

Memo



Date: December 30, 2008

To: Betsy Hayes
Minnesota Department of Administration

From: Katie Burns, Health Economics Program
[Redacted] *Katie Burns*

Subject: **P/T Contract with Maine Health Information Center for Collection of Encounter Data**

Enclosed for your review is a contract for services related to collection of patient encounter data as set forth in Minn. Laws Ch. 358 (2008). At the vendor's request, we negotiated several changes to the standard contract language. The primary changes are as follows:

Section 3: Project Timing Requirements and Assumptions. The contractor requested these additional terms which were reviewed by the Attorney General's Office.

Section 8: Disclaimers; Liability. The contractor requested modification of these terms, including limitation of liability by the contractor to the State at the total obligation of the State to the contractor under the contract. I have discussed this limitation with you and understand that this is acceptable to the Department of Administration.

Section 10.2: Intellectual Property Rights. The contractor requested that this section be rewritten to reflect the fact that it will use its existing technology (with some potential modifications) to provide services to the State, rather than creating new technology for the contract. This section was reviewed by the Attorney General's Office and approved as to legality.

Please let me know if you have any questions. We appreciate your prompt review