

**RULES AND REGULATIONS
OF THE
MINNESOTA COUNTIES COMPUTER COOPERATIVE
COMMUNITY HEALTH SERVICES USER GROUP**

(Revised December 19, 1985)
(Revised April 7, 1988)
(Revised August 30, 1989)
(Revised November 13, 1992)
(Revised October 16, 1998)
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(Revised June 28, 2002)
Adopted February 4, 2005
Proposed March 4, 2005
Proposed April 15, 2005
Adopted June 24, 2005

Community Health Services (CHS) User Group

Mission: To develop and maintain integrated data systems that support agencies in providing, reporting, and evaluating public health services, which improve the health of their populations.

Vision: Create, implement and enhance effective and efficient community health software systems through active cooperation of the membership.

The Community Health Services (CHS) User Group shall:

- Provide direction to the MCCC Executive Committee regarding vendor selection and vendor contracts
- Determine and approve modifications or enhancements to existing software applications
- Identify the need for and requirements of new applications
- Conduct business necessary to the operation of the group
- Share financial obligations and ownership as defined in Bylaws
- Share knowledge
- Sustain membership
- Integrate outcomes with the broader public health community
- Support data collection for the public health areas of responsibility as defined in the Local Public Health Act
- Ensure compliance with rules and regulations related to health information systems
- Improve efficiencies for users
- Participate in the administration and functions necessary to sustain the group and software systems
- Develop software systems to meet the needs of the CHS User Group
- Actively solicit representation and input from all members
- Maintain integrity of the software systems

In accordance with Article V., Section 1., of the Minnesota Counties Computer Cooperative (MCCC) Bylaws, the following supplementary Rules and Regulations governing the business of the Community Health Services (CHS) User Group are promulgated.

Article I

Purpose and Definitions of Members

Section 1. The purposes of the Community Health Services (CHS) User Group are to provide direction to the MCCC Executive Committee regarding vendor selection and vendor contracts, to determine and approve changes, modifications, or enhancements to existing software applications, to identify the need for and requirements of new software applications, and to conduct business necessary to the operation of the CHS User Group.

CHS User Group

Section 2. Members of the CHS User Group are either Minnesota governmental public health entities or their designees. Membership in the CHS User Group shall be defined as the following:

A. CHS User Group. The CHS User Group consists of members of MCCC and Users of the PH-Doc software. Members can be defined as Owner Agencies or Member Agencies. All Owner Agencies are also Member Agencies. In order for a Member Agency to become an Owner Agency they must meet the requirements defined under Owner Agencies.

B. Member Agencies. A “Member Agency” is any Minnesota Governmental entity or a nonprofit or private entity that is doing public health work for, and under contract to, a Minnesota Governmental entity and has joined the CHS User Group and has met the following requirements:

- CHS User Group has approved the payment schedule for licensing fees and updates for the Member Agency.
- Member Agency has filed written notification of intent to join the CHS User Group with MCCC.

B.

C. Owner Agencies. Owner Agencies are current Member Agencies of the CHS User Group that waited one year since paying all appropriate financial obligations for the application system of optional module. Licensing fee must have been paid in full. The Owner Agencies determine PH-Doc pricing, licensing fees, and the Distribution Table as found in Attachment I.

Section 3. Licensees. Non-owner and nonmember entities may license application software or optional modules that the owner agencies have determined they are willing to be licensed and/or pay other fee(s) as established by that application system or optional module owner agencies. Non-owner and non-member agencies shall be called “licensees” and shall not be able to vote on issues relating to the management of the application system or optional module, nor shall they have any financial interest in the application system or optional module. Licensees may be required to acquire maintenance, support and/or other services through a vendor or means specified by the owner agencies.

Licensees may attend CHS User Group and other meetings related to the specific application system or optional module that they have licensed but shall have no formal vote.

Pending meeting the requirements of Version Control as found in Article IV, Section 2, Licensees may present enhancement requests to the CHS User Group and participate in CHS User Group enhancements.

Article II

Organization and Structure

Section 1: The CHS User Group shall be organized as a CHS User Group, an Advisory Committee and designated Working Committees in order to conduct the business of the CHS User Group.

Section 2. The CHS User Group shall elect from among its Member Agencies an Advisory Committee consisting of a Chairperson, Vice Chairperson, Recording Secretary, general representatives and the Past Chairperson; each of whom will have one vote on the Advisory Committee. In electing the representatives to the Advisory Committee, the CHS User Group should take into consideration agency size and geographic location of prospective representatives so that they are representative of the CHS User Group as a whole. The number of general representatives on the Advisory Committee elected each year should be representative of the size of the CHS User Group and correspond to the following:

<u>Number of agencies in CHS User Group</u>	<u>Number of general representatives</u>
24 or less	4
25 to 28	5
29 to 32	6
33 to 36	7
Over 37	8

Section 3. CHS User Group Appointed and Elected Positions.

