

**MEMORANDUM OF
AGREEMENT FOR
THE VULNERABLE NEEDS REGISTRY**

This MEMORANDUM OF AGREEMENT FOR THE VULNERABLE NEEDS REGISTRY is entered into this 16th day of August, 2010 by and between Thomas city/county/tribe, a body politic and corporate of the State of Kansas ("Political Subdivision") and the State of Kansas, The Adjutant General's Department, Kansas Division of Emergency Management (KDEM), an agency of the State of Kansas.

WHEREAS: Kansas is subject to natural and other types of disasters and residents with vulnerable needs may be severely vulnerable in the time of such a disaster; and

WHEREAS: communication, notification, and evacuation issues may be difficult for local emergency managers to manage and/or impart to people with vulnerable needs; and

WHEREAS: the State of Kansas, in conjunction with Johnson County, Kansas, has created a Vulnerable Needs Registry wherein people with vulnerable needs may voluntarily report their name, address, contact information, and disability, and facilities may register the conditions of their clientele for purposes of enhanced emergency response planning; and

WHEREAS: the information distributed within the Vulnerable Needs Registry reports is private information that must be vigilantly protected to ensure appropriate use of the entrusted data;

NOW THEREFORE, in consideration of the mutual agreement of the parties, the undersigned Political Subdivision and the Kansas Division of Emergency Management (KDEM) agrees as follows:

1. KDEM will provide access to Vulnerable Needs Registry data to three (3) authorized employees designated by the Political Subdivision upon receipt of appropriate request and verification.
2. Upon receipt of access to Vulnerable Needs Registry data, the Political Subdivision assumes all liability for use of the data. KDEM is not responsible for any actions undertaken by the Political Subdivision with the provided data. The Political Subdivision, by acknowledging this memorandum of agreement, or by accessing the Vulnerable Needs Registry database, assumes no responsibility for, or duty to protect, individuals or third parties from injury or damages arising from any type of disasters. All parties to this agreement specifically acknowledge that this agreement creates no duty or responsibility for Political Subdivision with respect to public safety
3. Upon receipt of access to Vulnerable Needs Registry data, the Political Subdivision becomes a trusted user of the data and must safeguard the data pursuant to the applicable provisions of federal law, state statues and all regulations promulgated pursuant to authority granted therein, including the Health Insurance Portability and Accountability Act of 1996, the Kansas Open Records Act (K.S.A. 45-215 et seq.)

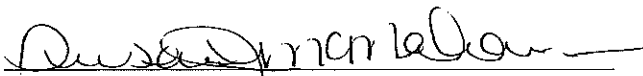
4. The Political Subdivision acknowledges that the data is necessary to the performance of its duties and functions, the data will only be used for a purpose similar to the purpose for which the data was collected or obtained and that the use of the data produces a public benefit that outweighs individual privacy concerns. The Political Subdivision receiving data under this Agreement is subject to the same restrictions on disclosure of the data as KDEM. Subject to the requirements of the Kansas Open Records Act (K.S.A. 45-215 et seq.), all release of this data must be closely guarded and only disseminated to persons or entities with emergency support functions. Subject to the requirements of the Kansas Open Records Act (K.S.A. 45-215 et seq.) or the order of a court having lawful jurisdiction over the matter, release of this data to any public or private entity that does not have emergency support functions or who might utilize the data for any purpose other than emergency management planning is strictly prohibited.

IN WITNESS WHEREOF, the following Political Subdivision and KDEM have caused this Memorandum of Agreement to be acknowledged and attested by the officers shown and the corporate seal of such Political Subdivision to be hereto affixed, this

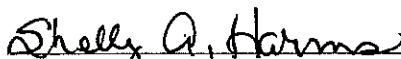
16th day of August, 2010.

Thomas COUNTY, KANSAS



COUNTY COMMISSIONER, CHAIRPERSON

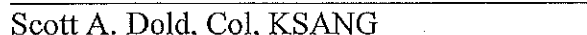

EMERGENCY MANAGER

ATTEST TO:


COUNTY CLERK

Kansas Division of Emergency Management


Angee Morgan, Deputy Director


Scott A. Dold, Col, KSANG
Senior Legal Advisor to the Adjutant General