

Bylaws of the Prescription Monitoring Information eXchange (PMIX) Standards Organization



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<i>Version</i>	<i>Description of Changes</i>	<i>Approval Date</i>
1.0	Original	06/08/2015
2.0	Add Secretary, Standards Compliance Subcommittee, and clean up inconsistencies in original document	07/11/2018
3.0	Revise Officers of Subcommittees language subsection 6.01d	10/16/2019
4.0	Revised language to the following articles and their subsections: Definitions, Article II Purpose, Article III Membership, Article IV Executive Committee, Article V Process to Change the PMIX National Architecture, Article VI Officers, Article VII Amendment to Bylaws, Article IX Dissolution	????

Definitions

Member Federal Agency

A federal agency, as defined by 42 USC 5122(9) which, as determined by the Executive Committee, provides advice, funding, or other support for Prescription Drug Monitoring Programs and has been granted membership to the PMIX Standards Organization.

Member PDMP

A PDMP which has been granted membership to the PMIX Standards Organization.

Member PDMP System Vendor

An organization which supplies a PDMP System to at least one PDMP and has been granted membership to the PMIX Standards Organization.

Member Third-Party Intermediary Vendor

A Member Third-Party Intermediary Vendor is an organization or corporation that owns and/or operates a third-party intermediary for at least one member PDMP and has been granted membership to the PMIX Standards Organization.

PDMP or PMP

A Prescription Drug Monitoring Program or Prescription Monitoring Program meets all the following criteria:

- Authorized or mandated by law, regulation, or ordinance
- Managed by an agency which falls under the authority of a branch of a federal, state, commonwealth, territorial, district, or local government
- Authorized to require dispensers in its jurisdiction to report prescription data
- At a minimum, collects controlled substance prescriptions dispensed to human patients within its jurisdiction as mandated by law, regulation, or ordinance regardless of method of payment
- At a minimum, provides identified, patient-specific prescription history reports to authorized health care professionals

PDMP Information

Controlled substance and drugs of concern dispensing information submitted by pharmacies and other dispensers in a state, territory, commonwealth, or district to a PDMP.

PDMP Representative

A PDMP Representative is an individual employed or contracted to provide day-to-day operations by a Member PDMP and authorized to represent that PDMP in a function of the PMIX Standards Organization.

PDMP System

A PDMP system is the technology platform that enables the collection, storage, or reporting of information for a PDMP.

PDMP System Vendor Representative

A PDMP System Vendor Representative is an individual employed or contracted by a Member PDMP System Vendor and authorized to represent that Member PDMP System Vendor in a function of the PMIX Standards Organization.

PMIX National Architecture

The Prescription Monitoring Information Exchange (PMIX) National Architecture is an information exchange standard and related guidelines that enables interoperability between systems used by PDMPs for interstate and intrastate exchange of PDMP information. The PMIX National Architecture is composed of a formal set of technical requirements that apply to state PDMP systems, data sharing “hubs,” and other exchange partners or intermediaries.

PMIX Standards Organization

The governance organization for the PMIX National Architecture and its related standards and guidelines. The PMIX Standards Organization may consist of the following types of member organizations:

- Member PDMPs
- Member PDMP System Vendors
- Member Third-Party Intermediary Vendors
- Member Federal Agencies

Third-Party Intermediary

A service that facilitates the exchange of information between PDMPs and/or between PDMPs and their stakeholders by routing transactions to and from their software systems.

Third-Party Intermediary Vendor Representative

A Third-Party Intermediary Representative is an individual employed or contracted by a Member Third-Party Intermediary Vendor and authorized to represent that Member Third-Party Intermediary Vendor in a function of the PMIX Standards Organization.

Article I. Introduction

The name of this organization is the Prescription Monitoring Information eXchange (PMIX) Standards Organization. The PMIX National Architecture is a nationwide framework designed to promote standards-based sharing of information between PDMPs and their stakeholders.