A. Officers. Roles and Responsibilities of the Officers: All officers will serve a one-year term commencing with the end of the CHS User Group Annual Meeting each year.

1. CHS User Group Chair. CHS User Group Chair is responsible for calling all meetings to order; approving meeting agendas; working with MCCC Staff to coordinate meetings; and providing a CHS User Group Report, either written or in person, at the MCCC Annual Board Meeting.
2. CHS User Group Vice-Chair. The office of Vice Chairperson shall automatically succeed the Chairperson then become the Past Chair.
3. CHS User Group Past Chair. The CHS User Group Past Chair will serve a one-year term in an advisory role to the current Chair.
4. CHS User Group Recording Officer. The Recording Officer will be responsible for taking minutes at all CHS User Group and Advisory Committee meetings. Minutes are to be sent to MCCC ten (10) business days prior to the next CHS User Group meeting in order to meet MCCC's ten- (10) business day meeting announcement requirement. The Recording Officer is responsible for finding a replacement in his/her absence.

B. Appointed Positions.

1. CHS User Group Technical Advisory. At the option of the Chair, a Technical Advisory person may be appointed to serve on both the Advisory Committee and CHS User Group as an ex-officio member to provide technical advice.
2. Information Services Support Group (ISSG) will appoint a member as CHS User

Group Liaison to act as a liaison between the CHS User Group and the IT Staff of the ISSG Group.

3. MCCC Executive Committee will appoint a member as a CHS User Group Liaison to act as a liaison between the CHS User Group and the MCCC Executive Committee.

Section 4. Each Member Agency participating in the CHS User Group is entitled to only one vote.

Section 5. The Member Agency CHS User Group representative or his/her alternate may vote in the absence of the agency's delegate at CHS User Group meetings. Agency CHS User Group representatives may vote only on decisions affecting applications used in his/her agency or on general business of the CHS User Group.

Section 6. The CHS User Group or Advisory Committee shall form "Working Committees" to address issues important to the CHS User Group. A member of the Advisory Committee must be the Chair or a Co-chair of all Working Committees. Working Committees may elect a non-Advisory Committee member of the Working Committee to be a Co-chair. Staff from any CHS User Group Owner, Member, or Licensee member agency may participate on Working Committees; however, in order to determine quorums, agencies must commit to participation on Working Committees and be recognized by the CHS User Group. Each CHS User Group recognized agency participating on a Working Committee is entitled to one vote. The CHS User Group and/or Advisory Committee may delegate decision-making authority to a Working Committee. The CHS User Group shall adopt and prescribe procedures for the operation of the Working Committees.

There shall be at least three (3) standing Working Committees: Training, Quality Assurance, and Enhancements. There shall be at least seven (7) Owner Agencies participating on each of the three standing Working Committees. Agency participation on a Standing Working Committee should be for at least a year at a time.

Additional Working Committees may be formed to address issues important to the CHS User Group such as separate software products/modules, other business issues, and/or projects.

Section 7. Meetings of the CHS User Group may be called by the CHS User Group Chair person, the Vice Chair person in the absence of the Chair person, or by request of a simple majority of the CHS User Group Member Agencies. Meetings of the Advisory Committee may be called by the CHS User Group Chair person, the Vice Chair person in the absence of the Chairperson or by request of a simple majority of the elected members of the Advisory Committee. Meetings of the Working Committees may be called by the Working Committee Chair, Co-chair or by request of a simple majority of the agencies that the CHS User Group has recognized as being members of that Working Committee. All CHS User Group, Advisory Committee, Working Committees and other committees' meetings are open to anyone who is interested and will comply with the Minnesota "open meeting laws". Meetings will be conducted according to "*Robert's Rule of Order*".

Section 8. A quorum shall exist when fifty percent (50%) plus one (1) of the agencies or elected representatives, within the CHS User Group, Advisory Committee or Working Committee, are present at a duly called meeting. A quorum is needed in order to conduct business of the CHS

User Group.

Section 9. The Advisory Committee shall prepare a detailed annual budget for CHS User Group operations to be presented to the CHS User Group at their annual meeting. The CHS User Group shall adopt a budget at their annual meeting for the coming fiscal year (calendar year) that will meet the CHS User Group needs at an appropriate level of detail for expenditures and revenues. This budget shall include funds for foreseen mandated changes. Budget changes may be made at any CHS User Group meeting. The Advisory Committee has the authority to make changes of up to ten percent (10%) of any single line item within the CHS User Group approved budget. Quarterly financial reports shall be provided to the CHS User Group by MCCC.

