



Text4baby Memorandum of Understanding



Thank you for your interest in becoming a text4baby Outreach Partner. The National Healthy Mothers, Healthy Babies Coalition (HMHB) is working with a broad range of partners to spread the word about text4baby and encourage the women they reach to sign up for the service. We would like to invite you to join the text4baby community and help provide mothers with the information they need to have safe pregnancies and healthy babies.

Attached, please find the Memorandum of Understanding for text4baby Outreach Partners. There is no cost associated with becoming a text4baby Outreach Partner, other than your own costs of implementing your outreach plan. **Please be sure to complete the highlighted section of the document and to fill out all pertinent contact information.**

If you are interested in learning more about the program or becoming an Outreach Partner, please email partners@text4baby.org. If you are ready to become a partner, please fax the signed MOU, ATTN: Kathleen Murphy at (703) 684-5968 or email a scanned PDF to kmurphy@hmhb.org. A fully executed copy of the MOU, signed by Sarah Ingersoll, Campaign Director, will be returned to the partner organization.

Thank you very much for your interest, and we look forward to working with you!

Text4baby Outreach Partner Memorandum of Understanding

This Memorandum of Understanding (MOU) between the National Healthy Mothers, Healthy Babies Coalition ("HMHB") and _____ ("Partner") is agreed as of this ____ day of _____, ____.

I. BACKGROUND

1.1 About text4baby. Text4baby is a free mobile information service designed to promote maternal and child health. An educational program of the National Healthy Mothers, Healthy Babies Coalition (HMHB), text4baby provides pregnant women and new moms with information to help them care for their health and give their babies the best possible start in life. Women who sign up for the service by texting BABY to 511411 (or BEBE in Spanish) will receive free SMS text messages each week, timed to their due date or baby's date of birth.

1.2 Text4baby Partners. Text4baby is made possible through a broad, public-private partnership that includes government, corporations, academic institutions, professional associations, tribal agencies and non-profit organizations. Founding partners include HMHB, Voxiva, CTIA - The Wireless Foundation and Grey Healthcare Group (a WPP company). Johnson & Johnson is the founding sponsor, and premier sponsors include WellPoint, Pfizer and CareFirst BlueCross BlueShield. U.S. government partners include the White House Office of Science and Technology Policy, the Department of Health and Human Services and the Department of Defense Military Health System. The mobile health platform is provided by Voxiva and free messaging services are generously provided by participating wireless service providers. Implementation partners include BabyCenter, Danya International, Syniverse Technologies, Keynote Systems and The George Washington University. MTV Networks is a media sponsor.

1.3 Outreach Partners. The National Healthy Mothers, Healthy Babies Coalition is working with a broad range of partners to spread the word about text4baby and encourage the women they reach to take advantage of this free service. Outreach partners include state and local health departments, community health centers, WIC programs, health plans, retail partners, community organizations, major medical associations and nonprofit organizations dedicated to the health of mothers, babies and families.

II. OUTREACH PARTNER ROLES & RESPONSIBILITIES

2.1 HMHB Responsibilities. In support of the Outreach Partners, HMHB agrees to do the following:

- a) Provide content and artwork for promotional materials about text4baby which Partner is free to use in its efforts to promote the Service.
- b) Provide a set of promotional guidelines which will include limitations on how the text4baby logo can be used and how the program must be described.
- c) Recognize Partner's role as an Outreach Partner.

2.2 Partner Responsibilities. As an Outreach Partner, Partner agrees to do the following:

- a) Assign a staff person to serve as the text4baby coordinator.

- b) Develop and launch a promotional campaign to promote the Service among Partner's constituents. In developing the campaign, Partner can make free use of the promotional designs and materials developed for text4baby.
- c) Follow the promotional guidelines and Graphics Standards Guide developed by HMHB in describing the Service and in using the logo.
- d) Collaborate with HMHB and other text4baby partners on public relations and other promotional efforts.

2.3 Partner Role. Outreach Partner agrees that HMHB can describe in promotional materials and other communications as a "text4baby Outreach Partner." Except as set forth in the preceding sentence, HMHB shall not use the words, symbols, marks or make any reference to Partner without the prior written approval of Outreach Partner.

2.4 Text4baby Description. In describing the text4baby initiative in any press release or promotional materials, Partner agrees to use one of the following descriptions or an updated version of this description as provided by HMHB:

"Text4baby is a free mobile information service designed to promote maternal and child health. An educational program of the National Healthy Mothers, Healthy Babies Coalition (HMHB), text4baby provides pregnant women and new moms with information to help them care for their health and give their babies the best possible start in life. Women who sign up for the service by texting BABY to 511411 (or BEBE in Spanish) will receive free SMS text messages each week, timed to their due date or baby's date of birth."

OR

"Text4baby is a free mobile information service designed to promote maternal and child health. An educational program of the National Healthy Mothers, Healthy Babies Coalition (HMHB), text4baby provides pregnant women and new moms with information to help them care for their health and give their babies the best possible start in life. Women who sign up for the service by texting BABY to 511411 (or BEBE in Spanish) will receive free SMS text messages each week, timed to their due date or baby's date of birth."

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III. MISCELLANEOUS PROVISIONS

3.1 Relationship of the Parties. Nothing in this Agreement is intended to or shall be construed to constitute or establish an agency, joint venture, partnership or fiduciary relationship between the parties, and neither party shall have the right or authority to act for or on behalf of the other party.

3.2 Compensation. No compensation or payments will be due to either party under this agreement and each party is responsible for all of its costs incurred in furtherance of this agreement.

3.3 Governing Law. The validity, interpretation, construction and performance of this Agreement shall be governed by the laws of Virginia without regard to its conflicts of law principles.

3.3 Terms. Please refer to the text4baby Terms and Conditions at <http://www.text4baby.org/index.php/terms-and-conditions>

3.4 Privacy. Please refer to the text4baby Privacy Policy at <http://www.text4baby.org/index.php/privacy-policy>

3.5 Termination. Either party may terminate this MOU at any time and for any reason upon written notice to the other party.

3.6 LIMITATION OF LIABILITY. NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR ANY INDIRECT, INCIDENTAL, RELIANCE, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES, INCLUDING LOSS OF PROFITS, REVENUE, PROSPECTIVE BUSINESS, DATA, OR USE, INCURRED BY EITHER PARTY, WHETHER IN AN ACTION IN CONTRACT OR TORT, EVEN IF THE OTHER PARTY OR ANY OTHER PERSON HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Agreed by:

<u>National Healthy Mothers, Healthy Babies Coalition</u> Name: Sarah Ingersoll Title: Campaign Director, text4baby Signature: _____ Date: _____	<u>Partner</u> Note: The individual that signs this document must be authorized by signing organization to enter into legal agreement with HMHB. Partner Text4baby Coordinator, if different from below signed, should fill out section immediately following. Name: _____ Title: _____ Organization: _____ Address: _____ <div style="text-align: right;">CONT'D→</div>
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	<p>Phone Number: _____</p> <p>Email: _____</p> <p>Signature: _____</p> <p>Date: _____</p>
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<p><u>Text4baby Coordinator (if different from above signed)</u></p> <p>Name: _____</p> <p>Title: _____</p> <p>Email Address: _____</p> <p>Phone Number: _____</p>