Article II. Purpose

The purpose of the PMIX Standards Organization is to support the sharing of PDMP information among PDMP organizations and their stakeholders by establishing and maintaining the PMIX National Architecture and related guidelines, policies, and standards to minimize the cost and complexity of sharing PDMP information across organizational, vendor, geographic, and operational boundaries; enable secure, trusted exchanges of PDMP information; and promote consistency among PDMPs.

Article III. Membership

There shall be four types of members of the PMIX Standards Organization: Member PDMPs, Member PDMP System Vendors, Member Third-Party Intermediaries, and Member Federal Agencies. An organization may request PMIX Standards Organization membership by submitting a written request for membership to a member of the Executive Committee. The request should indicate the desire to become a member, the type of member the organization wishes to pursue, and proof that the organization meets the requirements to become a member of that type. Any member of the Executive Committee receiving a request for membership shall present the request to the Executive Committee at the next meeting of the Executive Committee where a quorum is established. The approval of the membership request shall be granted with a majority vote of the Executive Committee members where a quorum is established. One membership may be approved per organization. If an organization meets the requirements of multiple member types, the organization shall be approved under the first type of membership requested by the organization.

Section 3.01 Authority

The PMIX Standards Organization shall be the sole decision-making body of the PMIX National Architecture and any related standards, guidelines, and policies.

The membership of the PMIX Standards Organization shall approve the following:

- Any change to, addition to, removal from or revocation of the PMIX National Architecture
- Any change to, addition to, creation of or revocation of a PMIX Standard

The approval of the membership of the PMIX Standards Organization shall be obtained by an electronic vote for approval. Voting shall remain open for two (2) calendar weeks. Approval shall be determined by a “yes” vote by the majority of the members voting prior to the close of the vote. Any solicitation for votes under this section shall be sent to all members of the PMIX Standards Organization. There is no quorum requirement for this section except that the number of voting member PDMPs must outnumber the number of voting members from the other membership types.

Section 3.02 Annual Meeting

There shall be an annual meeting for the full membership of the PMIX Standards Organization. The annual meeting may be virtual and should occur as soon as feasible after a new Executive Committee is elected. At a minimum, the following shall be included in the agenda for the Annual Meeting:

- Introduction of the members of the Executive Committee
- Review of any changes to the PMIX National Architecture, PMIX Standards, or Bylaws considered by the membership in the prior year
- Review of any measures of conformance to the PMIX National Architecture or PMIX Standards considered by the Executive Committee in the prior year

Section 3.03 Primary and Alternate Representatives

Each member organization shall appoint a primary and alternate representative and provide in writing to the Executive Committee the contact information of the primary and alternate representatives. The primary representative shall be the voting member for the organization for all Executive Committee elections and items indicated in Section 3.01. The alternate representative will be the voting member in the event that the primary representative is unable to vote during the established voting time frame. It is the duty of the member organization to communicate any changes to the primary or alternate representatives. The Executive Committee shall not be responsible for lack of communication or ability to vote due to the failure of the member organization to communicate such changes.

Article IV. Executive Committee

Section 4.01 Membership of the Executive Committee

Membership of the Executive Committee shall consist of the following:

- Eight Representatives of Member PDMPs
- Four at-large members from PDMP System Vendor organizations, Third-Party Intermediary Vendors, or Federal Agencies

One representative from a member organization may be appointed to the Executive Committee at a time.

Section 4.02 Election and Term of Office

(a) Term of Office

The term of office of a member organization of the Executive Committee shall be two years. The term of office shall begin on January 1 of the year following the election of the member organization. A member organization of the Executive Committee may serve two consecutive terms. A member organization having served two consecutive terms on the Executive Committee may be renominated to the Executive Committee ten months after leaving office.

