

entrant's Blue Button<sup>SM</sup> PHR application.

(c) VA may use any analytical means it determines suitable to determine whether the entrant's Blue Button<sup>SM</sup> PHR application has been installed by, and is freely available to patients of, the required number of LCPs or LCP organizations. The methods VA may use include but are not limited to assessment of a statistical sample of internet site addresses submitted by an entrant, the results of which may be generalized to the entire population. As provided in Section 3(b)(ii), above, internet sites must be operable at the time of judging.

(d) Determination of whether a participant is the "first" to document it has met all of the criteria for selection as a winner of this competition will be based on the date and time of VA's receipt of the submission of the entries. If two apparently winning entries are submitted at exactly the same date and time, the entry of the entrant which first obtained a license to use the Blue Button<sup>SM</sup> Marks will be designated the "first" entry.

(e) VA will use the information submitted in the entry to contact an apparent winner. If VA is unsuccessful in contacting the apparent winner after a minimum of 10 attempts over the course of a 10-day period, it may disqualify the participant and either (1) Award the prize to another participant or (2) terminate this competition without awarding any prize.

(f) Prior to final designation as the winner of this competition, the apparent winner will be required to submit documentation:

(i) If an individual, that the person is a citizen or permanent resident of the United States; and if an entity, that it is incorporated in and maintains a place of business in the United States;

(ii) Of written approval and confirmation of installation signed by the chief executive officer or equivalent of any LCP organization through which 100 or more practitioners are offering the Blue Button<sup>SM</sup> PHR; and

(iii) Of financial account information sufficient to support electronic transfer of the prize amount consistent with VA fiscal policy and the issuance of an IRS Form 1099. The information submitted will be used for these purposes only.

(g) Decisions of the judge are final.

(9) *Intellectual property.*

(a) The winner of the competition will, in consideration of the prize to be awarded, grant to VA a perpetual non-exclusive, royalty-free license to use any and all intellectual property pertaining to the winning entry (Winning IP) for any governmental purpose, including

the right to permit such use by any other agency or agencies of the Federal government. All other rights to the Winning IP will be retained by the winner of the competition.

(b) VA may, in its sole and exclusive discretion, choose to negotiate with any non-winning entrant for a license to use any intellectual property developed by a participant for this competition.

(c) "Blue Button," the Blue Button logo and the slogan "Download My Data" are Service Marks (Marks) of the Department of Veterans Affairs, an agency of the United States Government (reg. app. pending), which reserves all rights pertaining to its Marks. Any unlicensed use of the Blue Button<sup>SM</sup> Marks or use inconsistent with the terms of license issued by or on behalf of VA constitutes infringement of VA's intellectual property and subjects the infringer to all penalties provided by law.

(i) "Use," as used in Sections 6 and 10(c) above, means use in commerce of any reproduction, counterfeit, copy, or colorable imitation of the Blue Button<sup>SM</sup> Marks in connection with the sale, offering for sale, distribution, or advertising of any goods or services related to the electronic storage or transmittal of health or health-related data. Use also means application of any reproduction, counterfeit, copy, or colorable imitation of the Blue Button<sup>SM</sup> Marks to labels, signs, packages, wrappers, receptacles or advertisements intended to be used in commerce upon or in connection with the sale, offering for sale, distribution, or advertising any goods or services related to the electronic storage or transmittal of health or health-related data.

(d) Additional information about the Blue Button<sup>SM</sup> PHR functionality is available at <http://www.va.gov/bluebutton/>, <http://www.myhealth.va.gov/>, and <http://www.whitehouse.gov/open/innovations/BlueButton>.

Dated: July 13, 2011.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Rehabilitation Research and Development Service Scientific Merit Review Board; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act) that a meeting of the Rehabilitation Research and Development Service

Scientific Merit Review Board will be held August 9-11 and 16-18, 2011, at the Sheraton Crystal City Hotel, 1800 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 5 p.m. each day. The following subcommittees of the Board will meet to evaluate merit review applications:

August 9—Rehabilitation Engineering and Prosthetics/Orthotics; Regenerative Medicine.

August 9-10—Aging & Neurodegenerative Disease; Psychological Health and Social Reintegration.

August 9-11—Brain Injury; Musculoskeletal/Orthopedic Rehabilitation.

August 16—Rehabilitation Engineering and Prosthetics/Orthotics.

