

Healthcare and Public Health Sector Coordinating Council

Comprehensive Charter

Version 1.5





Healthcare & Public Health
Sector Coordinating Councils

PUBLIC PRIVATE PARTNERSHIP

Table of Contents

I. Introduction	1
1.1 Purpose	
1.2 Background.....	1
1.3 Inclusive Approach to HSCC Membership.....	1
1.4 HSCC Strategic Partnership Function.....	2
1.4.1 Information and Guidance:.....	2
1.4.2 Influence and Expertise	3
1.4.3 HSCC Organizational Structure	3
II. Sub-Councils	5
2.1 Membership	5
2.2 Roles and Responsibilities.....	6
2.2.1 Definitional Scope.....	6
2.2.2 Roles and Activities.....	6
2.3 Operating Procedures.....	7
2.3.1 Decision-Making Process	7
2.3.2 Election of Sub-Council Leaders.....	7
2.3.3 Meeting Cycle	7
III. Sub-Council Leadership Group.....	9
3.1 Membership	9
3.2 Roles and Responsibilities.....	9
3.2.1 Definitional Scope.....	9
3.2.2 Roles and Activities.....	9
3.3 Operating Procedures.....	10
3.3.1 Decision-Making Process	10
3.3.2 Meeting Cycles	10
IV. Executive Committee.....	13
4.1 Membership	13
4.2 Roles and Responsibilities.....	13
4.2.1 Definitional Scope.....	13
4.2.3 Modifying the Charter.....	14

4.3 Operating Procedures.....	14
4.3.1 Decision-Making Process	14
4.3.2 Term Rotation Process	15
4.3.3 Meeting Cycles	15
V. Standing Workgroups	17
5.1 Membership	17
5.2 Roles and Responsibilities.....	17
5.3 Operating Procedures.....	17
5.3.1 Decision Making Process.....	18
5.3.2 Meeting Cycles	18
VI. Situational Workgroups.....	19
6.1 Membership	19
6.2 Roles and Responsibilities.....	19
6.3 Operating Procedures.....	19
6.3.1 Decision Making Process.....	19
6.3.2 Meeting Cycles	19
APPENDIX.....	22
Appendix A: Sub-Council Leadership Group Members.....	23
Appendix B: Executive Secretariat - Functions and Tasks.....	24
Appendix C: Glossary of Acronyms	25
Appendix D: HSCC Ethics Guidelines	26
Signature Page	33

I. Introduction

1.1 PURPOSE

This Comprehensive Charter has been developed as a dynamic document intended to clarify the organizational structure, functions and operating procedures for the Healthcare and Public Health Sector in carrying out its mission. It should be used to support the operational and functional workings of the Healthcare and Public Health Sector Coordinating Council (HSCC).

1.2 BACKGROUND

The HSCC has been designated to serve as the *Sector Coordinator* (as defined in Homeland Security Presidential Directive 7) by the Secretary of the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS). The HSCC serves as the private sector counterpart and partner to the Healthcare and Public Health Government Coordinating Council (HPHGCC, or GCC).

The mission of the HSCC is to:

- Serve the needs of sector owners/operators and associations (constituent customers) in preparing for, responding to, and recovering from significant hazards, including natural, technological and manmade disasters, and national or regional health crises.
- Advocate the interests of sector owners/operators and associations (constituent customers) to state and federal agencies and legislators to enhance government policies, plans, and actions regarding infrastructure protection.

As the private sector representatives of the Healthcare and Public Health Sector, the HSCC has been organized and is led by representatives of the companies, organizations, trade associations, and professional societies that play a critical role in ensuring the continuity of the nation's healthcare system.

1.3 INCLUSIVE APPROACH TO HSCC MEMBERSHIP

Any for-profit or non-profit entity or individual whose professional, business, or operational activity is carried out within or in support of the nation's

healthcare system is eligible for membership in the HSCC. This includes self-employed physicians, owners, operators, health care organizations and suppliers as well as subject matter experts, professional and other associations, and professional societies. Membership requires some level of participation; however, participation is broadly defined so as to be as inclusive as possible. Formal involvement in the HSCC governance bodies and workgroups is encouraged, but not required. Additional venues for participation in HSCC efforts, in addition to committee participation, include:

- using one or more of the products and services offered by the HSCC, including online tools, safety guides, secure channels, priority alerts, and conference calls;
- responding to HSCC inquiries and requests for information;
- communicating questions and concerns to committees; and
- talking with others about critical infrastructure issues and the efforts of the HSCC.

1.4 HSCC STRATEGIC PARTNERSHIP FUNCTION

The strategic function of the HSCC (see Figure 1) is to serve as a partnership vehicle interfacing between the private sector and the public sector including the GCC, Department of Health and Human Services (HHS), the Department of Homeland Security (DHS), other federal, state and local governments, and response agencies. The HSCC's partnership function also includes relationships with other infrastructure sectors, such as Information Technology, Electricity, Emergency Services and Telecommunications, as necessary to prepare for and respond to healthcare needs in a disaster or national or regional healthcare crisis.

In addition to coordinating, managing and maintaining these private sector collaborations with the public sector, the HSCC is responsible for using these relationships to mobilize and align owner/operator activities at the individual and collective level, and ultimately ensure the effective identification, prioritization, coordination and implementation of sector-wide strategies to secure the U.S. healthcare system.

The HSCC partnership vehicle works to achieve its mission by maintaining the flow of information and guidance going to the private sector (down arrow in Figure 1) as well as the flow of influence and expertise coming from the private sector (up arrow in Figure 1).