(b) Initial Election

To ensure an orderly transition and adequate transfer of knowledge between executive committees, as well as to allow for a sufficient voting membership, the following shall apply only to the first election following the passage of this revision of the Bylaws:

- If this revision of the Bylaws is passed between January 1 and June 30, 2023:
 - Elections shall be held in October in accordance with the “Elections” section of this revision. In addition:
 - The four PDMP Representatives with one year remaining according to the previous revision of the Bylaws shall remain on the Executive Committee as Representatives of Member PDMPs.
 - The remaining four Representative of Member PDMPs positions shall be up for election.
 - The two at-large members elected with the most votes shall receive two-year terms. The remaining two at-large members elected shall receive one-year terms.
- If this revision of the Bylaws is passed between July 1, 2023, and October 27, 2023:
 - Elections shall be held in accordance with the previous revision of the Bylaws.
 - The elected executive committee of PDMP Representatives shall serve from January 1 through December 31 of the calendar year following the passage of this revision.
 - In October of the calendar year following the passing of this revision, elections shall take place in accordance with the “Elections” section above. In addition:
 - The four PDMP Representatives with one year remaining according to the previous revision of the Bylaws shall remain on the Executive Committee as Representatives of Member PDMPs.
 - The remaining four Representative of Member PDMPs positions shall be up for election.
 - The two at-large members elected with the most votes shall receive two-year terms. The remaining two at-large members elected shall receive one-year terms.
- If this revision of the Bylaws is passed after October 27, 2023, and before January 1, 2024:
 - The elected executive committee of PDMP Representatives shall serve from January 1 through December 31 of the calendar year following the passage of this revision.
 - In October of the calendar year following the revision of this revision, elections shall take place in accordance with the “Elections” section of this revision. In addition:
 - The four PDMP Representatives with one year remaining according to the previous revision of the Bylaws shall remain on the Executive Committee as

Representatives of Member PDMPs.

- The remaining four Representative of Member PDMPs positions shall be up for election.
- The two at-large members elected with the most votes shall receive two-year terms. The remaining two at-large members elected shall receive one-year terms.

(c) Elections

Elections of the Executive Committee shall be performed as follows:

- A solicitation of nominations for the next Executive Committee shall be sent to the membership by the second Wednesday of October. Any member of the PMIX Standards Organization may nominate a representative for any Executive Committee position.
- Nominations shall be sent to the Executive Committee by the fourth Wednesday of October.
- If multiple representatives of a member organization are nominated, the member organization shall determine which representative shall be placed on the ballot.
- Ballots shall be sent to the membership by the Executive Committee on the second Wednesday of November.
- Voting shall be closed on the second Wednesday of December.

(d) Vacancies

If there is a vacancy on the Executive Committee, the member organization represented shall authorize a new representative to replace the voting member of the Executive Committee for the remainder of the term. If the organization is no longer a member of the PMIX Standards Organization or if there is no representative available from the member organization, the Chairperson shall appoint a replacement representative of the same membership type as a voting member.

(e) Removal

Any member may be removed from the Executive Committee, if the member fails to fulfill any of his or her duties as set forth in this document, by the affirmative vote of a majority of the Executive Committee. The Chair shall notify the member organization represented and the member organization shall appoint a different representative to fill the vacancy. If the organization is no longer a member of the PMIX Standards Organization or if there is no representative available from the member organization, the Chairperson shall appoint a replacement representative of the same membership type as a voting member.

Section 4.03 Duties of the Executive Committee

The Executive Committee shall do all the following:

