

HEALTH INFORMATION TECHNOLOGY SUMMIT
OCTOBER 23, 2004

**COMMUNITY-BASED
COLLABORATIONS:
LEGAL ISSUE**

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Community-Based Collaborations: Legal Issues

Organizational and Operational Issues

Governance and Organization

- **Early discussions**
- **Statement of Purpose and Objective**
- **Memorandum of Understanding**
- **Initial Structure**
- **Sources of Funding**
- **Testing the Waters**

Governance and Organization

- **Someone has to be in Charge**
- **Corporate Formation and Tax Status**
- **Governance**
- **Creating a Business Plan and Budget**
- **Sources of Revenue**
- **Criteria for Involvement**

User Agreements

- **Duties and Rights of Network Members**
 - **To other Users**
 - **To the Network Entity**
 - **Third Parties**
- **Compliance with Privacy, Data Security and other Admin Simp Standards**
- **Proper Use of the Network**
- **Ownership Issues: For the Network, For the Data**
- **Cost and Liability Sharing**
- **Technology Standards**

Vendor Agreements

- **Agreements between the Network Entity and IT and other Vendors**
- **Detail Operational and Performance Specifications for both Vendor and Entity**
- **Performance Measurements and Rewards and Penalties**
- **Specify Key Staff**
- **Audit Rights and Protocols**
- **Compliance with HIPAA and other Regulations**
- **Compensation**
- **Intellectual Property Issues.**