Section 10. Additional costs to users or general business of the CHS User Group may be acted upon by a simple majority of Member Agencies, as appropriate, who are present at a duly called meeting or ballot. Approval of such costs or changes shall also be allowed by email, mail or telephone ballot to the CHS User Group Member Agency using that application. Such email, mail or telephone approval may take place only upon authorization of the CHS User Group or Advisory Committee. Any business involving monetary commitment or contractual matters (e.g., RFP approval, vendor selection, contract approval, etc.) requires a quorum of the CHS User Group.

Section 11. The MCCC Executive Committee, elected by and acting on behalf of the MCCC Board, approves all expenses and monetary commitments.

Section 12. Support for meetings, mailings, research, contracting, billing, vendor monitoring, and other similar services will be provided by MCCC staff.

Section 13. Notice of CHS User Group, Advisory Committee, Working Committees and other committees' meetings must be provided ten (10) days prior to the meeting. Notice of a meeting may be waived before, at, or after such meeting, in writing signed by each CHS User Group member present. All CHS User Group correspondence shall be sent to the agency's delegate and to the CHS User Group contact. Meeting minutes shall be generated for all CHS User Group, Advisory Committee and Working Committee meetings by the designated secretary and distributed to all CHS User Group agencies.

Section 14. The CHS User Group shall meet a minimum of three (3) times a year to deal with policy, contract and financial issues. The Advisory Committee shall meet a minimum of three (3) times a year, which should be between CHS User Group meetings to conduct business, to oversee and coordinate Working Committee activities, as well as to plan and prepare for CHS User Group meetings. Both the CHS User Group and the Advisory Committee may meet more often as needed to address business issues and to ensure the proper functioning of the CHS User Group. Working Committees shall meet as frequently as is reasonable and as needed to perform the functions assigned to them.

Section 15. Annual CHS User Group Meeting. The CHS User Group's "Annual Meeting" each year will be held in or about June of each year. The Annual CHS User Group Meeting will include annual election of Officers, Advisory Committee Members, approval of Working Committee Chairs, and any other necessary appointments. The Annual Meeting shall also include a review and approval by the Owner Agencies of the listing of Member Agencies, Owner

Agencies, Licensees, and Distribution Table as found in Attachment I. Owner Agencies will also approve pricing of the software system. Licensee Version Control as defined in Article IV, Section 2, will be approved at the annual meeting and as necessary.

Article III

CHS User Group Fees and Costs

Section 1. Members of the CHS User Group agree to pay the dues established by the MCCC Board of Directors as provided for in Article X., Sections 2 and 4 of the MCCC Bylaws.

Section 2. Members of the CHS User Group and Licensees acquiring support services through the CHS User Group may be required to pay for support services they utilize that are in excess of the total number of hours that an entity is allowed on an annual basis within the terms of a CHS User Group approved support agreement. In the event and to the extent that the total number of support hours that are available to the CHS User Group as a whole are exceeded in any given year, agencies that exceed the individual agency allotment, may be liable for the cost of hours they used in excess of the contracted allotment at the rates billed to MCCC. Agencies must promptly pay for those hours utilized when billed by MCCC.

Section 3. In the event the CHS User Group approves either global or participatory enhancements, Member Agencies are required to meet the financial obligations as approved by the CHS User Group. Payment for enhancements may be split in a variety of methods, including, but not limited to: payment by participating agencies only; equal split of the total cost; an amount agreed upon by each agency, which may not be equal; split of cost based by agency size or need for the enhancement.

Section 4. CHS User Group and Working Committee members' travel, lodging, and meal expenses shall be paid by their representative agency. Meeting expenses of the CHS User Group and Working Committees shall be shared equally among its members. Advisory Committee members' travel, lodging, and meal expenses shall be shared equally among the CHS User Group members when attending Advisory Committee meetings. Advisory Committee members shall submit travel, lodging, and meal expense accounts in December and/or June of each year for reimbursement.

Section 5. The Community Health Services CHS User Group Owner Agencies shall establish sales and licensing prices for MCCC-owned software under their management. Annual review and approval of licensing fees will occur at the Annual Meeting. Current Approved Pricing can be found in Attachment II.

