

EX 08-010

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

1. TO: Chief Procurement Officer  
2. FROM: Maui Memorial Medical Center

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:

The vendor produces "Essure", the first and only FDA approved non-invasive female sterilization procedure. The procedure is performed through a Hysteroscope by a "Essure" trained doctor. No abdominal incision is necessary; spring like coils are inserted/implanted through the body's natural pathways (vagina, cervix and uterus) and into the fallopian tubes. The body's tissue then grows into the micro inserts, blocking the fallopian tubes. The procedure is extremely low risk and especially helpful for obese patients.

4. Name of Vendor: Conceptus, Inc.

Address: 31 East Evelyn Avenue  
Mountain View, CA 94041

5. Price:

\$34,000

6. Term of Contract: From: Upon date of executed Agreement To: Two Years

7. Prior Exemption Ref. No.

N/A

8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State:

No other vendor produces a similar non-invasive procedures. The procedure is the first and only one of its kind approved by the FDA.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The term of the exemption will be for a two (2) year period.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

This exemption shall be from HRS, Section 103-302. All other guidelines, rules and policies under Chapter 103D shall be upheld. HHSC policies and procedures will be followed and periodic reviews of contract action will be completed.

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	
Wesley Lo	Regional Chief Executive Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Patrick Saka	Regional Chief <del>Financial</del> Officer	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
	<i>OPERATING</i>	<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

12. Direct inquiries to: Department: Contacts Manager  
 Contact Name: Andrew Alvarez  
 Phone Number: 808 442-5212  
 Fax Number: 808 442-5462

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.

*[Signature]* \_\_\_\_\_ Date 10/24/07  
 Department Head (Print: PATRICK SAKA)

Reserved for CPO/Delegee Use Only

14. Date Notice Posted 11-23-07

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

*[Signature]* \_\_\_\_\_ Date 11/30/07  
 Chief Procurement Officer