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TO: JENNIFER PLAGE 6/25/08 FAX # 303)369-0982

[Redacted]



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o: YARGHH!!
Just an FYI ☺

June 23, 2008

Dear Participant:

We need you to make a decision. First, we'll tell you what's happening at the Colorado Nurse Health Program ("CNHP"). Then, we'll explain your choice. Please read this carefully.

You should know that CNHP may be forced to discontinue operations. In 2007, Governor Ritter passed a law mandating that the diversion program go out to bid. When the Request for Proposal (RFP) was first issued for our program in September, 2007, CNHP bid - and won. We received our award letter on October 22, 2007, and continued to receive funding and accommodate requests to expand our program coverage from the State Board of Nursing. Imagine our surprise when, on January 8, 2007, we were informed that the RFP that we'd won had been cancelled, and was being reissued. We were recently informed that we were not the winner on the reissued RFP. We have followed all legal procedures to protest this decision; however, while we are awaiting a hearing on injunctive relief in Denver District Court, CNHP has not been given its funding to continue to serve its participants after June 30, 2008.

CNHP has always kept the confidentiality of your information a priority. There are an array of federal laws which facilitate this protection. In the event that CNHP must discontinue operations, 42 C.F.R. 2.19 states, in part:

- (a) General. If a program discontinues operations . . . , it must purge patient identifying information from its records or destroy the records unless--
 - (1) The patient who is the subject of the records gives written consent (meeting the requirements of § 2.31) to a transfer of the records . . .

CNHP remains optimistic about the outcome of the pending legal proceedings. If CNHP is successful, then it will remain in business and continue its services. However, as funding may end before the court decision is made, you need to make a decision.

CNHP has drafted a written consent (which meets the requirements of 42 C.F.R. 2.31) ("Consent") to allow a transfer of your records to the State Board of Nursing ("SBON"). If CNHP is successful in district court, then your records will remain at CNHP. However, if CNHP is not successful and is forced to discontinue operations, then:

- (1) if you complete, sign and return the Consent, your records will be forwarded to the State Board of Nursing, or
- (2) if you do not complete, sign and return the Consent, your file will be destroyed.

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The State of Colorado's Board of Nursing authorized Diversion Program



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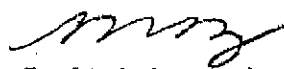
The choice is up to you. However, as you are participating pursuant to a Stipulation and Order, the failure to consent to have your file transferred, and consequent destruction of same pursuant to 42 C.F.R. 2.19, will likely result in disciplinary action pursuant to the terms of the Stipulation and Order. You should consider these consequences in making your decision on whether or not you will complete, sign and return the Consent. If CNHP is discontinued, and your file is destroyed, it will not be possible to reconstruct it, and no one will be here to even attempt to do so. If you complete, sign and return the Consent to allow your file to be transferred to the SBON, your participation in CNHP will remain fully documented, and the SBON will be able to maintain continuity of monitoring if CNHP is discontinued. Pursuant to federal law, the decision is up to you.

Of course, if we prevail in court, then we will not be destroying or transferring files, because we will be able to continue operations. As we don't yet have a court date, however, and as CNHP will not be funded after June 30, 2008, we need to you to decide now - because, right now, CNHP doesn't have the ability to monitor you after the end of this month.

If you have any questions, you may call me or visit the website for current information, at www.cnhp.com. We will be maintaining a skeleton crew while we await our day in court.

Thanks for your commitment, and understanding, during this difficult time. We will also be posting information about the status of the litigation on our website.

FOR THE COMMITTEE



By: Marjorie Derozier, Executive Director

encl. - Consent