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January 5, 2016

***VIA EMAIL &
FIRST CLASS MAIL***

Candy Blair, R.N.
Health Care Administrator
Collin County Health Care Services
825 N. McDonald St. #130
McKinney, TX 75069

RE: HHS Enterprise Data Use Agreement

Dear Candy:

I have reviewed the new Data Use Agreement provided by the Texas Health & Human Service Enterprise for the County's approval and signature in connection with Contract No. 2016-048746-001, being the renewal of the Women, Infant and Children's Nutrition Grant Program (WIC).

While I objected to numerous provisions of the previous Data Use Agreements tendered by HHS, in my opinion the current draft is acceptable.

As you well know, the current draft is the result of many months of negotiations between HHS and local governments, including Collin County, as well as with the Texas Association of City and County Health Officials. In particular, I worked directly with numerous stakeholders seeking to reform the agreement, including meetings with HHS officials and attorneys. You worked hard on this as well, outlining your concerns to HHS and to our working group.

Ultimately, TACCHO retained outside counsel to negotiate the final revisions to the draft agreement. I believe that in light of the circumstances, TACCHO's negotiations resulted in a much better agreement, albeit I still question its necessity insofar as the parties are already covered under HIPAA. Nonetheless, I understand HHS needed an agreement such as this one with its local government contractors, as it had been audited by an agency of the federal government and apparently had promised that it would put in place an agreement with its contactors so as to seek to prevent unauthorized disclosures of protected information (PHI and PII).

Suffice it to say, rather than work collaboratively with all stakeholders from the outset, HHS angered the local government providers of its services by initially circulating

Candy Blair, R.N.

January 5, 2016

Page 2

a DUA document that was overreaching and problematic in numerous respects. Only through your and other local health officials' efforts were we able to reach agreement on a consensus document that I can now recommend that the County execute.

I enjoyed working with you, especially your knowledge and patience, and am happy with the result. Not only does Collin County benefit from your expertise, but other local governments who are presented with the revised DUA will benefit as well.

Please let me know if you have any further questions regarding this or other matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Greg Hudson".

J. Greg Hudson