
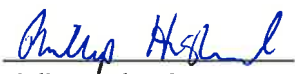


District of Columbia Department of Health Memoranda of Understanding/ Memoranda of Agreement		PROCEDURE 470.000 Implementing Office: Office of the Director Training Required: Yes Originally Issued: OCT 20 2019 Revised/Reviewed:
Approved by:  LaQuandra S. Nesbitt MD, MPH; Agency Director	Review by Legal Counsel:  Phillip Husband, Esq.; General Counsel	Effective Date: OCT 20 2019 Valid Through Date: OCT 20 2022

I. Authority	Reorganization Plan No. 4 of 1996; Mayor's Order 1997-42; DC Official Code §1-301.01(k)(1).
II. Reason for the Policy	Memoranda of Understanding (MOUs) are legal documents that allow DC government agencies to transact goods and services to serve the public more effectively. These documents are essential to DC Health operations, as program requirements sometimes include activities that only a partner agency has the legal authority to carry out. A protocol is necessary to ensure that DC Health only enters into MOUs that are legally sufficient, properly capture program requirements, and are promptly renewed as applicable to mitigate the risk of lapse or disruption of services.
III. Applicability	This document shall apply to all DC Health employees, summer youth employees, contract employees, interns, summer youth employees, and employees of other DC government agencies temporarily assigned to DC Health (collectively referred to herein as "employees" or "DC Health employees").
IV. Policy Statement	<p>MOU content development is part of the portfolio of the DC Health Program Manager(s) whose program(s) are transacting goods and/or services.</p> <p>The DC Health Office of General Counsel (OGC) is responsible for providing technical assistance upon request to any program drafting an MOU, as well as ensuring the documents are legally sufficient prior to being routed to the Director for signature.</p>

The Program Manager, or designee, is responsible for drafting the content in collaboration with employees of the partner agency, or agencies, using the Memorandum of Understanding Development Checklist as a guide to ensure all required content is present.

The General Counsel, or designee, will provide technical assistance upon request to any Program Manager in drafting content, or provide a content review to a draft MOU, to ensure the requirements are met.

The Program Manager, or designee, is responsible for routing the draft MOU to the General Counsel for formal legal sufficiency and signature. The Program Manager, or designee, is also responsible for routing the legally sufficient draft to the Agency Fiscal Officer (AFO) to verify the availability of funds. The document will then be routed to the Director for final signature.

Within 60 days prior to its term date, if the transactions governed by the MOU are to continue beyond the term date, the Program Manager will revise the content in collaboration with the partner agency, or agencies.

A Memorandum of Agreement (MOA) establishes a formal cooperative arrangement between two or more DC government agencies in which funds are not transacted. A Program Manager may collaborate with a partner agency to develop an MOA to govern a collaborative partnership that improves DC Health performance, and/or improves District of Columbia health outcomes.

OGC will provide technical assistance upon request to any Program Manager developing an MOA. An MOA may not be executed until it has been signed by both the DC Health General Counsel and the Director.

The Chief Operating Officer (COO), or designee, will ensure that all executed MOUs and MOAs are stored in an electronic repository. At a minimum, the COO, AFO, and DC Health General Counsel will have access to this repository.

Any employee in violation of any part of this SOP may be subject to commensurate disciplinary action.

<p>V. Definitions & Acronyms</p>	<p>AFO- Agency Fiscal Officer</p> <p>Buyer- The DC government agency receiving goods and/or services.</p> <p>COO- Chief Operating Officer</p> <p>IDSR- Intra-District Standard Request Form</p> <p>MOA- Memorandum of Agreement. A written document describing a cooperative relationship between two parties wishing to work together on a project or to meet an agreed upon objective. An MOA serves as a legal document and describes the terms and details of the partnership agreement. An MOA is more formal than a verbal agreement, but less formal than a contract. Organizations can use an MOA to establish and outline collaborative agreements, including service partnerships or agreements to provide technical assistance and training. An MOA is distinguished from an MOU in that funds are not transacted as a part of an MOA.</p> <p>MOU- Memorandum of Understanding. An agreement between two or more District of Columbia government agencies in which one agency provides goods and/or services to another agency, or multiple agencies, and receives payment for the agency or agencies for the actual cost of such goods and/or services.</p> <p>OCFO- District of Columbia Office of the Chief Financial Officer</p> <p>OGC- DC Health Office of General Counsel</p> <p>Seller- The DC government agency providing goods and/or services.</p>
<p>VI. Procedures</p>	<p>Procedure A: MOU Development</p> <ol style="list-style-type: none"> 1. The Program Manager will collaborate with the partner agency/agencies, to develop the MOU content, enlisting assistance as needed from OGC. 2. The Program Manager will complete the Memorandum of Understanding Development Checklist to verify completion of all required content elements.

	<ol style="list-style-type: none"> 3. The Program Manager will submit the draft MOU to the DC Health General Counsel for legal sufficiency review and signature. 4. The Program Manager will route the legally sufficient MOU to the AFO to verify the availability of funds. 5. The Program Manager will route the MOU to the Director for signature, collaborating with the partner agency as its agency director also reviews the draft for signature. 6. Upon signature from both agency directors, the Program Manager will route the signed MOU to the AFO for execution. 7. The Program Manager will send the MOU to the COO, or designee, for storage in the electronic repository. <p>Procedure B: MOA Development</p> <ol style="list-style-type: none"> 1. The Program Manager will collaborate with the partner agency, or agencies, to develop the MOA content, enlisting assistance as needed from OGC. 2. The Program Manager will submit the draft MOU to the DC Health General Counsel for legal sufficiency review and signature. 3. The Program Manager will route the MOU to the Director for signature, collaborating with the partner agency as its agency director also reviews the draft for signature. 4. Upon signature from both agency directors, the Program Manager will send the MOU to the COO, or designee, for storage in the electronic repository.
<p>VII. Contacts</p>	<p>DC Health General Counsel</p> <p>DC Health Chief Operating Officer</p>

VIII. Related Documents, Forms and Tools

[Memorandum of Understanding Checklist](#)