Section 6. The CHS User Group or Advisory Committee may designate Owner and Member Agencies or specific agency staff as "designated" agencies or individuals for the purpose of doing marketing, demonstrations and/or training on behalf of the CHS User Group for specific events. The CHS User Group shall set an hourly rate to be paid to agencies or individuals as compensation for time expended doing marketing, demonstrations and/or training. Expenses (mileage, meals, lodging and materials) of agencies or individuals who have been authorized by the CHS User Group or Advisory Committee to assist with marketing, demonstrating software and/or training shall be reimbursed at actual costs within current Internal Revenue Service

approved rates. Agencies or individuals shall be paid for the time expended by staff for doing demonstrations, marketing and/or training by submitting a statement or invoice to the MCCC offices. Only CHS User Group designated agencies or individuals may receive payment and/or reimbursement for demonstration, marketing and training time and expenses. All payments for demonstrations, marketing, and/or training shall be reviewed and approved by the Advisory Committee or CHS User Group prior to being paid.

Article IV

Section 1. Distribution upon sale of PH-Doc. All of the Owner Agencies who are current members of the CHS User Group shall share any license fees, distribution fees, and/or royalties received from the sale or distribution of the PH-Doc software. Fifty percent (50%) of all sales proceeds shall be placed in the CHS User Group Enhancement Fund and fifty percent (50%) shall be distributed according to the Distribution Table found in Attachment I. The Distribution Table will be based on a proportional percentage of the total amount contributed by each Owner Agency towards the development of PH-Doc. The Distribution Table including a list of all Member Agencies, Owner Agencies and Licensees will be reviewed and approved by the CHS User Group at the Annual CHS User Group Meeting. If an Owner Agency leaves the CHS User Group, then the distribution percentages shall be recalculated to proportionally redistribute the departed agency's percentage share.

Section 2. PH-Doc Version Control. At the Annual Meeting, the Member Agencies will determine the oldest PH-Doc version which will be supported. Owner Agencies will set version upgrade fees annually which will be distributed to all licensees. Version Control may also include iSeries requirements, as well as other system minimum requirements. CHS User Group requests an annual report from ACS of which version each Agency has loaded and is using.

Article V

Section 1. An agency intending to end its participation in the CHS User Group shall so inform the MCCC office in writing by April 1st for termination effective the following January 1st. Agencies ending their participation in the CHS User Group are responsible for all fees and expenses approved by their governing boards prior to the first day of their notice to withdraw.

Section 2. An Owner or Member Agency that terminates their participation in the CHS User Group and then, within two (2) years of their termination, chooses to rejoin the CHS User Group; shall pay into the CHS User Group Enhancement Fund an amount equal to the amount that they would have paid if they had remained a member of the CHS User Group, for all enhancements, modifications and developments that occurred for the systems and/or modules that they were using during the period of their absence. This amount includes the value of the contract technical hours included in support and maintenance agreement(s).

If an Owner or Member Agency chooses to rejoin the CHS User Group after a two (2) year period, they shall pay the then current license fee(s) for the system or module they will be utilizing and after meeting all other requirements, will become a "Member Agency" as defined herein.

Section 3. An Owner Agency that terminates their participation in the CHS User Group and then, within two (2) years of termination of participation, chooses to rejoin the CHS User Group, they may once again proportionally participate in the distribution of any license fees, distribution

fees, and/or royalties received from the sale or distribution of the PH-Doc software after fully meeting all financial and other obligations. Under no circumstances will an Owner Agency receive any distribution if they are not a member of the CHS User Group at the time funds are received.

Article VI

Section 1. All CHS User Group participants (Owner, Member, and Licensee) by their participation in the CHS User Group, acknowledge that the PH-Doc and all other software managed by the CHS User Group is the proprietary intellectual property of MCCC and, these participants and all of their officials, officers, staff, contractors, volunteers and others shall not sell, license, distribute, or otherwise transfer MCCC's source or object code; system or user documentation; file, report or screen formats; any concepts or formulas or any derivatives thereof without the written permission of the MCCC Board.

Section 2. CHS User Group members who modify or alter or have modified or altered any MCCC software shall hold the MCCC, the CHS User Group, as well as MCCC contractors and selected vendors harmless for any claims resulting from such changes or modifications and/or their use of the altered software.

Article VII

Section 1. These rules and regulations may be amended by the full CHS User Group as appropriate, subject to approval by the MCCC Executive Committee.

(End of CHS Rules and Regulations)

ATTACHMENT I

CHS User Group Member Agencies, Owner Agencies, Licensees And Distribution Table

As approved by the Owner Agencies on June 24, 2005.