August 16-17—Psychological Health and Social Reintegration; Sensory Systems/Communication; Spinal Cord Injury; and Career Development Award Program.

August 18—Rehabilitation Research and Development Centers of Excellence.

The purpose of the Board is to review rehabilitation research and development applications and advises the Director, Rehabilitation Research and Development Service, and the Chief Research and Development Officer on the scientific and technical merit, the mission relevance, and the protection of human and animal subjects.

A general session of each subcommittee meeting will be open to the public for approximately one hour at the start of each meeting to cover administrative matters and to discuss the general status of the program. The remaining portion of each subcommittee meeting will be closed to the public for the discussion, examination, reference to, and oral review of the research applications and critiques.

During the closed portion of each meeting, discussion and recommendations will include qualifications of the personnel conducting the studies (the disclosure of which would constitute a clearly unwarranted invasion of personal privacy), as well as research information (the premature disclosure of which would likely compromise significantly the implementation of proposed agency action regarding such research projects). As provided by subsection 10(d) of Public Law 92-463, as amended by Public Law 94-409, closing the meeting is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B).

Those who plan to attend the general session should contact Tiffany Asqueri, Designated Federal Officer, Rehabilitation Research and Development Service, at Department of

Veterans Affairs (10P9R), 810 Vermont Avenue, NW., Washington, DC 20420, or e-mail [tiffany.asqueri@va.gov](mailto:tiffany.asqueri@va.gov) at least five days before the meeting. For further information, please call Mrs. Asqueri at (202) 443-5757.

By Direction of the Secretary.

Dated: July 12, 2011.

**Vivian Drake,**

*Acting Committee Management Officer.*

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**BILLING CODE**

## **DEPARTMENT OF VETERANS AFFAIRS**

### **Health Services Research and Development Service Merit Review Board; Notice of Meeting**

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act) that a meeting of the Health Services Research and Development Service Merit Review Board will be held August 30-31, 2011, at the Red Lion Hotel on Fifth Avenue, 1415 5th Avenue, Seattle, WA. Various subcommittees of the Board will meet. Each subcommittee meeting of the Merit Review Board will be open to the public the first day for approximately one half-hour from 8 a.m. until 8:30 a.m. to cover administrative matters and to discuss the general status

of the program. The remaining portion of the meetings will be closed. The closed portion of each meeting will involve discussion, examination, reference to, and oral review of the research proposals and critiques.

The purpose of the Board is to review research and development applications involving the measurement and evaluation of health care services, the testing of new methods of health care delivery and management, and nursing research. Applications are reviewed for scientific and technical merit. Recommendations regarding funding are submitted to the Chief Research and Development Officer.

On August 30, the subcommittees on Nursing Research Initiatives and Research Best Practices will convene from 8 a.m. to 3 p.m.; and the Career Development Award will convene from 8 a.m. to 5:30 p.m. On August 31, the subcommittee on Career Development Award will reconvene from 8 a.m. to 3 p.m. and six subcommittees on Health Services Research (HSR 1—Medical Care and Clinical Management; HSR 2—Determinants of Patient Response to Care; HSR 3—Informatics and Research Methods Development; HSR 4—Mental and Behavioral Health; HSR 5—Health Care System Organization and Delivery; and HSR 6—Post-acute and Long-term Care) will convene from 8 a.m. to 5:30 p.m.

During the closed portion of each meeting, discussion and recommendations will include qualifications of the personnel conducting the studies (the disclosure of which would constitute a clearly unwarranted invasion of personal privacy), as well as research information (the premature disclosure of which would likely compromise significantly the implementation of proposed agency action regarding such research projects). As provided by subsection 10(d) of Public Law 92-463, as amended by Public Law 94-409, closing portions of each meeting is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B).

Those who plan to attend the open session should contact Kristy Benton-Grover, Scientific Merit Review Program Manager, at Department of Veterans Affairs, Health Services Research and Development (10P9H), 810 Vermont Avenue, NW., Washington, DC 20420, or e-mail at [Kristy.benton-grover@va.gov](mailto:Kristy.benton-grover@va.gov). For further information, please call Mrs. Benton-Grover at (202) 443-5728.

By Direction of the Secretary.

Dated: July 12, 2011.

**Vivian Drake,**

*Acting Committee Management Officer.*

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