

**HAWAII HEALTH SYSTEMS CORPORATION  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103D, HRS**

EX-169

**1. TO:** Chief Procurement Officer

**2. FROM:** Jeffrey Saito, Contract Manger

Department/Division/Agency Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

**3. DESCRIPTION OF GOODS, SERVICES OR CONSTRUCTION:**

Protenus, a Patient Privacy Monitoring Solution (PPMS) that shall monitor electronic medical record user access to, and interaction with, patient data.

**4. NAME AND ADDRESS OF VENDOR:** Protenus, Inc.  
1300 Bank Street 3rd Floor  
Baltimore MD, 21231

**5. PRICE:**  
\$15,000

**6. TERM OF CONTRACT:** FROM: 6/30/23 TO:

**7. PRIOR EXEMPTION REF. NO.**

**8. EXPLANATION DESCRIBING HOW PROCUREMENT BY COMPETITIVE MEANS IS EITHER NOT PRACTICABLE OR ADVANTAGEOUS TO THE STATE:**

The HHSC Corporate Information Technology (IT) department has utilized the Protenus, Inc. product since 2018, a Patient Privacy Monitoring Solution (PPMS) that shall monitor electronic medical record user access to, and interaction with, patient data. HHSC seeks to ensure an uninterrupted monitoring workflow, and has limited resources to replace existing integration with IT systems and customer service processes. Based upon the continuity that the vendor provides at this time of transition, it is neither practical nor advantageous for HHSC to devote resources to re-bid and to purchase and implement new vendor software to provide the required management assistance, nor would it be practical to establish a new contractual relationship with another vendor at this juncture.

**9. DETAILS OF THE PROCESS OR PROCEDURES TO BE FOLLOWED IN SELECTING THE VENDOR TO ENSURE MAXIMUM FAIR AND OPEN COMPETITION AS PRACTICABLE:**

Direct negotiations and contracting with Protenus, Inc will be conducted, and no formal solicitation will be performed at this time. Approximately 180 days before expiration of the one year exemption term, HHSC will review it's PPMS needs to determine if the business and technology needs are sufficient to warrant a rebid of the PPMS software contract.

**10. A DESCRIPTION OF THE AGENCY'S INTERNAL CONTROLS AND APPROVAL REQUIREMENTS FOR THE EXEMPTED PROCUREMENT:**

The Exemption Request is reviewed by HHSC CPO in accordance with HHSC policies and procedures. The President and CEO of HHSC (or his delegated CPO) approves the exemption in accordance with internal procurement policies and procedures.

**11. A LIST OF AGENCY PERSONNEL, BY POSITION, WHO WILL BE INVOLVED IN THE APPROVAL PROCESS AND ADMINISTRATION OF THE CONTRACT:**

Name	Position	Involvement in Process	
		Approval	Administration
Jeffrey Saito	Contract Manager	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renee Lai	VP and Chief Information Officer	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Edward N. Chu	HHSC CFO	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. DIRECT INQUIRIES TO:**

Contact Name: Jeffrey Saito  
Phone Number: 808-269-1962

AGENCY SHALL ENSURE ADHERENCE TO APPLICABLE ADMINISTRATIVE AND STATUTORY REQUIREMENTS  
13. I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

Department Head (Print: Renee Lai ) Date  
*Renee Lai* Jul 21, 2022

Reserved for CPO/Delegee Use Only

**14 .Date Notice Posted:** 07/15/22

The CPO is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer, HHSC, 3675 Kilauea Ave., Honolulu, Hawaii 96816

Chief Procurement Officer's comments:

15.  APPROVED  DISAPPROVED  NO ACTION REQUIRED

HHSC Chief Procurement Officer – Edward N. Chu

Signature *Edward N. Chu*

Date Jul 21, 2022