

Tools to Advance Public Health:  
Memorandums of Understanding,  
Memorandums of Agreement

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# Agreements to advance your public health goals

- MOA - Memorandum of Agreement
- MOU - Memorandum of Understanding
- Contract



# Selecting the tool that works best for your purpose: Some questions to ask

- Do you want this agreement to be legally binding on the parties?
- Will money be exchanged for services or other types of benefits?
- Is this agreement mainly focused on building collaboration and/ or goodwill?
- Is a contract between the between parties needed, and if not, will a contract potentially undermine trust between the parties?



# What are some of the uses for MOAs, MOUs and Contracts

- conduct collaborative work & outline roles and responsibilities to avoid redundancy and gaps
- govern investigations of health hazards
- access outside resources for response to emerging public health threats
- provide risk communication in real time
- Set up comprehensive surveillance systems
- share data
- conduct research
- obtain services



# Considerations for Drafting MOUs or MOAs

- Parties
- Date of the agreement
- Purpose of the agreement
- Background
- Definitions
- Period of the agreement
- Roles and responsibilities
- Actors responsible, entities involved
- Population to benefit from the agreement or to receive services
- Triggering events that activate the agreement
- Confidentiality



# Considerations for Drafting MOUs or MOAs

- Liability
- Costs
- Payment period
- Process of reimbursement
- Insurance
- Termination
- Amendment
- Authorized signatories



# Additional Resources

## Articles

- *Public Health Mutual Aid Agreements: A Menu of Selected Provisions*

[https://www.cdc.gov/phlp/docs/mutual\\_aid\\_provisions.pdf](https://www.cdc.gov/phlp/docs/mutual_aid_provisions.pdf)

## Sample MOAs, MOUs

- Mutual Aid

<https://www.ok.gov/OEM/documents/Sample%20Mutual%20Aid.pdf>

[https://dps.sd.gov/emergency\\_services/emergency\\_management/images/dmgappd.pdf](https://dps.sd.gov/emergency_services/emergency_management/images/dmgappd.pdf)

- Data sharing

<https://www.crihb.org/wp-content/uploads/2014/12/CTEC-Data-Sharing-Agreement.pdf>

[https://www.ihs.gov/newsroom/includes/themes/newihstheme/display\\_objects/documents/2011\\_Letters/TEC%20DSA%2001-24-2011%20Letter.pdf](https://www.ihs.gov/newsroom/includes/themes/newihstheme/display_objects/documents/2011_Letters/TEC%20DSA%2001-24-2011%20Letter.pdf)

- Surveillance

[http://www.deq.idaho.gov/media/563088-air\\_kootenai\\_tribe\\_air\\_pollution\\_episodes\\_2004\\_f.pdf](http://www.deq.idaho.gov/media/563088-air_kootenai_tribe_air_pollution_episodes_2004_f.pdf)



# Additional Resources

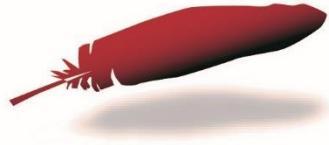
## Websites and Organizations

- Network for Public Health Law  
<https://www.networkforphl.org/>
- CDC Public Health Law  
<https://www.cdc.gov/phlp/>
- Public Health Law Center  
<http://publichealthlawcenter.org/>
- Native American Rights Fund (NARF)  
<http://www.narf.org/>





# National Indian Health Board



Thank you!

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