1.4.1 INFORMATION AND GUIDANCE:

The HSCC facilitates the communication of relevant and timely security information and guidance from government entities to private sector

stakeholders. With respect to this partnership function, the HSCC can be expected to:

- Create tools, mechanisms, and opportunities that will:
 - meet the communication and information needs of the sector’s constituent members;
 - maximize the preparation, response, and recovery capability of the sector’s constituent members; and
 - provide sector owners/operators with emergency response support and advice in preparation for, during and following a disaster.
- Identify and communicate best practices and standards which enable effective preparation, emergency response and infrastructure protection.

1.4.2 INFLUENCE AND EXPERTISE

The HSCC facilitates the communication of Sub-Council expertise and intelligence to the government, and ensures that Sub-Council interests, concerns and needs are adequately represented in government. With respect to this partnership function, the HSCC can be expected to:

- Ensure up-to-date assessment and prioritization of the sector’s diverse infrastructure protection needs (including training and research and development needs), issues, and concerns requiring attention, assessment, and action.
- Provide a mechanism to ensure that specialized knowledge and expertise of sector operators, owners and associations is available as a resource for public sector planning and policy.
- Integrate the sector’s diverse interests and perspectives into a collective voice and coordinated action to:
 - address the sector’s infrastructure protection concerns and ensure effective representation for the diverse components, organizations, and interest groups within the healthcare system;
 - communicate the healthcare sector’s needs to the appropriate government agencies; and
 - align and enhance government policies, plans, and activities regarding infrastructure protection.

1.4.3 HSCC ORGANIZATIONAL STRUCTURE

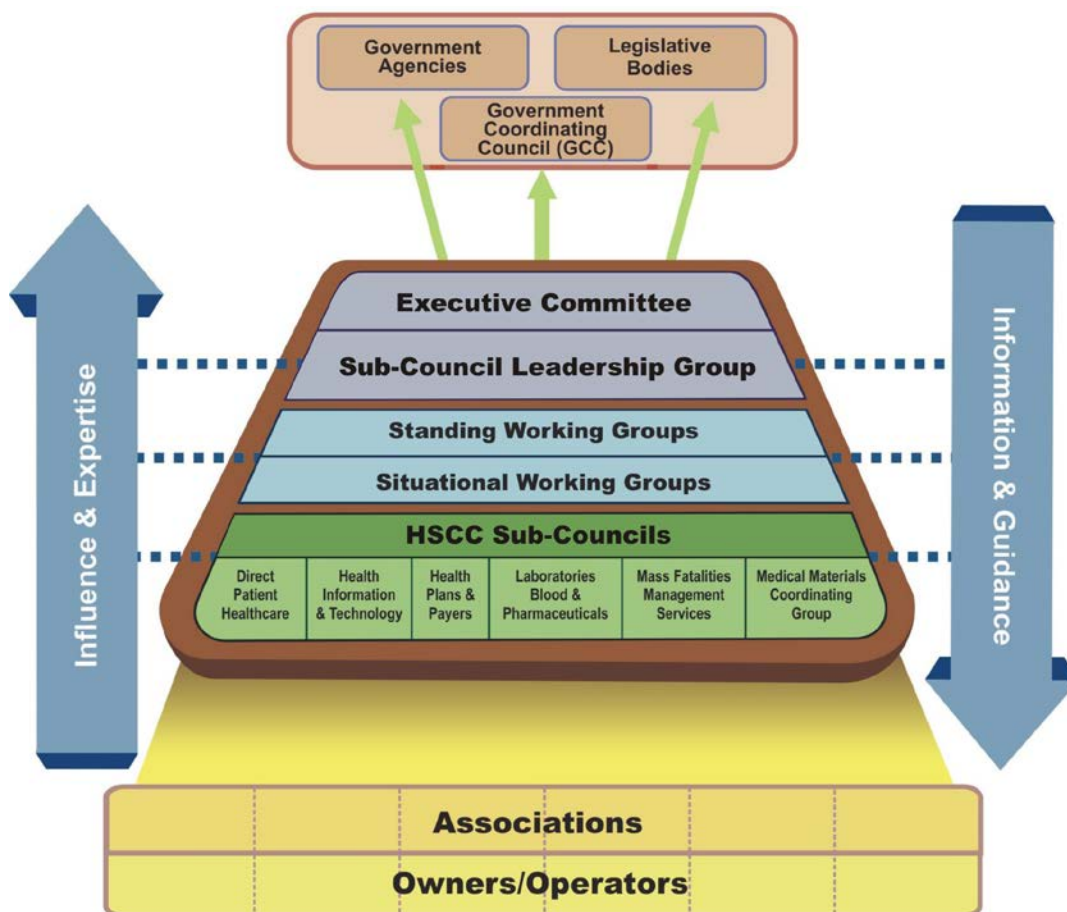
The operating bodies and organizational structure of the HSCC are depicted in Figure 1. This structure integrates the partnership function

with a bottom-up approach to representation and leadership to create an integrated organization that effectively represents the full breadth, scope, depth and interdependence of the U.S. healthcare system.

The HSCC operating bodies include the *Executive Committee*, the *Sub-Council Leadership Group*, *Sub-Councils* that represent the major healthcare Sub-Sectors, and two types of working groups: *Standing Workgroups* and *Situational Workgroups*.

Each of these bodies carries out activities in service of the HSCC mission and towards fulfilling the HSCC strategic functions and goals.