- Define the goals and direction of the PMIX Standards Organization,
- Review and approve measures of conformance to the PMIX National Architecture and PMIX standards as suggested to the Executive Committee by the Standards Compliance Subcommittee,
- Review and approve guidance documents suggested to the Executive Committee by any subcommittee,
- Review and approve items suggested to the Executive Committee by any subcommittee to be sent to the membership for vote,
- Establish goals and objectives for the PMIX National Architecture roadmap to keep it current with changes in technology, relevant to the needs for information exchange between PDMPs and their partner organizations and aligned with the business goals and objectives and statutory requirements of the Prescription Drug Monitoring programs,
- Evaluate the PMIX Standards Organization effectiveness and functions,
- Oversee the appointment and operations of all subcommittees,
- Attend Executive Committee meetings and ensure that the Executive Committee and Subcommittees are accomplishing their goals,
- Facilitate the process via which all PDMP Member Organizations may review, provide feedback on, and approve the proposed changes to the PMIX National Architecture,
- Review the operational cost effectiveness of changes to the PMIX National Architecture,
- Address new opportunities for information exchange,
- Identify and define any procedures needed to facilitate the business of the PMIX Standards Organization, and
- Determine the methods by and the media through which meetings pursuant to Section 4.04 are conducted.

Section 4.04 Meetings

(a) Quorum

A majority of Executive Committee members shall constitute a quorum for meetings of the Executive Committee. Quorum for meetings of subcommittees shall be determined by the Executive Committee.

(b) Meetings of the Executive Committee

The meetings of the Executive Committee shall be conducted by the Chairperson (or Vice-Chairperson or Secretary in the absence of the Chairperson). Meetings shall be open to any party interested in attending the meeting. An interested party may only speak at an Executive Committee meeting with the express permission of the Chairperson (or Vice-Chairperson or Secretary in the

absence of the Chairperson). An interested party may be removed in the case of disruption of the meeting.

Minutes shall be taken at each meeting of the Executive Committee and any subcommittee. Minutes shall be approved by the Executive Committee and subcommittee at the next scheduled meeting and shall be posted to a publicly available section of PMIX Standards Organization website designated for such purpose following approval.

(i) Annual Meeting

There shall be an annual meeting of the Executive Committee. The annual meeting shall be in person, to the extent possible.

(ii) Regular Meetings

The Executive Committee shall hold a minimum of four (4) virtual, regular meetings each calendar year. The number and cadence of regular meetings shall be determined by the Chairperson.

(iii) Virtual Special Meetings

A virtual special meeting may be called by the Chairperson or upon the petition of the majority of the Executive Committee. A virtual special meeting must be announced at least five (5) business days in advance, must be communicated to all members of the Executive Committee, and must indicate the specific purpose of the meeting.

(c) Meetings of the Subcommittees

The Subcommittees shall hold regular meetings as deemed necessary by the Subcommittee Chairperson in consultation with the Executive Committee. Subcommittee meetings shall be open to any party interested in attending the meeting. Interested parties may participate in discussion of the subcommittee but may not disrupt the proceedings of the meeting. Interested parties are not permitted to vote. Any interested party determined to be disrupting the proceedings of the meeting may be removed from the meeting by the Subcommittee Chairperson.

Section 4.05 Subcommittees

The PMIX Standards Organization shall have four (4) standing subcommittees: the Operations Subcommittee, the Technical Architecture Subcommittee, the Standards Compliance Subcommittee, and the Education Subcommittee. To the extent permitted by law and within the requirements of these Bylaws, the Executive Committee may appoint its members to additional Subcommittees and designate the duties, powers, and authorities of such committees.

(a) Subcommittee Membership

The Subcommittees are composed of representatives of the PMIX Standards Organization Membership. Multiple representatives of a member organization may participate on a subcommittee. However, in the case that multiple representatives of a member are present in a subcommittee meeting, one member shall be designated as the voting member. Each subcommittee shall have a

subcommittee Chairperson in accordance with Article V. The Executive Committee may remove any member of a subcommittee with a vote of the majority of the Executive Committee at the petition of the Subcommittee Chair.

(b) Operations Subcommittee

The Operations Subcommittee shall address business issues impacting the exchange of information between Prescription Drug Monitoring Programs and the development and maintenance of the operations of the PMIX National Architecture. In addition, the Operations Subcommittee will address operational behaviors, policies, and standards necessary to promote consistency across state PDMPs by proposing such artifacts to the Executive Committee for adoption.

