

For JPAs, Membership Applications, Special Shipments, and instances where a Residential Address is contemplated as a Ship-to Address.

Protection of private identifiable data under the Minnesota Data Practices Act: Tennesen Warnings (Minnesota Statue 13.04, Subd. 2) will need to be issued by the Member. Members must notify all individuals that may have their private or confidential data (as defined by the Minnesota Data Practices Act) submitted to MMCAP Infuse, the State of Minnesota, and/or MMCAP Infuse vendors. Private data may include, but is not limited to, the following elements:

- Personal emails, home phone numbers, and personal cell phone numbers;
- Residential/personal addresses;
- Social Security Numbers and Tax IDs;
- Identifying data regarding a disability or disease;
- Individual Drug Enforcement Agency (DEA) license numbers;
- Medical and health data;
- Non-public financial information; and
- Other information classified as private information by state or federal law or by the Commissioner of the Minnesota Department of Administration.

At a minimum, a Tennesen Warning is required to include:

- The reason government is collecting the data;
- How government plans to use the data;
- Whether the person is legally required to provide the data or may refuse to do so;
- Consequences if the person provides the data;
- Consequences if the person does not provide the data; and
- The identities of people and entities that have access to the data by law.
- A signature from the individual is not required but would be best practice.

The Member certifies and warrants it has provided or will provide a Tennesen Warning to all affected individuals before submitting any private data to MMCAP Infuse, the State of Minnesota, and/or MMCAP Infuse vendors. Consequences of failure to adhere to the requirements are located in Minnesota Statutes 13.08, 13.085, and 13.09.

For MMCAP Infuse Members and Affected Individuals

MMCAP Infuse, a division of the Minnesota Department of Administration (**MMCAP Infuse**) has received information from a government agency in your jurisdiction (**Purchasing Agency**) which includes private or confidential information under the Minnesota Government Data Practices Act (**MGDPA**). The Purchasing Agency has or will be purchasing pharmaceuticals and/or medical supplies or services through MMCAP Infuse. In order to facilitate and track the purchases, the Purchasing Agency has supplied private or confidential information to MMCAP Infuse.

This information will be used to:

- Facilitate shipments to addresses;
- Collect, analyze, and audit purchasing and sales data;
- Analyze purchasing and shipment trends;
- Ensure adherence to the Drug Quality and Security Act;
- Assist analyzing the needs for public health issues; and
- Facilitate any recalls or returns.

You are not legally required to provide the information MMCAP Infuse or the Purchasing Agency. However, failure to provide certain information could result in pharmaceuticals or medical supplies and services not being shipped or provided to you.

Unless you consent to further release of private information, access to the information provided will be limited to individuals whose jobs reasonably require access to this information. However, MMCAP Infuse may be authorized or required to release private or confidential information, without your consent, under the following circumstances, conditions, or to the listed entities:

- Drug-test results may be used in an arbitration proceeding, an administrative hearing, or disclosed to the federal government as required by federal law or federal government contract; or to a substance abuse treatment facility. (Minn. Stat. § 181.954);
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- to state and federal revenue authorities for tax purposes;
- to child support enforcement authorities in this or another state, as required by law (Minn. Stat. §256.978);
- Minnesota Legislative Auditor's Office;
- As required by a court order or authorized by other state or federal law.

If you have any questions about this notice, MMCAP Infuse legal staff will explain it to you. The information on this form applies to your future contacts with MMCAP Infuse whether the contact is in person, by mail, or by phone.

In acknowledgement of the above, (CHOOSE ONE):

1) For Member Facilities operating from a residential address or individuals receiving product under direction of an MMCAP Infuse parent Member:

I have read and understand the above Tennessee Warning.

Kyle Kenny
Print Name

Kyle Kenny
Signature

Date

2) For Member Facilities requesting shipment of product to residential addresses:

The Member has read and understands the above Tennessee Warning. The Member certifies and warrants it has provided or will provide a Tennessee Warning to all affected individuals.

Member Name

Authorized Representative

Signature

Date