Figure 1: HSCC Organizational Structure and Strategic Functions



II. Sub-Councils

2.1 MEMBERSHIP

The HSCC membership body is divided into Sub-Councils, each of which represents a significant Sub-Sector of the nation’s healthcare system. Figure 2 below describes the major sub-sectors of the healthcare industry from which Sub-Council membership is drawn.

Anyone who is an HSCC member will fall into one or more of the HSCC Sub-Councils. However, an HSCC member’s level of participation in Sub-Council activities can vary significantly so that membership at the Sub-Council level of the HSCC is as open and inclusive as possible. Ideally, Sub-Council membership will be diverse and representative of the Sub-Sector it represents, encompassing:

- a balanced representation of all regions of the country; and
- representatives from all key professional disciplines

Participation by one entity in multiple Sub-Councils is appropriate whenever legitimate business interests are served.

Although the Sub-Council membership is voluntary, Sub-Council members will be asked to review and formally accept the HSCC Ethical Principles Document (Appendix D).

Figure 2: Healthcare Sub-Sectors

HSCC Sub-Sectors	
Direct Patient Healthcare	This sub-sector includes hospitals, doctors, nurses, pharmacists, dentists, emergency medicine and other clinicians and practitioners direct involved in healthcare delivery.
Health Information and Technology	This sub-sector includes the individuals/organizations that design, manage and implement all IT systems and capabilities and the networks that support delivery of healthcare services, including the CIO’s of major medical facilities
Health Plans and Payers	This sub-sector includes health insurance companies and health plans responsible for providing payment and in some cases directly providing care. Health plans provide insurance coverage to individuals, employers, Medicare, Medicaid as well as federal, state and local governments.
Laboratories, Blood, and Pharmaceuticals	This sub-sector includes laboratories and laboratory support services separate from medical treatment facilities; hospital and community blood centers; transfusion services and transplantation centers; and individuals involved in activities related to transfusion, cellular therapies and transplantation medicine. It also includes manufacturers, suppliers and distributors of generic and branded pharmaceuticals and biological supplies and equipment.
Mass Fatality Management Services	This sub-sector includes providers of the full spectrum of services needed after death, including medical examiners, coroners, funeral directors, cremationists, cemeterians, clergy, and manufacturers and distributors of funeral, memorial, and cremation supplies.
Medical Materials Coordinating Group	This sub-sector includes manufacturers, suppliers, and distributors of medical supplies and equipment, as well as health care materials managers.



2.2 ROLES AND RESPONSIBILITIES

Consistent with the “bottom-up” organizational approach described above, the Sub-Councils are free to establish their roles and responsibilities in accordance with the interests of their members

2.2.1 DEFINITIONAL SCOPE

Each Sub-Council defines the scope and boundaries of its particular focus within the context of the six Sub-Sector categories (Figure 2). Ideally, each Sub-Council adopts a focus that represents the full scope of its sub-sector.

2.2.2 ROLES AND ACTIVITIES

HSCC Sub-Councils set their own priorities regarding how to best identify and address constituent concerns. Thus, the nature of the Sub-Council roles and activities are up to each Sub-Council’s discretion, provided they are in support of the HSCC mission and the HSCC strategic partnership role.

Examples of the kinds of roles the Sub-Councils may choose to adopt, representing different elements of the HSCC partnership function, include:

- **Center of (Sub- Council) Expertise:** a source of expertise for government to access specific information from owner/operators and associations within a particular sub-Council.
- **Representative Body:** a venue for communicating private industry’s security interests and concerns to the Sub-Council Leadership Group, as well as to the GCC and other government entities.
- **Information Center:** an information and referral center for private sector entities to turn to for contact information, and updates on developments in government initiatives and legislation.
- **Affinity Group:** a venue for coordinating collaborative efforts between entities within a Sub-Council, between different Sub-Councils, and/or between a Sub-Council and corresponding government entities with common interests.

The definitional scope, functions, membership and leadership of the Sub-Councils may change over time to meet the needs of its



constituents. Section 3.2.2 (Procedures for Modifying the Charter and Governance Procedures) contains provisions for revising the list and/or the definitional scope of the Sub-Councils.

2.3 OPERATING PROCEDURES

Sub-Councils are free to establish their own decision-making processes and operating procedures consistent with the nature of standard business practices and relationships in that part of the healthcare system.

2.3.1 DECISION-MAKING PROCESS

While the Sub-Councils establish their own decision-making processes, the following guidelines are offered to promote common values and support groups that may want more guidance.

- Decision-making should reflect the widest possible range of interests and perspectives within and among the Sub-Councils.
- If a consensus on an issue cannot be reached, the Sub-Council members should try to fully convey the different point of views when representing the sub-council in its meetings with other Sub-Councils at Sub-Council Leadership Group meetings, and other HSCC meetings.
- Discussions and deliberations should be respectful and encourage the expression of diverse opinions and points of view.

2.3.2 ELECTION OF SUB-COUNCIL LEADERS

Sub-councils may choose to elect leaders within their group to lead Sub-Council meetings and/or represent the Sub-Council on the Sub-Council Leadership Group. The number of leaders and the term-lengths are up to each Sub-Council. Consecutive or non-consecutive subsequent terms are permitted and each sub-council is free to establish its own system of rotation of Sub-Council leaders.

2.3.3 MEETING CYCLE

The frequency of Sub-Council meetings is also up to each Sub-Council's discretion. The level of activity may vary significantly among Sub-Councils and change over time depending on what is going on in the sub-sectors.

Sub-Council members are encouraged to attend the HSCC-only, Joint HSCC-HPHGCC Council, and CIPAC meetings described in Section 3.3.3.



