

**AMENDMENT TO USER AGREEMENT FOR
PRESCRIPTION DRUG MONITORING PROGRAM**

This amendment ("Amendment") is effective as of the 3rd April 2017, by and between Jackson County, St. Louis County, Missouri, ("Subscriber") and St. Louis County, Missouri, on behalf of St. Louis County ("County").

WHEREAS, County and Subscriber are parties to a User Agreement dated January 24, 2017 ("Agreement"); and

WHEREAS, County and Subscriber desire to amend the Agreement pursuant to Section 7 of the Agreement; and

WHEREAS, the County Executive is authorized by Ordinance No. 26,528 (2016) to enter into a contract with Subscriber;

NOW THEREFORE, in consideration of the premises and promises hereinafter contained, County and Subscriber agree as follows:

1. Section 4 is hereby deleted and the following language is inserted in its place:

Section 4 – Fees for Services and Payments.

- a. The annual PDMP participation cost for Subscriber is \$7.00 per covered practitioner, plus an administrative fee proportional to prescriber population. The participation cost is subject to change during any renewal period. Exhibit C contains the annual participation costs and billing schedule.
- b. County shall pursue funding opportunities for Subscribers from the Bureau of Justice Administration (BJA). If awarded to County, this funding will cover the participation costs for Subscriber for the grant period, and Subscriber is responsible for participation costs for all subsequent years.
- c. In the event County does not receive funding from BJA, Subscriber shall pay County for the participation costs charged to County by Apprise for participation in the PDMP for all years. Exhibit C contains the annual participation costs and billing schedule when Subscriber is responsible for all participation costs. County will invoice Subscriber for year 1 on November 1, 2017, and year 1 will be prorated based on the go-live date. For all subsequent years, County will invoice Subscriber on January 1 for entire year.

2. The following language is hereby inserted as Section 13:

Section 13 - Interstate Data Sharing. County may elect to participate in an interstate exchange of PDMP data such as PMP InterConnect. All data contained in the County PDMP will be available to entities participating in the interstate exchange. Participation in an interstate exchange, such as PMP InterConnect, allows registered users of the County PDMP to examine their patient's complete prescription history, including out of state prescriptions if any. County agrees to limit the user types that can access the PDMP through the interstate exchange to ensure strict compliance with St. Louis County Ordinance 26,352, and to take steps to safeguard against unauthorized access to the information contained therein. Registered users of other state PDMPs will be able to access their patient information from all states of interest within their native PDMP; out of state users will not be required to register with multiple PDMPs.

3. The following language is inserted into **Exhibit A: County's Obligations** as the final paragraph: County will notify Subscriber of BJA funding decision. County will follow the applicable billing schedule, dependent upon BJA funding, to invoice Subscriber according to Exhibit C: Participation Costs.

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MARY JO SPINO
CCL

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4. The following language is inserted into **Exhibit B: Subscriber's Obligation**. Subscriber agrees to pay annual participation costs and follow the applicable billing schedule, dependent upon BJA funding, outlined in Exhibit C: Participation Costs.
5. Exhibit C is hereby deleted and Exhibit C: Participation Costs, attached and incorporated by this reference, is inserted in its place.
6. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.
7. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

JACKSON COUNTY, MISSOURI

By: 
Print Name: Q. Troy Thomas
Title: Chief Financial Officer

Date: 3/21/17

Attest: _____
Print Name: Mary Jo Spino
Title: Clerk of the Jackson County Legislature

Date: _____

APPROVED AS TO FORM:


W. Stephen Nixon, County Counselor

ST. LOUIS COUNTY ORDINANCE 26,528

ST. LOUIS COUNTY, MISSOURI

By: _____
Printed Name: Steven V. Stenger
Title: County Executive

Approved:

— See Attached —

Printed Name: Dr. Faisal Khan
Title: Director of Public Health

Attest:


Mary Jo Spino
Printed Name: Mary Jo Spino
Title: County Clerk

Approved as to Legal Form:

Approved:

— See Attached —

County Counselor

Accounting Officer

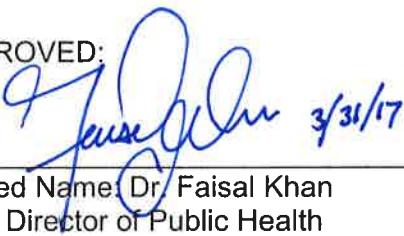
ST. LOUIS COUNTY, MISSOURI

By: 
Printed Name: Steven V. Stenger
Title: County Executive

ATTEST:


Printed Name: Genellewell, Paul
Title: County Clerk

APPROVED:


Printed Name: Dr. Faisal Khan
Title: Director of Public Health

Approved as to legal form:


County Counselor 4-3-17

Approved:


Accounting Officer

Exhibit C: Participation Costs

County shall pursue funding opportunities for Subscribers from the Bureau of Justice Administration (BJA). If awarded to County, this funding will cover the participation costs for Subscriber for the grant period. Table 3 contains billing schedules if County receives BJA funding; Table 4 contains the billing schedule if County does not receive BJA funding. County will notify Subscriber of the BJA funding decision by October 16, 2017. Subscriber shall comply with the applicable billing schedule, dependent upon BJA funding.

In the event County receives funding from BJA, the participation costs for Subscriber would be covered for the grant period, and Subscriber is responsible for participation costs for all subsequent years. For year 3 (period immediately following grant), Subscriber is responsible for the remainder of the year's cost. For each subsequent one-year term (January 1 through December 31), Subscriber will be invoiced on January 1 with payment due by January 31 of the term year. Subscriber's annual cost for all years can be found in Table 5.

In the event County does not receive BJA funding, Subscriber will be billed for prorated annual costs in year 1 and complete annual costs for all subsequent years. Year 1 is prorated based on go-live date. For example, if Subscriber is participating in initial implementation, year 1 costs will be 75% of the annual cost as the PDMP will be accessible to users for 75% of the year (April-December 2017). For each subsequent one-year term (January 1 through December 31), Subscriber will be invoiced on January 1 with payment due by January 31 of the term year. Subscriber's annual cost for can be found in Table 5.

Table 3. Billing Schedule if County receives BJA funding.

County Receives BJA Funding				
Years 1-2 (2017-2019)		Year 3 (Q4 2019)	Year 4 (2020)	Year 5 (2021)
- BJA funding covers Subscriber's participation costs	-	<ul style="list-style-type: none"> - Invoice Date: 10/1/19 - Due Date: 10/31/19 - Period Covered: 10/1/19-12/31/19 	<ul style="list-style-type: none"> - Invoice Date: 1/1/20 - Due Date: 1/31/20 - Period Covered: 1/1/20-12/31/20 	<ul style="list-style-type: none"> - Invoice Date: 1/1/21 - Due Date: 1/31/21 - Period Covered: 1/1/21-12/31/21
- No invoicing				

Table 4. Billing Schedule if County does not receive BJA funding.

County Does Not Receive BJA Funding				
Year 1 (2017)		Year 2 (2018)	Year 3 (2019)	Year 4 (2020)
- Invoice Date: 11/1/17	-	<ul style="list-style-type: none"> - Invoice Date: 1/1/18 	<ul style="list-style-type: none"> - Invoice Date: 1/1/19 	<ul style="list-style-type: none"> - Invoice Date: 1/1/20
- Due Date: 11/30/17	-	<ul style="list-style-type: none"> - Due Date: 1/31/18 	<ul style="list-style-type: none"> - Due Date: 1/31/19 	<ul style="list-style-type: none"> - Due Date: 1/31/20
- Period Covered: 4/1/17-12/31/17	-	<ul style="list-style-type: none"> - Period Covered: 1/1/18-12/31/18 	<ul style="list-style-type: none"> - Period Covered: 1/1/19-12/31/19 	<ul style="list-style-type: none"> - Period Covered: 1/1/20-12/31/20
				- Period Covered: 1/1/21-12/31/21

Table 5. Subscriber Annual Participation Costs.

Jurisdiction	County	% of Total Users	User Fee \$7 per User	% of Infrastructure Cost	Total Cost
	Total Users				
Jackson County	477	2.6%	\$ 3,339.00	\$ 3,304.06	\$ 6,643.06
City of Independence	252	1.4%	\$ 1,764.00	\$ 1,745.54	\$ 3,509.54
Kansas City	1,961	10.9%	\$ 13,727.00	\$ 13,583.34	\$ 27,310.34