(c) Technical Architecture Subcommittee

The Technical Architecture Subcommittee shall be responsible for the development and maintenance of the technical aspects of the PMIX National Architecture as well as technical behaviors, policies, and standards necessary to promote consistency across state PDMPs by proposing such artifacts to the Executive Committee for adoption.

(d) Standards Compliance Subcommittee

The Standards Compliance Subcommittee shall be responsible for conducting reviews of compliance to the standards of the PMIX National Architecture and making recommendations to the Executive Committee on compliance. The Standards Compliance Subcommittee may also make recommendations on waivers, plans of action, and modifications on standards.

(e) Education Subcommittee

The Education Subcommittee shall be responsible for developing and publishing educational and marketing materials concerning any aspect of the PMIX National Architecture or Standards Organization by proposing such artifacts to the Executive Committee for adoption.

(f) Ad Hoc Subcommittees

Ad hoc subcommittees may be created by the Executive Committee Chairperson. The duties, meeting cadence, and length of service of the ad hoc subcommittee shall be determined by the Executive Committee Chairperson.

(g) Subcommittee Nominations

Membership of the subcommittees must be approved by the Chairperson of the appropriate subcommittee. Nominations for the Operations, Technical Architecture, Standards Compliance, Education, and Ad Hoc Subcommittees shall be accepted at any time. Nominations may be made by any current PMIX Standards Organization member organization. Nominations shall be made to the Chairperson of the respective subcommittee or the Executive Committee.

Article V. Executive Committee Officers

The Officers shall be a Chairperson, a Vice Chairperson, a Secretary, and the Standing Subcommittee

Chairpersons. A person may hold the position of a Standing Subcommittee Chairperson in addition to one other Officer position.

Section 5.01 Number of Officers

(a) Chairperson

The Chairperson shall be the chief executive and shall conduct all meetings of the Executive Committee. Eligibility for the Chairperson is limited to a PDMP Representative.

(b) Vice Chairperson

The Vice Chairperson shall assist the Chairperson and shall conduct meetings of the Executive Committee in the absence of the Chairperson. Eligibility for the Vice Chairperson is limited to a PDMP Representative.

(c) Secretary

The secretary shall ensure the recording, accuracy, and safety of all PMIX Standards Organization records, including but not limited to the minutes of the Executive Committee and subcommittees. In the absence of the Secretary, the Chairperson or Subcommittee Chairperson shall designate a replacement for that meeting. Eligibility for the Secretary is limited to a PDMP Representative.

(d) Standing Subcommittee Chairpersons

The Standing Subcommittee Chairpersons shall be members of the Executive Committee who have been appointed to be the Chairpersons of the subcommittees. A Standing Subcommittee Chairperson may appoint a Vice Chairperson for the subcommittee. The Standing Subcommittee Vice Chairpersons shall be representatives of member organizations. The Subcommittee Vice Chairperson shall assist the Subcommittee Chairperson and shall conduct meetings of the subcommittee in the absence of the Subcommittee Chairperson.

(e) Election of Officers

During the first regular meeting of the Executive Committee each calendar year, the Executive Committee shall elect a Chairperson, a Vice Chairperson, and a Secretary and shall appoint subcommittee chairpersons. In the event of a vacancy prior to the first meeting of the calendar year, the Executive Committee shall elect or appoint an Executive Committee member to fill the position.

(f) Duties of the Chairperson and Vice Chairperson

The duties of the Chairperson and Vice Chairperson include the following:

- Ensure that the Executive Committee membership satisfies the requirements of the Bylaws,
- Create the agenda for and facilitate all meetings of the Executive Committee,
- Create ad hoc subcommittees, as needed,

- Support the development of a road map for the PMIX National Architecture,
- Ensure that minutes are taken at all Executive Committee and Subcommittee meetings,
- Ensure that committees have appropriate representation and are fulfilling their responsibilities, and
- Ensure communication and cooperation between subcommittees.