III. Sub-Council Leadership Group

3.1 MEMBERSHIP

The membership of the HSCC Sub-Council Leadership Group is drawn from the HSCC Sub-Council membership base. The Sub-Council Leadership Group should ideally include one or more representatives from each of the Sub-Councils so as to ensure that it represents the diverse range and breadth of the healthcare sector. The list of current Sub-Council Leadership Group members is located in Appendix A.

3.2 ROLES AND RESPONSIBILITIES

The Sub-Council Leadership Group is the minimum operating body required to maintain a functioning HSCC. Accordingly, it has a more defined set of roles and responsibilities than the Sub-Councils.

3.2.1 DEFINITIONAL SCOPE

The Sub-Council Leadership Group is the central leadership body of the HSCC Sub-Councils and provides input to the HSCC strategic objectives. It serves as a direct liaison with the Executive Committee and as a subject matter resource for government agencies. The Sub-Council Leadership Group also addresses intra-sector cross-cutting issues and integrates the perspectives and needs of the sub-sectors into unified actions for the sector as a whole.

3.2.2 ROLES AND ACTIVITIES

The Sub-Council Leadership Group will carry out roles and activities as necessary to effectively perform the strategic functions of the HSCC, achieve the HSCC mission, and realize the vision of a secure and resilient sector. In particular, its responsibilities include:

- establishing and maintaining relationships with government personnel to serve as effective points of contact for advocacy and communication of sector interests and needs;
- maintaining necessary and appropriate communications with and between the sub-councils, and between the HSCC and other sectors;
- identifying cross Sub-Council linkages and linkages with other critical infrastructure sectors;



- ensuring that decision making is equitable and accessible to all HSCC members;
- consulting as broadly as possible on pending decisions and issues requiring feedback to the Executive Committee or others outside the HSCC; and
- overseeing the production and delivery of services to HSCC members.

3.3 OPERATING PROCEDURES

In all of its activities, the Sub-Council Leadership Group is expected to adhere to the HSCC Ethical Guidelines set forth in Appendix D.

3.3.1 DECISION-MAKING PROCESS

The Sub-Council Leadership Group should use a collaborative and consensus-based approach that integrates the diverse strengths, skills and perspectives of members. In addition, decision-making by the Sub-Council Leadership Group should adhere to the following guidelines.

- Sub-Council Leadership Group decisions can be made only when there is a quorum, defined as the majority of the Sub-Council Leadership Group members being present.
- Decision-making should reflect the widest possible range of interests and perspectives within and among the sub-sectors.
- In the event that the Sub-Council Leadership Group cannot reach consensus on an issue, it will represent the range of views to all external audiences.
- All discussions and deliberations should be respectful and encourage the expression of diverse opinions and points of view.
- Discussions and deliberations on decisions should be aimed at producing a coherent voice reflecting the common views of the Sub-Councils, their members, and constituents.

3.3.2 MEETING CYCLES

The meetings required of the Sub-Council Leadership Group are intended to support the Committee's major functions of identifying critical issues and facilitating communication between Sub-Councils.

HSCC Sub-Council Leadership Group Calls

The Sub-Council Leadership Group shall meet on an as-needed basis. These meetings shall be open to Executive Committee and Sub-Council



members who, when not officially representing their Sub-Council, may attend as observers.

HSCC-Only Meetings

Sub-Council Leadership Group members are expected to attend HSCC-only meetings convened by the Executive Committee. These meetings, which are open to all HSCC members, serve as a forum for updating HSCC leadership and provide opportunities for cross-collaboration across the Working Groups and Sub-Councils.

Joint HSCC-HPHGCC Council Meetings

Sub-Council Leadership Group members are expected to attend the Joint HSCC-HPHGCC Meetings, which are held in-person a minimum of one time a year. These meetings are open to all HSCC members and serve as a forum for updating and collaborating with government partners.





IV. Executive Committee

4.1 MEMBERSHIP

The Executive Committee is made up of a Chair and three Co-Chairs selected from within the HSCC membership whenever possible. The Chair serves at the pleasure of the Executive Committee for an unlimited number of one year terms for continuity purposes, and who has a significant amount of time to devote to the task. The Co-Chairs each serve at the pleasure of the Executive Committee for one three year term. The Executive Committee shall select a new Co-Chair each year after informing the HSCC membership.

4.2 ROLES AND RESPONSIBILITIES

4.2.1 DEFINITIONAL SCOPE

The Executive Committee is the leadership body of the HSCC. It oversees the HSCC strategic objectives and serves as a direct liaison with the GCC and other government agencies. The Executive Committee addresses cross-cutting issues with other sectors. The Executive Committee also organizes and provides guidance to standing and situational workgroups.

4.2.2 Roles and Activities

The Executive Committee members preside at HSCC meetings and shall function as facilitators and communicators. They also represent the HSCC at non-HSCC meetings and events. Other responsibilities of the Chair and Co-Chairs include:

- serving as the primary, ongoing interface with Federal government and working closely with the GCC to develop and maintain an active and effective partnership for securing the healthcare sector;
- establishing standing and situational workgroups as it deems necessary and appointing initial leads;
- securing other secretariat and organizational support for the full HSCC;
- making every effort to attend meetings and events where HSCC representation has been requested;

- exercising their authority to nominate owners, operators, and/or associations for membership in the Critical Infrastructure Partnership Advisory Council (CIPAC); and
- selecting, at their own discretion, additional delegates to represent the HSCC at cross-sector councils such as the Partnership for Critical Infrastructure Security Cross Sector Council (PCISCSC), the National Infrastructure Advisory Council (NIAC) and its study groups, and other forums the HSCC determines to be worthy of participation. HSCC delegates shall use their best efforts to fulfill the duties relating to the delegation and shall use their best efforts to communicate any and all relevant information acquired to the entire HSCC.
- recruit new members, assist in planning joint meetings, suggest agenda items for the monthly Extended Team Meetings, prepare the preliminary and final agendas for the monthly HSCC telephone meetings, conduct the annual HSCC SWOT Analysis and membership survey to prepare the next Leadership Action Plan, and assist with agenda planning for the two HSCC-HPHGCC meetings.
- Act as liaison to Sub-Councils and Working Groups.

