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

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January 13, 2017
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 exchanges 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

Sample MOAs, MOUs
• Mutual Aid
  https://www.ok.gov/OEM/documents/Sample%20Mutual%20Aid.pdf
• Data sharing
• Surveillance
  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/
Thank you!
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