

I. CONTRACT INFORMATION:

Agency/Department: Agency of Human Services/Dept of Corrections Contract #: 10962 Amendment #: 2
 Contractor: Prison Health Services, Inc Contractor Vendor No: 182150
 Contractor Address: 105 Westpark Drive, Suite 200, Brentwood, TN 37027
 Federal ID or SS#: 23-2108853
 Starting Date: 1/29/2007 Ending Date: 1/31/2009
 Summary of contract or amendment: Change of pharmacy provider

II. FINANCIAL INFORMATION

Maximum Payable:	\$24,364,376	Prior Maximum:	\$ 24,364,376	Prior Contract # (If Renewal):	
Current Amendment:	\$0	Cumulative amendments:	\$ 0	% Cumulative Change:	0%
Maximum # Units:		# Unit Change:		Prior # Units:	#
Rate:	\$	Prior Rate:	\$		

Source of Funds - Business Unit(s): 03520

General Fund:	100 %	Federal Fund:	%	Other Fund:	%	Fund Code:	
Dept. ID:	<u>3480004010</u>	Dept. ID:		Dept. ID:			

III. SUITABILITY OF PERSONAL SERVICES CONTRACT

Yes No Does this contractor meet all 3 parts of the "ABC" definition of independent contractor?
 (See Bulletin 3.5) If not, please indicate why this work is being arranged through a contract.
 Yes No Is agency liable for income tax withholding or FICA?
 Yes No Should contractor be paid on the state payroll?

IV. PUBLIC COMPETITION

The agency has taken reasonable steps to control the price of the contract and to allow qualified businesses to compete for the work authorized by this contract. The agency has done this through:
 Standard bid or RFP Simplified Bid Sole Sourced Qualification Based Selection Other

V. TYPE OF CONTRACT

Personal Service Construction Architect/Engineer Commodity Privatization* Other

VI. CONFLICT OF INTEREST

By signing below, I certify that no person able to control or influence award of this contract had a pecuniary interest in its award or performance, either personally or through a member of his or her household, family, or business.
 Yes No Is there an "appearance" of a conflict of interest so that a reasonable person may conclude that this contractor was selected for improper reasons: (If yes, explain)

VII. PRIOR APPROVALS REQUIRED OR REQUESTED

Yes No Contract must be approved by the Attorney General under 3 VSA §311(a)(10)
 Yes No I request the Attorney General review this contract as to form
 No, Already performed by in-house AAG or counsel: _____ (initial)
 Yes No Contract must be approved by the CIO/Commissioner of DII; for IT hardware, software or services and
 Telecommunications over \$150,000
 Yes No Contract must be approved by the CMO; for Marketing services over \$15,000
 Yes No Contract must be approved by the Secretary of Administration

VIII. AGENCY/DEPARTMENT HEAD CERTIFICATION; APPROVAL

I have made reasonable inquiry as to the accuracy of the above information:

Date	<u>5/17/07</u>	Agency / Department Head	Date	<u>5/25/07</u>	Approval by Agency Secretary (if required)
Date	<u>5/21/07</u>	Approval by Attorney General	Date		*Reviewed by DHR Comm. or DHR AAG
Date		CIO (init)	Date		Secretary of Administration

AMENDMENT

It is agreed by and between the State of Vermont, Department of Corrections (hereafter called "State") and Prison Health Services, Inc of Brentwood, TN, Vermont (hereafter called "Contractor") that contract #10962 dated 1/29/2007 between said State and Contractor is hereby amended as follows:

Attachment A, Chapter II – Health Care Services, Section W – Pharmaceuticals: Delete "its direct subsidiary"; replace each use of Secure Pharmacy Plus with Maxor National Pharmacy Services Corporation; and replace each use of SPP with Maxor.

Except as modified by this above amendment, and any and all previous amendments to this contract, all provisions of this contract #10962 dated 1/29/2007 shall remain unchanged and in full force and effect.

The effective date of this amendment is 05/01/2007.

APPROVED AS TO FORM

STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS

MJ Salem
Attorney General's Office

[Signature]
Robert D. Hofmann, Commissioner

Date: 5/21/07

Date: 6/19/07

CONTRACTOR: Prison Health Service, Inc

Signed: [Signature]

Richard Hillman
(Please PRINT Signature)

Address: 105 Westpark Drive, Suite 200
Brentwood, TN 37027
SS#/Fed ID#: 23-210885

Date: 6/5/07

June 20, 2007
cc: Accounting (Donna)
AHS (Shirley)
Susan Wehry
Prison Health Services
Toni Hatrich Finance



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Agency of Human Services

DEPARTMENT OF CORRECTIONS

OFFICE MEMORANDUM

To: Cynthia LaWare, Secretary
 Agency of Human Services

From: Robert Hofmann, Commissioner 

Date: May 14, 2007

Subject: Prison Health Services, Inc - effective date of Amendment 2

I am requesting approval of a retroactive amendment for Prison Health Services, Inc. For reasons outlined below, there was not enough time to process an amendment that would not be retroactive.

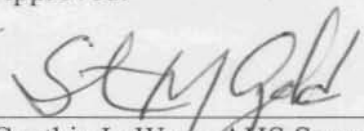
On April 25, 2007 we received a letter from PHS dated April 23, 2007 informing us that PHS had entered into an agreement with Maxor National Pharmacy (Maxor) which involved the sale of certain assets of their wholly-owned subsidiary, Secure Pharmacy Plus (SPP) to Maxor. In addition, PHS and Maxor signed a long-term service agreement for Maxor to serve as the PHS pharmaceutical provider. The effective date of the agreement was May 1, 2007.

We asked the DOC legal division for an opinion as to whether this would need a formal amendment or just a memorandum of understanding and on April 30, 2007 received word that an amendment should be done.

This amendment does not increase the contract maximum or change the delivery of service. I am therefore requesting your approval of this request.

5/25/07

Approved:


 Cynthia LaWare, AHS Secretary
 Dep. Sec. AHS

5/25/07
 Date