4.2.3 MODIFYING THE CHARTER

The Executive Committee will be responsible for modifying the HSCC Charter to ensure its continued relevance and ability to meet the needs of the owners and operators of the nation’s healthcare system. This document may be amended upon the consensus of the Executive Committee. In the event the Executive Committee determines it is appropriate to alter the list of Sub-Councils (add, remove, or modify), Figure 2 in Section 2.1: “Healthcare Subsectors” may be revised without amending the Charter.

4.3 OPERATING PROCEDURES

The Chair, Co-Chairs and Sub-Sector Leaders are expected at all times to adhere to the HSCC Ethical Guidelines set forth in Appendix D.

4.3.1 DECISION-MAKING PROCESS

No formal decision-making process has been established for the Executive Committee. It is up to the Executive Committee members whether or not to have a formal process and, if they choose to have one, what that process will be.

4.3.2 TERM ROTATION PROCESS

Once selected, Executive Committee Co-Chairs will serve for one three year term. If an HSCC Chair or Co-Chair resigns or becomes otherwise unavailable, the HSCC shall select a new Chair or Co-Chair. Thus at any point in time, the Executive Committee is made up of four unique positions – Chair and three Co-Chairs.

4.3.3 MEETING CYCLES

The Executive Committee is expected to have face-to-face meetings or phone conferences monthly and as needed throughout the year. Members are also expected to attend as many meetings of the Sub-Council Leadership Group as possible, as well as the *HSCC-Only Meetings*, *Joint HSCC-HPHGCC Council Meetings*, and *CIPAC Meetings*.

HSCC-Only Meetings

The Executive Committee is required to convene at least one in-person HSCC-only meeting per year. These meetings, which are open to all HSCC members, serve as a forum for updating HSCC leadership and provide opportunities for cross-collaboration across the working groups and sub-councils. The following guidelines apply:

- Meetings will be scheduled at the beginning of each calendar year to provide ample notice to members and interested observers, particularly from the Sub-Councils.
- The location of these meetings may rotate through regions of the country to accommodate Executive Committee and other HSCC members from various locations.

HSCC-HPHGCC Joint Extended Team Meetings

The Chair and Co-Chairs will convene Joint HSCC-HPHGCC Extended Team meetings monthly and as needed to carry out focused planning and development activities in collaboration with government partners. These Extended Team meetings may be opened to other HSCC Sub-Council Leadership Group members.

Joint HSCC-HPHGCC Council Meetings

Executive Committee members are expected to attend the Joint HSCC-HPHGCC Meetings, which are held in-person a minimum of one time a year. These meetings are open to all HSCC members and serve as a forum for updating and collaborating with government partners.

Critical Infrastructure Partnership Advisory Council (CIPAC) Meetings

Executive Committee members are expected to attend the annual CIPAC Meeting. The CIPAC meeting is open to all HSCC members and provides

opportunity for collaboration among private and public sector entities across the wide range of critical infrastructure (CIKR) sectors.

IV

V. Standing Workgroups

5.1 MEMBERSHIP

Standing workgroups are organized by the Executive Committee and center on issues considered of long-term relevance to the healthcare sector and which cut across the different sub-sector areas.

Standing workgroups should be composed of HSCC members and GCC members as appropriate to its task. They may also invite Subject Matter Experts (SMEs) and other government representatives to serve on a consulting or permanent basis as needed.

5.2 ROLES AND RESPONSIBILITIES

Standing workgroups are tasked with addressing the ongoing cross-sector needs of the healthcare sector considered to be of permanent/long-term relevance. They undertake long-term projects that produce concrete deliverables which help to inform and advise the HSCC. The Standing workgroups identified so far include:

- Supply Chain/Materials Management
- Awareness and Implementation
- Risk Management and Cyber Security
- Liaison Officer Program
- Extreme Weather

5.3 OPERATING PROCEDURES

The nature of the operating procedures, and whether to have any formal procedures at all, are up to the discretion of each workgroup within the boundaries and purview set by the Executive Committee. At all times, the standing workgroups are expected to adhere to the HSCC Ethical Guidelines set forth in Appendix D.

5.3.1 DECISION MAKING PROCESS

Standing workgroups establish their own decision-making processes. However, all discussions and deliberations should be respectful, encourage the expression of diverse opinions and points of view.

5.3.2 MEETING CYCLES

Standing workgroups are expected to have at least three meetings per year and may have more at their own discretion. The nature (face to face, phone, video conference, etc.) and location will be up to each workgroup's discretion based on the specific needs and requirements of the projects.

Standing workgroup members may attend the HSCC-only, Joint HSCC-HPHGCC Council, and CIPAC meetings described in Section 3.3.3.

VI. Situational Workgroups

6.1 MEMBERSHIP

Situational workgroups are organized at the discretion of the Executive Committee or sub-councils to work on specific short-term (< 1 year) projects. The membership of each situational workgroup should be appropriate to the issue and tasks at hand. They may be comprised solely of HSCC members or a combination of SCC and GCC members. They may also include Subject Matter Experts (SMEs) and other government representatives as needed.

