to the subordinate group policies identified in Section 11.1 Subordinate Group Policies, task groups adhere to the following policies. X12N task group chair(s) report to the subcommittee on the task group’s activities and accomplishments at each Standing meeting and upon any request by the X12N chair. Although the task group chair is empowered to speak on behalf of the task group within X12N, formal task group reports must be approved by the task group before being presented to the full subcommittee.

11.1 X12N Management
The X12N Management task group is established as a standing group with the authority to act on behalf of X12N in specific matters as defined in this section. The X12N Management task group’s purpose and scope are defined in ASC90.00.

The officers of the X12N Management task group are the X12N chair and vice-chair.
The X12N secretary serves as secretary for the X12N Management task group.

The X12N Management task group is comprised of ex-officio constituents. All task group constituents have a responsibility to participate in meetings and collaborations consistently and a right to speak in meetings, participate in collaboration activities, and to propose and second motions. The X12N Management task group constituents are:

- The X12N officers
- The chair or co-chairs of each X12N task group
  - If a convener is acting as chair of an X12N task group in the absence of an elected or appointed chair, the convener is considered a task group chair under this section.
- The X12N Procedures Review Board (PRB) primary representative
- The X12N Technical Assessment Subcommittee (X12J) primary representative
- The X12N secretary
- X12N’s internal liaisons
- X12 formal liaisons with responsibilities of specific interest to X12N

Voting rights are conferred within the X12N Management task group as follows:

- The X12N chair votes only to break a tie
- The X12N vice-chair
- One vote for each X12N task group
  - The co-chairs representing each task group determine their vote by consensus
- The X12N Procedures Review Board (PRB) primary representative
- The X12N Technical Assessment Subcommittee (TAS) primary representative

The quorum for the X12N Management task group is established as two-thirds of the voting constituents. A quorum is not required to convene a meeting; however, a quorum must be established for the group to take any action requiring a vote.

In a situation where the X12N chair has approved an exception that results in one individual holding two positions in the X12N Management task group, both positions count toward quorum; however, in keeping with X12’s policy of a one vote per representative in any matter, the individual is limited to one vote on any ballot.

11.2 X12N/TGA

The X12N Project Management Office task group (TGA) is established as a standing advisory group. TGA’s purpose and scope are defined in ASC90.01.
11.3 X12N/TGB

The X12N Business task group (TGB) is established as a standing advisory group. TGB’s purpose and scope are defined in ASC90.07.

11.4 X12N/TGC

The X12N Technical task group (TGC) is established as a standing advisory group. TGC’s purpose and scope are defined in ASC90.18.

12 Work Groups

X12N has established standing advisory work groups as identified below. Additional standing work groups may be established and standing work groups may be disbanded only by a revision to this Constitution. Ad-hoc work groups may be established and disbanded per Section 11 X12N Subordinate Groups without an associated revision to this Constitution.

In addition to the subordinate group policies identified in Section 11.1 Subordinate Group Policies, work groups adhere to the following policies. X12N work group chair(s) will report to the subcommittee on the work group’s activities and accomplishments at each Standing meeting and upon any request by the X12N chair or associated task group chair. Although the work group chair is empowered to speak on behalf of the work group within X12N, formal work group reports are approved by the work group before being presented to the full subcommittee.

Each X12N standing advisory work group is overseen by an X12N task group and operates under a scope statement as shown below.

1. Supervised by the Project Management Office Task Group (TGA)
   a. WG1 – Regulation Advisory/Collaboration (ASC90.02)
   b. WG2 – Change Management (ASC90.03)
   c. WG3 – Documentation Management (ASC90.04)
   d. WG4 – Procedural Review and Education (ASC90.05)

2. Supervised by the Business Task Group (TGB)
   a. WG1 – Benefit Information (ASC90.08)
   b. WG2 – Billing/Encounter Information and Claim Attachment (ASC90.09)
   c. WG3 – Payment Information (ASC90.10)
   d. WG5 – Claim Status and Claim Acknowledgment (ASC90.12)
   e. WG6 – Entity Work Group (ASC90.13)
   f. WG7 – Property & Casualty Policy Administration (ASC90.14)
   g. WG10 – Services Review Information (ASC90.15)
   h. WG15 – Provider Information (ASC90.16)
   i. WG16 – Enrollment and Premium Information (ASC90.17)
   j. WG22 – Health Care Data Reporting (ASC90.24)
3. Supervised by the Technical Task Group (TGC)
   a. WG2 – RFI (ASC90.19)
   b. WG3 – Solution Development (ASC90.20)
   c. WG4 – Technical Design (ASC90.21)
   d. WG5 – Harmonization (ASC90.23)
   e. WG7 – EDI Acknowledgments (ASC90.22)

13 Subcommittee Work Products

ASC Subcommittees and Subordinate Groups (ASC05) establishes a subcommittee’s responsibilities and obligations related to its work products.

14 Subcommittee Governance

As permitted in the X12 Bylaws and the ASC Operating Manual (ASC01), the X12N subcommittee establishes additional governance policies and procedures to supplement this constitution. All such governance is subject to review by the Policies and Procedures (P&P) task group of the Accredited Standards Committee (ASC) and the approval of the ASC Steering Committee. All X12N governance is assigned an X12 policy/procedure identifier, complies with X12 formatting and style requirements, and must be available online on X12.org.

15 Terminology

To ensure consistent use of terms, definitions, and acronyms across X12 products and activities, X12 maintains the Wordbook, a comprehensive corporate glossary. The included terms are either proprietary to X12, cite definitions published by another authority, or represent common terms and definitions that are relevant to X12’s work. The terms and definitions defined in the Wordbook must be used in X12 work products when applicable, without modification or revision. The Wordbook can be referenced online at wordbook.x12.org.
16 Document History

New versions are effective on the Steering approval date.

<table>
<thead>
<tr>
<th>Approved</th>
<th>Description</th>
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<tbody>
<tr>
<td>3/28/2023</td>
<td>V7: Minor rewording and revisions to align with ASC05 related to officers and elections.</td>
</tr>
<tr>
<td>10/08/2020</td>
<td>V6: Created ASC91 from the X12N Constitution and Charter, both V5. Reformatted and revised per corporate and committee policies, the constitution template, and the subcommittee’s current practices. X12N approval - 7/1/20 via electronic subcommittee ballot</td>
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<tr>
<td>01/28/2014</td>
<td>V5: X12N Charter - approved</td>
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<td>V4: X12N Charter - approved</td>
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