

Overview of the Affiliation Agreement Process

3-09

Affiliation Agreements:

Affiliation Agreements are contracts between ISU and Hospitals or Clinics which set forth the clinical education arrangements whereby ISU health programs are able to send their students to facilities to perform internships and externships as part of the programs' requirements.

The role of the Office of General Counsel (OGC) in the affiliation process is as a consultant in reviewing and recommending changes to affiliation agreements in order to conform to the Mandatory Contract Review Criteria and Alternative Affiliation Agreement Clauses guidelines available at:

<http://www.isu.edu/departments/ucounsel/pdf/mandaffKcriteria.pdf> and

<http://www.isu.edu/departments/ucounsel/pdf/affilclauses.pdf>. Such guidelines were created in order to ensure that any contractual arrangements which are made will fulfill the University's legal requirements. The role of the programs/program coordinators is to be responsible for initiating, tracking, and maintaining the program's own affiliation agreements.

In order for affiliation agreements to be reviewed and finalized by the OGC, agreements should:

- be complete with the all information typed in (not handwritten);
- have these sections of the ISU standard agreement completed by the program:

First Paragraph - ISU program name, facility name and address, effective date;

V.A. – Choose either the first or second sentence depending on whether the agreement expires or is continuous. If the agreement has an expiration date, insert the expiration date and delete the second sentence; or if the agreement is continuous, delete the first sentence and the word “(Or,” and “)” in the second sentence so V.A states “Term. The Agreement’s term begins on Effective Date and is continuous with automatic renewals on the annual Effective Date.”;

IX. – Add the facility name and notification address;

Add the facility name and signatory’s name and title if possible;

Attachment A - Complete the Attachment A Confidentiality Understanding (CU) and have the student sign it. The original is kept in the student’s file with a copy given to the student and a copy sent to the facility upon the facility’s request. The student’s signed CU should not be attached to the agreement. The agreement’s Attachment A is only an example to show the facility what students sign.

- be sent electronically to richsand@isu.edu, preferably in Word, when they are the facility's own agreement;
- have 2 originals attached with the bucksheet when ready for signatures (1 for OGC and 1 for the facility); and
- include the student's start date so agreements may be prioritized accordingly.

PROCEDURES

If ISU's Agreement Form:

The program coordinator or principal investigator will contact a proposed facility/ internship site and modify the current Affiliation Agreement Template to include the site's name, address, term date, etc. The agreement template can be viewed at <http://www.isu.edu/departments/ucounsel/affiliation.shtml>. The program coordinator sends the facility the proposed ISU affiliation agreement and requests that the facility sign at least **two (2) originals**. After the agreement is reviewed and accepted by the facility, the facility should sign the two (2) originals and send them back to the program coordinator. Then the coordinator attaches a bucksheet and routes for ISU signatures. The bucksheet template can also be viewed at <http://www.isu.edu/departments/ucounsel/affiliation.shtml>.

After the bucksheet is signed by the program coordinator, the Department Chair, and Dean, the coordinator should send it and the two signed originals to the OGC for review. If acceptable, the OGC will sign the bucksheet and forward to the Provost/VP for Academic Affairs for signature. When it is signed by both parties, i.e., executed, the OGC will keep one original for its files and send the second original back to the program coordinator to be sent to the facility.

Facility's Agreement Form:

If a facility maintains that it must use its own affiliation agreement, the agreement should be sent directly to the OGC paralegal in electronic form without the bucksheet. Then it can be reviewed and changes can be negotiated before the program obtains the signatures. Otherwise, the bucksheet process may have to be repeated. If changes are necessary, the changes will either be sent to the program coordinator to forward to the facility (if the OGC does not have the site's contact information) or the changes will be sent directly to the contact person at the facility. Facilities may contact the OGC paralegal with any questions or concerns regarding the agreement and negotiations. After ISU and the facility have come to a mutual agreement on the final version, the facility will usually generate and sign the originals.

Out of State or Out of Country Affiliations:

We have had some difficulties negotiating with facilities out of state and the country. Occasionally, we will not be able to negotiate an agreement with a facility. If the program coordinator has knowledge from the start, for example, that a facility is requiring \$5,000,000 in liability insurance for students and/or ISU, we may **not** be able to negotiate

the State's lower limits of liability at \$500,000 for ISU and the student policy limits of \$1,000,000/\$3,000,000 for students. In order for the student professional liability insurance to apply outside the US, the facility must agree in advance to bring suit and litigate any claim within the US. Students are not able to purchase more insurance from the current carrier at this time so the Program and students should always have an alternate site set up in this case.

Master Agreements:

Master Agreements are clinical education contracts which may include several or all of ISU's health related programs. These agreements are handled by the OGC. If a facility expresses interest in including several ISU programs into one agreement or the program receives one, it should be sent to the OGC paralegal.

Master agreements do not always include all programs at ISU. Sometimes the facility only wants to include specific programs with the option to add other programs later by an amendment or addendum, so masters should be checked on the share folder or contact the OGC to see if the program in question is included.

All Master Agreements are scanned and available in PDF format from the OGC share folder on the Y Drive. Designated individuals from the programs have been given access to this folder, usually the program coordinators, faculty, and office staff involved in clinical affiliations. If you would like to request access to this folder, please contact Sandi Rich at x.2683 or mail to: richsand@isu.edu.