6.2 ROLES AND RESPONSIBILITIES

Situational workgroups are tasked short-term projects of immediate importance that have clear scopes, deliverables, and timeframes, and which can be completed within a year. All products of the situational workgroups are meant to inform and advise the HSCC. The Situational Work Groups identified so far are:

- Active Shooter
- Cyber Legislation

6.3 OPERATING PROCEDURES

The nature of the operating procedures, and whether to have any formal procedures at all, are up to the discretion of each workgroup within the boundaries and purview set by originating body (i.e., Executive Committee or Sub-Council). At all times, the situational workgroups are expected to adhere to the HSCC Ethical Guidelines set forth in Appendix D.

6.3.1 DECISION MAKING PROCESS

Situational workgroups establish their own decision-making processes as appropriate to their assigned project or tasks. However, all discussions and deliberations should be respectful and fully capitalize on the diverse perspectives, expertise, and experience of its members.

6.3.2 MEETING CYCLES

The frequency of situational workgroup meetings will be up to each workgroup's discretion based on the specific requirements of their assigned project or tasks.

Situational workgroup members may attend the HSCC-only, Joint HSCC-HPHGCC Council, and CIPAC meetings described in Section 3.3.3.

APPENDIX

APPENDIX A: SUB-COUNCIL LEADERSHIP GROUP MEMBERS

BLOOD, LAB & PHARMACEUTICALS	Theresa Wiegmann American Association of Blood Banks
BLOOD, LAB & PHARMACEUTICALS	Rick Tanner Lab Corps
BLOOD, LAB & PHARMACEUTICALS	Erin Mullen Pharmaceutical Research & Mamufacturers of America
DIRECT PATIENT CARE	
ENGINEERING	
HEALTH INFORMATION & TECHNOLOGY	Deborah Kobza NH-ISAC
HEALTH INFORMATION & TECHNOLOGY	Daniel Nutkis HITRUST
HEALTH PLANS & PAYERS	Barbara Clardy America's Health Insurance Plans
MASS FATALITY MANAGEMENT	Robert M. Fells Internationa Cemetary & Funeral Association
MASS FATALITY MANAGEMENT	John H. Fitch National Funeral Directors Association
MASS FATALITY MANAGEMENT	David Morgan Brooklawn Memorial Park & Crematory

APPENDIX B: EXECUTIVE SECRETARIAT - FUNCTIONS AND TASKS

The Healthcare and Public Health Sector Coordinating Council (HSCC) Executive Secretariat plays a critical role in the sustainment and cultivation of the HSCC and its membership. The Executive Secretariat provides robust support to the HSCC and the HSCC Executive Committee. In this role, the Executive Secretariat fulfills both administrative and executive support functions.

An effective Executive Secretariat has advanced operational skills; provides institutional knowledge of the Department of Homeland Security and the applicable critical infrastructure protection (CIP) and partnership frameworks; maintains overall knowledge of the critical infrastructure protection environment as it pertains to the Healthcare and Public Health Sector; and can effectively communicate with and understand the unique perspective of the private sector as it relates to CIP and critical infrastructure/key resources for the healthcare community. Additionally, the Executive Secretariat must keep HSCC internal communications, contact information, documents, etc., outside of the public domain, unless otherwise authorized for release by the leadership of the HSCC.

The overall roles and responsibilities of the Executive Secretariat are largely determined by the HSCC leadership and the requirements of the private sector. The Executive Secretariat's role can be modified by the HSCC as deemed appropriate. Current roles and responsibilities of the Executive Secretariat include, but are not limited to:

- Performing routine administrative duties such as coordinating conference calls and meetings, providing materials production support, taking notes and action items, writing and distributing meeting summaries, and securing meeting venues;
- Developing white papers, letters, and reports;
- Drafting regular HSCC newsletters;
- Managing document review;
- Maintaining membership rosters and assisting with outreach and recruitment;
- Serving as a routine communication point of contact for internal HSCC communications;
- Contributing to the Homeland Security Information Network (HSIN) HPH portal, to include the maintenance of the HSCC-only sub-portal; and
- Executing records development and compliance.

Government Requested Briefings, Meetings, and Materials,

While not required, briefings, meetings, and materials relevant to the general interests of the HSCC or which may involve interactive issues between sector Sub-Councils are encouraged to be conducted and conveyed to the Sub-Council Leadership Group, the Executive Committee and/or the HSCC membership through the Executive Secretariat.

APPENDIX C: GLOSSARY OF ACRONYMS

CIKR – Critical Infrastructure Key Resources

CIPAC – Critical Infrastructure Partnership Advisory Council

FSLC – Federal Senior Leadership Council

GCC – Government Coordinating Council

HPHGCC – Healthcare Sector Government Coordinating Council (also referred to as the GCC in this charter document)

HSCC – Healthcare Sector Coordinating Council

NIAC - National Infrastructure Advisory Council

PCIS – Partnership for Critical Infrastructure Security, Inc.

