



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES



SUBJECT: Support Agreements MAY 31 2012

Instruction 4001

(GRT)

ABSTRACT

This Instruction explains and assigns responsibilities for the use of Support Agreements, Memoranda of Agreement, and Memoranda of Understanding at Uniformed Services University of the Health Sciences (USUHS).

A. Reissuance and Purpose.

This Instruction reissues USUHS Instruction 4001^a to:

1. Implement DoD Instruction 4000.19^b
2. Provide policy concerning the use and requirements of support agreements and other agreement formats at USUHS, and assign responsibility for the preparation, monitoring, and maintenance of records of such agreements.

B. References. See Enclosure 1.

C. Applicability.

This Instruction applies to all elements of USUHS.

D. Definitions. See Enclosure 2.

E. Policy.

1. Formalized support agreements will be prepared in all cases involving recurring USUHS support from or to another Federal agency. Support agreements are required whether or not reimbursement is involved.

2. The development of a support agreement is the responsibility of the agency that provides the support. The terms and conditions contained in the support agreement are the formalization of negotiations and exchange of information between the agency that provides the support and the agency that receives the support.

3. Memoranda of Understanding, Memoranda of Agreement, Letters of Agreement, and similar documents between USUHS and other Federal agencies serve as a framework for identifying and negotiating the provision of services by one agency to the other. Support agreements constitute the formal description of the support and of the terms and conditions under which the support is provided and received. Support agreements are prepared on DD Form 1144, "Support Agreement." Support agreements will include all categories of support provided and received, and will address any additional specific details pertaining to the agreements as appropriate.

4. Support agreements should be effective for an indefinite period of time unless there is a compelling reason to have a specific expiration date.

5. DoD-directed mission assignments that specify the support required or provided by USUHS—such as medical students, nursing students, dental students, graduate students, or residents who receive clinical instruction and training at other Federal agencies—do not require formalized support agreements. In a majority of instances, such support will require less formal documentation, such as Memoranda of Agreement.

6. The DoD Military Interdepartmental Purchase Requests (MIPRs)—or the equivalent of a MIPR in non-DoD Federal agencies—will be used for services received or supplied on a one-time basis. The terms and conditions of support will be specified on the face of the MIPR, or the MIPR-equivalent form. If support documented by a MIPR becomes repetitive, a support agreement becomes necessary and will be prepared. Repeated funding of a single research protocol is not considered repetitive support and, by reason of the repeated funding alone, does not require a support agreement.

7. No-cost agreements with city, county, and State government activities, and with non-profit organizations will be executed with Memoranda of Understanding or Memoranda of Agreement. Agreements that require USUHS to reimburse a nonprofit organization, city, county, or State government (other than National Guard units) must be executed by contract or grant.

8. All training of USUHS students (medical students, nursing students, dental students, graduate students, and residents) that involves patient care at non-Federal activities will be documented by Memoranda of Agreement or Memoranda of Understanding.

9. Data Use Agreements (DUA) arise from approved research protocols which undergo thorough review for appropriateness by the Vice President for Research/Office of Sponsored Programs (OSP) and the Office of the General Counsel (OGC). Accordingly, an additional Memorandum of Agreement (MOA) is not required. The USU Requestor will be responsible for final coordination and required signature(s).

10. Instructions and Forms required for processing all Agreements can be found on the Grants Management Office (GRT) web page.

F. Responsibilities

1. The President, USUHS, shall:

a. Sign all Support Agreements, Memoranda of Agreement, Memoranda of Understanding, Letters of Agreement, or other agreement documents. The President has delegated the authority for signature in specific instances that are listed in paragraphs F.2, F.3, F.4, and F.5.

b. Ensure the overall soundness and regulatory compliance of the Support Agreement Program.

2. The Dean of the F. Edward Hébert School of Medicine shall sign all academic agreement documents concerning the education and training of medical students, graduate students, and residents assigned to the F. Edward Hébert School of Medicine.

3. The Dean of the Graduate School of Nursing shall sign all academic agreement documents concerning the education and training of students assigned to the Graduate School of Nursing.

4. The Executive Dean of the Post Graduate Dental College shall sign all USU academic agreement documents concerning the education and training of students within USU degree granting dental residency programs.

5. The Director of Financial and Manpower Management shall sign modifications to the funding level, or to the USUHS point-of-contact, or to the period of performance of existing agreements that have been signed by the President or one of the Deans.

6. The General Counsel shall review all proposed Support Agreements, Memoranda of Understanding, and Memoranda of Agreement for compliance with applicable laws, regulations and policies.

7. The Agreements Manager shall identify the need for Support Agreements and other documents, prepare and coordinate agreement documents, submit the USUHS conformed agreement to the other agency, manage the resolution of issues with all interested parties, prepare final document and obtain all required signatures, distribute the fully executed agreements and maintain an up-to-date database for all USUHS agreements.

8. Vice President for Affiliations and International Affairs serves as the principal strategist, facilitator, and implementer in providing management and oversight of USU affiliations with major entities and institutions supporting the educational and research missions of the University. The Office of Affiliations and International Affairs (OAI) ensures that affiliation agreements (memoranda of agreement or understanding) are appropriately initiated, maintained, and updated.

The OAI provides oversight for all international academic programs offered or undertaken through the University.

A handwritten signature in dark ink, appearing to read "Charles L. Rice". The signature is fluid and cursive, with a prominent initial "C" and a stylized "R".

Charles L. Rice, MD
President

Enclosures:

1. References
2. Definitions

REFERENCES

- (a) USUHS Instruction 4001, "Support Agreements," dated January 10, 1986 (hereby canceled).
- (b) DoD Instruction 4000.19, "Interservice and Intragovernmental Support," dated August 9, 1995.

DEFINITIONS

A. Memorandum of Agreement (MOA): An agreement document that defines general areas of conditional agreement between two or more parties—what one party does depends on what the other party does (e.g., one party agrees to provide support if the other party provides the materials). MOAs that establish responsibilities for providing recurring reimbursable support should be supplemented with support agreements that define the support, the basis for reimbursement for each category of support, the billing and payment process, and other terms and conditions of the agreement.

B. Memorandum of Understanding (MOU): An agreement document that defines general areas of understanding between two or more parties. It should explain what each party plans to do; what each party does, however, is not dependent on what the other party does (e.g., does not require reimbursement or other support from receiver).

C. Support Agreement: An agreement to provide recurring support to another DoD or non-DoD Federal activity. Support agreements are recorded on a DD Form 1144 or a similar format (e.g., computer-generated DD Form 1144). Support Agreements define the support to be provided by one supplier to one or more receivers, specify the basis for calculating reimbursement charges (if any) for each service, establish the billing and reimbursement process, and specify other terms and conditions of the agreement.