

RULES OF PROCEDURE OF THE eHEALTH NETWORK SUBGROUPS

The eHealth Network has adopted the following model rules of procedure for its subgroups. The expression “the subgroup” refers hereinafter to each individual subgroup using these rules of procedure.

Article 1

Membership - notification and withdrawal

1. The subgroup will be composed of the members indicated by the eHealth Network’s member of each Member State (MS), including name, role in MS and contact information.
2. Each MS can appoint one or more members to the subgroup. Only one of the members will have the voting right, appointed by each MS.
3. The notification shall be addressed in writing to the eHealth Network’s secretariat.
4. Membership shall take effect after the receipt and confirmation of this notification.
5. Continuity of membership shall be aimed for the nominated members. Members can be accompanied by national experts.
6. A Member State wishing to withdraw from the subgroup shall send a written notification.

Article 2

Chair

1. The subgroup will be co-chaired by the European Commission and one subgroup member appointed by a MS. One additional subgroup member appointed by another MS will serve as rapporteur to the subgroup.
2. The Chairs and the rapporteur will be appointed for a period of 2 years.
3. The Chairs shall not have voting rights. Notwithstanding with Article 1(2), the Member State whose member is holding the MS co-chair position shall nominate another member to the subgroup and shall retain its voting rights through that member.

Article 3

Convening a meeting

1. Meetings of the subgroup are convened by the Chairs, either on his/her own initiative, or at the request of a simple majority of Members.
2. Meetings of the subgroup shall be held online. In addition, subject to the availability of a meeting venue, the subgroup shall organise 2 physical meetings in a year.

Article 4

Secretariat

1. In accordance with Article 4 of the Rules of procedure of the eHealth Network, the Commission (DG SANTE) shall provide secretarial support for the subgroup.

Article 5

Agenda

1. The Secretariat shall draw up the agenda, after consultation of the Chairs and rapporteur.
2. The agenda shall be adopted by the subgroup at the start of the meeting.

Article 6

Documentation to be sent to the subgroup's members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the subgroup members no later than 2 calendar days before the date of an online meeting or no later than 14 calendar days for physical meetings.
2. The secretariat shall send the documents for consultation to the subgroup's members no later than 2 calendar days before the date of an online meeting or no later than 14 calendar days for physical meetings.

Article 7

Preparation of deliverables to the eHealth Network

1. As far as possible, the subgroup shall deliberate by consensus. Abstentions shall not prevent the endorsement of deliberations by consensus.
2. A vote shall be taken if any member so requests. In the event of a vote, the outcome of the vote shall be decided by a majority of two thirds of the members present when the Chairs proceeds to the vote. Each Member State shall have one vote. Absent Member State's vote shall count in the vote if a written mandate is given to another member.

Article 8

Admission of third parties

1. The Chairs may invite, on an ad hoc basis, experts from outside the subgroup with specific competence in a subject on the agenda to participate in the work of the subgroup to work on that specific subject.
2. In addition, the Chairs may give observer status to national authorities responsible for eHealth of accession countries.
3. Third parties can join the discussion, but they have no right to vote.

Article 9

Written procedure

1. If necessary, the subgroup' opinions, conclusions, recommendations, or reports on a specific question may be delivered via a written procedure. To this end, upon request of the Chairs, the secretariat sends to the members the document(s) on which the subgroup is being consulted and, where appropriate, sets a time limit for observations.
1. The secretariat shall inform the subgroup of the outcomes of the written procedure.
2. However, if a simple majority of members asks for the question to be examined at a meeting of the subgroup, the written procedure shall be terminated without result and the Secretariat shall include the topic in the agenda of the next upcoming meeting.

Article 10

Summary minutes of the meetings

1. Summary minutes on the discussion on each point on the agenda and the opinions delivered by the subgroup shall be drafted by the secretariat and made available to the members without delay after the meeting.
3. The members shall send any comments they may have on the draft summary minutes to the secretariat in writing without delay.

Article 11

Attendance list and Conflicts of interest

1. At each meeting, the secretariat shall draw up an attendance list specifying the affiliation of all participants.
2. At the beginning of each meeting, any person designated by the Member States, as well as experts and representatives of third parties who have been invited to attend the meeting, shall inform the Chairs of any conflict of interest with regard to a particular item on the agenda.
3. In the event of such a conflict of interest, the person concerned shall inform the subgroup of the conflict of interest or withdraw from the meeting whilst the relevant items of the agenda are being dealt with.
4. Conflicts of interest shall be reported in writing, e.g. in the summary minutes of the subgroup's meeting.
5. Paragraphs 1, 2, 3 and 4 shall also apply to deliberations taken by the subgroup in written procedure.

Article 12

Correspondence

1. Correspondence relating to the subgroup shall be addressed to the secretariat, for the attention of the Chairs.
2. Correspondence for subgroup members shall be sent to the e-mail addresses which they provide for that purpose.

Article 13

Access to documents

The co-chairs are taking the decision of the publication of documents. Requests for access to the documents of the subgroup shall be handled in accordance with Regulation (EC) No 1049/2001. It is for the Commission to take a decision on requests for access to those documents pursuant to its Rules of Procedure as amended by Decision 2001/937/EC, ECSC, Euratom. If the request is addressed to a Member State that Member State shall apply Article 5 of Regulation (EC) No 1049/2001.

Article 14

Transparency of the subgroup's discussions and results

1. Discussions and results of the subgroup shall be documented in meeting minutes.
2. Documentation of the subgroup shall be of restricted access to members of eHN and eHN subgroups and can be published, when needed, on unanimous decision of the subgroup.

Article 15

Protection of personal data

All collecting, processing and publishing of personal data for the purposes of these rules of procedure shall be in accordance with Regulation (EU) 2018/1725 and Regulation 2016/679 (GDPR) where applicable.

Adopted by eHealth Network, November 2023