SCC – Sector Coordinating Council

SLTTGCC – State, Local, Tribal, and Territorial Government Coordinating Council

SME – Subject Matter Expert

SSA – Sector Specific Agency

APPENDIX D: HSCC ETHICS GUIDELINES

I. HSCC ETHICS GUIDELINES

The HSCC Ethics Guidelines are as follows:

- HSCC members shall comply fully with all applicable statutes, laws, and regulations;
- HSCC members shall be familiar with the source of the information they maintain access to, to respect the sensitivities and potential harm associated with the compromise of that information;
- HSCC members shall handle and distribute sensitive information only in manners permitted by or in keeping with federal policy;
- HSCC members shall not use the HSCC organization for personal or non-public gain and shall avoid the appearance of using the HSCC organization for personal or non-public gain;
- HSCC members shall not influence and shall avoid the appearance of influencing or seeking to influence public decisions for non-public benefit;
- HSCC members shall not induce any federal official to violate the law and shall avoid the appearance of inducing a federal official to violate the law; and
- HSCC members shall not make or give the appearance to make commitments, obligations, or representations improperly binding the United States Government, or the HSCC.

II. PROCESS

A. COMMIT TO ETHICAL CONDUCT

Commitment to doing business honestly, ethically, and with respect for each other is critical to the public-private partnership. This partnership depends on an environment of open communication, empowerment, inclusion, integrity, and trust. These values remain at the forefront of our culture and our business decisions. We must maintain our commitment to these values and continue building a culture that understands what is acceptable and what is not. We should never compromise on issues of integrity.

When we are faced with an ethical dilemma, we all have a responsibility to take appropriate action. Regardless of the situation, we must exercise total honesty and integrity in everything we do. As members of public-private partnership, we are responsible for complying with all applicable laws and regulations. Our commitment to doing the right thing will strengthen the partnership and its reputation as a model of public-private cooperation.

B. KNOW THE GUIDELINES

Most people would never knowingly violate a law or policy. Sometimes situations arise where the right thing to do is not clear. HSCC members should refer to these Ethics Guidelines for clarification.

Long-term, trusting partnerships are built by being honest, open, and fair. These Guidelines reflect this principle.

Members of the HSCC are expected to know, understand, and abide by these Guidelines. HSCC members are expected to watch for potential violations of the Guidelines and to report them to one of the chairs or the secretariat—whether they occur inside the HSCC framework or through external dealings with members' customers or other persons, businesses, or government organizations.

These Guidelines are detailed, but cannot address every situation HSCC members may possibly face. HSCC members are expected to exercise good judgment in decision-making and to seek help when they have questions or concerns that are not addressed in the Guidelines.

C. SHARE CONCERNS

Every HSCC member is expected to report promptly any issue or concern they believe, in good faith, may constitute a violation of the Guidelines or their organization's policies. HSCC members are also encouraged to come forward if they encounter a situation that "just does not feel right." Open communication and empowerment are key elements of trust, and HSCC members' commitment to take action to share concerns will help to ensure an ethical working environment for all public-private sector partnership members.

There are several options available for voicing concerns. If a private sector HSCC member has questions about these Guidelines or wants more details about a particular policy, he or she may contact a HSCC Officer or a Federal official in the FSLC. Federal government Partnership members should consult their agency/organization's ethics

counselor or legal advisor regarding Federal obligations related to ethics and Executive Branch standards of conduct.

III. FEDERAL ETHICS LEGAL CONSIDERATIONS

An understanding of Federal Ethics Laws is essential for Federal Officials and for private-sector individuals doing business with the Federal government. These Ethics Guidelines are supported by a host of Federal laws that may be referenced in the U.S. Office of Government Ethics' (OGE) Compilation of Federal Ethics Laws. Many ethics topics in that compilation—such as conflicts of interest; bribery and gifts; and procurement integrity—warrant specific reference in these Guidelines.

A. CONFLICTS OF INTEREST

Conflicts of interest can be personal or organizational. Personal conflicts of interest can encompass a variety of situations involving use of official position for personal gain. An area that raises particular ethical and business concerns for the Federal government is the "organizational conflicts of interest" or "OCI." The Government is required to avoid strictly even the appearance of a conflict of interest when it is procuring goods and services. OCI rules detailed in Federal regulations focus upon the unfair competitive advantage that a potential contractor has, or may gain, from previous work performed for, or other involvement with, the Government, or the potential for bias in the evaluation or award of a prospective procurement.

OCI concerns are important to the public-private partnership because of the risk posed to the public trust regarding private-sector members in the HSCC. To avoid that situation, no private-sector HSCC member may be placed or permitted to act in a manner where he or she provides assistance or advice to the government that can result in favor to its product or service in government procurement. In addition, no private-sector HSCC member may be provided access to information that creates an unfair competitive advantage for future government procurements. Failure to address effectively and proactively conflict of interest issues such as these will preclude private-sector entities from being able to compete effectively and will most certainly degrade the public's respect for and trust in the partnership.

B. BRIBES, KICKBACKS, AND ILLEGAL GRATUITIES

Bribery

Federal and State bribery laws generally provide that it is a crime to give or promise "anything of value" to a public official (or to a person who has been selected as a public

official) with the intent to influence that official to do an official act. Usually bribes are cash payments, however sometimes non-cash payments (such as expensive gifts) are also considered bribes under the law.

No HSCC member shall offer, solicit, or accept a bribe in connection with any public-private partnership transaction. The partnership is built on mutual trust. HSCC members engaging with public partners must be beyond challenge or reproach in connection with every transaction.

Violation of the bribery laws can lead to imprisonment, fines, or both, depending on the magnitude of the transaction.

Kickbacks

HSCC members must comply strictly with the Anti-Kickback Act of 1986 and similar state statutes to which they may be subject. A kickback is generally defined as any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind provided, directly or indirectly, by any prime contractor, prime contractor employee, subcontractor or subcontractor employee, for the purpose of improperly obtaining or rewarding favorable treatment in connection with a prime contract or a subcontract relating to a prime contract. A kickback is similar to a bribe, except that, instead of involving an attempt to influence a public official, it extends to obtaining favorable treatment between prime and subcontractors.

