

**Amended Memorandum of Understanding
Between
Lexington-Fayette Urban County Government (LFUCG)
And
Lexington-Fayette County Health Department (LFCHD)**

I. General:

This Memorandum of Understanding (MOU) sets forth the terms between the Lexington-Fayette County Health Department and the Lexington-Fayette Urban County Government to provide substance treatment referrals for clients utilizing the Needle Exchange Program located at the Lexington-Fayette County Health Department.

II. Background:

The Lexington-Fayette County Health Department operates a Needle Exchange Program (NEP) on Wednesdays from 3:00 p.m. to 6:00 p.m. and Fridays from 11:00 a.m. to 4:00 p.m. An important component of the program is providing substance abuse treatment referrals for clients who utilize the needle exchange program seeking treatment.

Since March 2016, the Lexington-Fayette County Health Department has partnered with the Lexington-Fayette Urban County Government in order to provide substance abuse treatment referrals for Participants of the Needle Exchange Program.

Pursuant to the Memorandum of Understanding dated March 28, 2016 between LFCHD and LFUCG, the parties wish to modify the terms and enter into an amended Memorandum of Understanding.

III. Purpose:

This MOU will outline the goal of the partnership between Lexington-Fayette Urban County Government and Lexington-Fayette County Health Department to provide substance abuse treatment referrals to Needle Exchange Program participants.

IV. Responsibilities:

Lexington-Fayette County Health Department will:

1. Operate the Needle Exchange Program each Wednesday from 3:00 p.m. to 6:00 p.m. and Friday from 11:00 a.m. to 4:00 p.m., except for holidays, at the Lexington-Fayette County Health Department located at 650 Newtown Pike, Lexington, KY 40508.
2. Refer program participants who are interested in substance abuse treatment to the substance abuse program coordinator for possible program referral.
3. Provide the substance abuse coordinator with office space, a computer, a telephone and an identification badge for building access.
4. Provide paper copies of compiled substance abuse treatment resources to clients in the absence of the Substance Abuse Coordinator.

Lexington-Fayette Urban County Government will:

1. Lexington-Fayette Urban County Government's Department of Social Services Substance Abuse and Violence Intervention (SAVI) Program will provide a substance abuse

program coordinator to assist Needle Exchange Program clients who are seeking treatment options with substance abuse referrals for treatment and counseling and/or treatment information from 11: 00 a.m. to 4:00 p.m. each Friday the Needle Exchange Program is in operation at the Lexington-Fayette County Health Department location.

2. The Substance Abuse Coordinator will provide the Needle Exchange Program staff with an overview/training on how to locate substance abuse treatment programming (this overview will allow program staff to provide substance abuse treatment referrals in the absence of the substance abuse coordinator.
3. The Substance Abuse Coordinator will provide as much notice as possible to the Needle Exchange Program Manager when he/she is unable to attend the NEP due to vacation, illness or scheduling conflict.
4. Be solely and entirely responsible for the acts and the acts of the agents, employees, servants and subcontractors during the performance of the MOU. The parties of this MOU intend that the relationship between them created by this MOU is that of independent agencies. No agent, employee, or servant of LFUCG/SAVI shall be deemed to be the employee, agent or servant of the health department.

V. Reporting:

To protect client anonymity, only demographic information will be collected for aggregate reporting to LFCHD, on clients who request referral to substance abuse treatment services. The collected information will be used to document the number of substance abuse treatment referrals made. The Substance Abuse Coordinator will also provide data on clients who met with a counselor but did not receive a referral for treatment. This non-identifying information will be used to reports the number of referrals made only.

VI. HIPAA:

Lexington-Fayette Urban County Government's Department of Social Services Substance Abuse and Violence Intervention (SAVI) Program will:

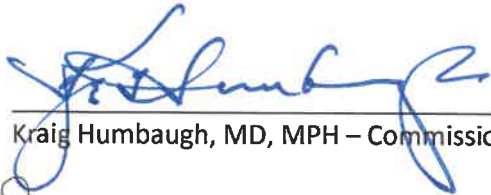
1. Not use or disclose client protected health information (PHI) other than as permitted by the Lexington-Fayette County Health Department and in accordance with rules and regulations set for by the Department of Health & Human Services (HHS) and the Health Insurance Portability & Accountability Act (HIPAA).
2. Appropriate safeguards will be put in place to comply with the HIPAA Security & Privacy Rule in regards to electronic health information, to prevent use or disclosure of client PHI other than provided for use as defined in this document.
3. Report any breach (hardcopy or electronic) of which it becomes aware, and shall proceed with breach response steps as required by the Department for Health & Human Services. If at any point LFUCG/SAVI becomes aware that a security incident involves a breach, the entity shall immediately initiate breach response and notify the Lexington-Fayette County Health Department Compliance Officer.
4. LFUCG/SAVI will ensure that any subcontractors that create, receive, maintain, or transmit PHI on behalf of the entity will abide by the same assurances as LFUCG/SAVI.

VII. Duration:

This MOU is at-will and may be modified by mutual consent of authorized officials from the Lexington-Fayette County Urban Government or the Lexington-Fayette County Health Department. This MOU shall automatically renew annually unless either party terminates upon thirty (30) days written notice outlining the reasons for termination or immediately for cause.

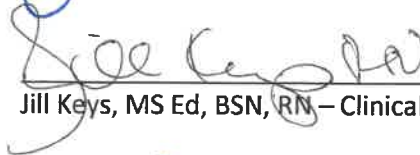
In witness thereof, the parties have caused this agreement to be executed, said agreement to become effective and operational upon the fixing of the last signature hereto.

Lexington-Fayette County Health Department:



Kraig Humbaugh, MD, MPH – Commissioner of Health

Date: June 20, 2018



Jill Keys, MS Ed, BSN, RN – Clinical Services Officer

Date: 6/19/18



Cara Kay, Chief Financial Officer

Date: 6/20/18

Lexington-Fayette Urban County Government:

Jim Gray, Mayor

Date: _____