(g) Duties of Standing Subcommittee Chairpersons

- Facilitate all meetings of the subcommittees,
- Determine subcommittee membership appointments,
- Ensure that minutes are taken at all subcommittee meetings,
- Evaluate the subcommittee's effectiveness and functions,
- Ensure communication and cooperation between subcommittees, and
- Update the Executive Committee on the subcommittees' progress.

Article VI. Process to Change the PMIX National Architecture

Changes to the PMIX National Architecture may be proposed to the Executive Committee by any member of the PMIX Standards Organization. All proposed changes to the PMIX National Architecture shall undergo the following process prior to being implemented.

Section 6.01 Change Processes

(a) The Executive Committee shall review the proposal, and, if the proposal is determined to be reasonable, the Executive Committee shall assign it to a subcommittee for consideration.

(b) The subcommittee to which the proposal was assigned shall review and amend the proposal, in consultation with other subcommittees, if appropriate, and vote to either recommend or not recommend the proposal to the Executive Committee for further consideration.

(c) If the subcommittee votes to recommend the proposal for further consideration by the Executive Committee, the Executive Committee shall review the proposal, including any amendments made by the subcommittee. The Executive Committee shall vote to post the proposal for comments or deny the proposal within two calendar months of receipt by the Executive Committee.

(d) If the Executive Committee votes to post the proposal for comments, the Executive Committee shall post the proposal in a manner viewable by member organizations for a minimum period of 30 days or longer period as determined by the Executive Committee and provide written notice to all member organizations. In the notice, the Executive Committee shall include the following information:

- Description of the change
- Reason(s) for the change
- Instructions on how PDMP organizations may review and comment on the proposal
- The Executive Committee may request member organizations that disagree with the proposal to describe in writing their reasons.

(e) The Executive Committee shall provide written responses to all comments in a reasonable amount of time and in a manner viewable by all member organizations.

(f) Following responding to all comments, the Executive Committee shall vote to take one of the following actions with the proposal:

- Send the proposal to the membership for vote.
- Amend the proposal and repost in accordance with Section (d).
- Deny the proposal.

(g) If the membership approves the proposal, the Executive Committee shall do the following:

- Send the approved changes to the Standards Compliance Subcommittee for suggested measures of compliance and implementation timeline.
- Once the Executive Committee approves the measures of compliance and implementation timeline, post the changes including the measures of compliance and implementation timeline to the PMIX website and notify the membership of the approval.

(h) If the Executive Committee denies the proposal under Section (c), the proposal shall be returned to the Subcommittee for reconsideration. The Executive Committee shall include reasoning for denying the proposal.

(i) If the Executive Committee denies the proposal under Section (f), the proposal may be returned to the Subcommittee for reconsideration.

Article VII. Amendment to Bylaws

The Bylaws may be amended, altered, or repealed by the membership by a two-thirds (2/3) majority vote with at least half of the membership participating. The text of the proposed change(s) must be distributed to all PMIX Standards Organization members at least thirty (30) days before the vote to provide comments. Comments must be sent to the Executive Committee at least ten (10) days before voting. The Executive Committee shall distribute the comments to the membership for consideration at least five (5) days before voting. Voting on the proposed change(s) will remain open for fifteen (15) days. The number of voting member PDMPs must outnumber the number of voting members from the other membership types.

Article VIII. Conformity With Law

The members, Officers, and the Executive Committee shall not act on, consider, or discuss any matters prohibited by law. If any of the provisions of these Bylaws conflicts with state laws or those of the United States of America, such provisions shall be deemed to be modified or deleted in the extent necessary to bring these Bylaws into conformity with said laws.

Article IX. Dissolution

The organization may be dissolved only with the authorization of its members given at a virtual special meeting called for that purpose, and with the subsequent approval by no less than two-thirds (2/3) majority vote with at least half of the membership participating. The number of voting member PDMPs must outnumber the number of voting members from the other membership types.