The Anti-Kickback Act is a Federal law that prohibits the use of kickbacks by prime contractors and subcontractors who seek the award of Federal government contracts. Violations of the Anti-Kickback Act can result in both criminal and civil penalties against individuals and the company.

Gratuities

The law regarding gratuities, similar to the bribery law, prohibits giving, offering or promising "anything of value" to a public official. Generally, Federal government employees may never solicit gifts and may not accept gifts or gratuities from individuals and/or companies who seek to do business with the government or that are provided based upon their title or position with very limited exceptions. As distinguished from bribery, however, and in order to avoid even the appearance of impropriety, the gratuities regulations cover any gift or promise to give, whether or not intent to influence can be demonstrated.

Violations of the gratuities law can result in fines and/or imprisonment for companies and individuals, contract termination, suspension or debarment, and assessment of damages. HSCC members must comply with their public sector partners' gift policies

even though no contract, procurement, RFP, or RFI may be involved. Questions regarding the offer or acceptance of gifts and gratuities to Federal government officials should be addressed to the government official's ethics counselor, legal advisor, or to the United States Office of Government Ethics.

C. FEDERAL GOVERNMENT PROCUREMENTS

The Procurement Integrity Act

In 1996, Congress passed the Office of Federal Procurement Policy Act, commonly referred to as the Procurement Integrity Act. This law applies to Federal government procurements that exceed \$100,000. It is aptly named Procurement Integrity because it seeks to protect the integrity of the Federal government procurement system. The Act requires that bid and proposal information be protected from disclosure and prohibits improper influence over procurement officials. The Procurement Integrity Act restrictions apply to all contract awards, whether competitive or sole source.

Public sector members of the partnership provide Executive Secretariat support services to the Partnership for Critical Infrastructure Security (PCIS) and several Sector Coordinating Councils (SCCs) when doing so enhances their participation in activities that promote government mission interests. This support is provided through support contracts funded by Federal appropriations. In addition, private sector members provide support to other private-sector members through contracts and other legitimate business arrangements. Because of the complex business, Executive Secretariat support, and CIKR policy coordination relationships involved, disclosure of support contract bid and proposal information to private sector members in the public-private sector environment or the conduct of any industry-to-government business or procurement discussions could easily be perceived as evidence of improper access to or influence over procurement officials and should be strictly avoided.

Additionally, the Act places certain post-employment restrictions on Federal government employees involved in procurements. HSCC members must comply with these restrictions when they hire former Government personnel.

Violations of the Procurement Integrity Act are criminal and civil offenses, punishable by both imprisonment and fines.

Post-Employment Restrictions

HSCC members cannot offer, and a Federal Government official cannot accept from members, compensation, directly or indirectly, after serving in any of the following capacities in a procurement awarded to the member: procuring contracting officer, source selection authority, member of the source selection evaluation board or head of

the finance or technical evaluation teams, program manager, deputy program manager or administrative contracting manager. This ban on compensation applies if the procurement or procurement-related action exceeded ten million dollars (\$10,000,000), and it continues for a period of one year. The one-year compensation ban begins on various dates based on the actual role of the official. Government procurement officials may also be subject to other kinds of post-employment restrictions.

Bid or Proposal Information and Source Selection Information

Government source selection information, such as procurement plans, technical evaluation plans, or source selection rankings, prepared by an HSCC member or rightfully in a member's possession should be protected from unauthorized disclosure, even within the public-private partnership, and marked appropriately. While the member may choose to release its own bid or proposal information to third parties, it may not solicit or obtain the bid or proposal information of others prior to contract award.

In addition to these restrictions, Federal Antitrust law and some state laws also protect companies from improper use of their proprietary and trade secret information. HSCC members should only seek access to public domain information about procurements, even after contract award and should never use the public-private partnership framework or relationships developed within the framework as a source for coordination regarding their Federal procurement activities.

D. GOVERNMENT SECURITY

HSCC members may maintain facilities authorized by the Federal government to store classified national security information. Access to such information is restricted to those HSCC members' employees with proper Federal government clearances and a need to know. All such cleared employees who enter a cleared facility agree to adhere to all stated policies and procedures required to maintain its cleared status.

The unauthorized possession, use, or disclosure of classified national security information is punishable under Federal Espionage laws and criminal statutes.

E. LOBBYISTS AND OTHER THIRD PARTIES

Federal laws govern the disclosure of agreements with, and payments to lobbyists and certain third parties. The term "Lobbying" includes influencing or attempting to influence an officer or employee of Congress, or any employee or member of Congress in connection with any of the following covered Federal actions: the awarding of any

Federal contract, and the extension, continuation, renewal, amendment, or modification of any Federal contract.

HSCC members should not, nor should they hire third parties to engage in lobbying on behalf of the HSCC regarding the awarding, extension, continuation, renewal, amendment, or modification of any Federal contract.

IV. REVIEW, DISPOSITION, AND DOCUMENTATION PROVISIONS

All new HSCC and Cross-Sector Council members must read and acknowledge agreement with these Guidelines. Existing HSCC members must annually review and acknowledge agreement as well.

Questions regarding ethics issues in the public-private sector environment generally should be addressed to the leadership of the HSCC. Similarly, ethics concerns by government members should be addressed to their ethics counselor, legal advisor, or to the Department of Homeland Security's Agency Ethics Official. Suspected violations or infringement of these guidelines may be similarly communicated.