Member Agencies

- | | |
|--|--|
| 1. Beltrami County Public Health | 12. Mower County Public Health |
| 2. Bloomington, City of | 13. Nobles/Rock County Public Health |
| 3. Carver County Public Health | 14. Olmsted County Public Health
Services |
| 4. Cass County Public Health | 15. Otter Tail County Public Health |
| 5. Clay County Community Health
Service | 16. Polk County Public Health |
| 6. Freeborn County Community Health
Service | 17. Rice County Public Health Nursing |
| 7. Goodhue County Public Health | 18. Todd County Public Health |
| 8. Houston County Public Health | 19. Wabasha County Public Health |
| 9. Kandiyohi County Public Health | 20. Wadena County Public Health |
| 10. Minnesota Visiting Nurse Agency | 21. Wilkin County Public Health |
| 11. Morrison County Public Health | 22. Winona County Community Health |

Owner Agencies

- | | |
|--|--|
| 1. Beltrami County Public Health | 11. Morrison County Public Health |
| 2. Bloomington, City of | 12. Mower County Public Health |
| 3. Carver County Public Health | 13. Nobles/Rock County Public Health |
| 4. Cass County Public Health | 14. Olmsted County Public Health
Services |
| 5. Clay County Community Health
Service | 15. Rice County Public Health Nursing |
| 6. Freeborn County Community Health
Service | 16. Todd County Public Health |
| 7. Goodhue County Public Health | 17. Wabasha County Public Health |
| 8. Houston County Public Health | 18. Wadena County Public Health |
| 9. Kandiyohi County Public Health | 19. Wilkin County Public Health |
| 10. Minnesota Visiting Nurse Agency | 20. Winona County Community Health |

Licensees

1. Wyoming County, NY – Contact: Todd MacConnell
2. Clark County, WI – Contact: Jim Buxel
3. Juneau County, WI – Contact: RaeAnn Paulson

Distribution Table. For all sales of PH-Doc, revenues will be distributed, as defined in Article IV, Section 1, 50% to the CHS User Group Enhancement Fund and 50% to the Owner Agencies. Owner Agencies will receive their payment based on the following ratio.

DISTRIBUTION TABLE

Payments to Owner Agencies will be made, at the option of the Owner Agency, by check to the Owner Agency or as a Member Deposit Account with MCCC.

Owner-Members	Distribution Percentages
	<i>as approved June 24, 2005</i>
Beltrami Co. Public Health	5.05%
Carver Co. Public Health	3.83%
Cass Co. Public Health	4.82%
Clay Co. Community Health	4.74%
City of Bloomington	6.64%
Freeborn Co. Community Health	4.34%
Goodhue Co. Community Health	4.37%
Houston Co. Public Health	4.32%
Kandiyohi Co. Public Health	4.82%
Lake Co. Home Health	0.00%
Metropolitan Visiting Nurses	11.57%
Morrison Co. Public Health	4.45%
Mower Co. Public Health	4.40%
Nobles/Rock Co. Public Health	4.13%
Olmsted Co. Public Health Svcs.	6.88%
Otter Tail Co * **	0.00%
Polk Co * **	0.00%
Rice Co. Public Health	5.06%
Todd Co. Public Health	4.56%
Wabasha Co. Public Health	3.22%
Wadena Co. Public Health	4.54%
Wilkin Co. Public Health	3.24%
Winona Co. Community Health	5.01%
ACS - Wyoming NY *	
total	100.00%
Payments from Enh funds	
* = member only	
** = member/owner in 2008	

ATTACHMENT II

PH-Doc Pricing

As approved by the Owner Agencies on June 24, 2005.

PH-Doc is HIPAA compliant.

PH-Doc Pricing

MCCC Membership Fee for 2006: \$ 950 Annual

PH-Doc License Fee

Base Price \$ 45,000

+ \$12,000 X Step + Step Factor

Total License Fee Payment Terms: One-Time payable over 3 years or as approved by the CHS User Group

Step		
Total Public Health FTEs		
<21:	\$	-
21 - 25:	\$	12,000
26 - 49:	\$	24,000
50 - 75:	\$	36,000
>75:	\$	48,000

HIPAA Costs

HIPAA Infrastructure: \$ 16,500 One-Time

ACOM Maintenance

2005 \$ 1,894 Annual

2006 \$ 1,989 Annual

Support Total Annual Cost, billed quarterly.

2005 \$ 12,562 Annual

2006 \$ 13,159 Annual

Training & Installation

Training (150 hours) 2005 rate \$ 20,100 One-Time

SQL Licenses* \$150/ PC One-Time

**Based upon \$150 per PC using PH-Doc.*

Additional Costs

The owner agencies may vote to approve sharing the costs of additional software programming, trainings, workshops or other meeting costs above those costs listed here. As an owner agency of PH-Doc you will have the opportunity to vote on these issues. The CHS User Group tries to determine the next year's budgets at the June Meetings. These prices are good through June 2005.