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## PQA Measure Use and License Policy

### Policy Objective

The objective of this policy is to outline the criteria by which the Pharmacy Quality Alliance (PQA) will approve the use and license of PQA Measures, including the Measure Manual and Value Sets, (“Measures”) that PQA stewards and actively maintains.

### Background

PQA develops and maintains numerous quality measures related to medication use. PQA retains all rights of ownership to the Measures and can rescind or alter the Measures at any time. No use of any PQA Measure is authorized without prior PQA approval of such use. All uses of PQA Measures are subject to such conditions as PQA specifies, and will be subject to a license agreement specifying the terms of use and the license fee. PQA Measures shall only be used as specified, including the intended use and level of attribution as defined in the PQA Measure Manual. **PQA Measures must be used according to their specifications for accountability purposes. Users of the Measures shall not have the right to alter, enhance, or otherwise modify the Measures, or to use the Measures in any manner other than for their PQA-specified intended purpose, without express permission by PQA.**

### Categories of Measure Use

Organizations will enter into a license agreement to obtain approval to use PQA Measures. Measure use is generally in one of the following categories: 1) Government; 2) Noncommercial; 3) Commercial; or 4) Research.

Agreements will vary across categories of use and may differ between licensees within each category, since the licenses are tailored to each user’s needs. Nonetheless, the following parameters are typical for each category of use:

- 1) **Government.** Government use is the use of the PQA Measures by a government agency for purposes of a federal, state, county, or local municipality program. Government agencies may license PQA Measures for the purpose of evaluating the quality of healthcare organizations that are under the purview of those agencies and for public reporting on the quality of those organizations. Government agencies do not pay a license royalty; however, they will enter into financial arrangements with PQA for technical assistance.
- 2) **Noncommercial.** Noncommercial use is the use of PQA Measures for internal quality improvement (i.e., self-assessment) purposes only. This category may include health plans, pharmacies, physicians, hospitals, accountable care organizations (ACOs) or other entities engaged in the direct provision of healthcare services. A license agreement with a license royalty is required for noncommercial use of PQA Measures.
- 3) **Commercial.** Commercial use is the use of PQA Measures in a product or service that is sold, licensed, or distributed. A product or service is “commercial” if the organization receives remuneration, either directly or indirectly, for the product or service. This includes pay for performance-based accountability applications. Public reporting of PQA Measures is not permitted without the explicit written permission of PQA. A license agreement with a license royalty is required for commercial use of PQA Measures. Examples of organizations that generally use measures for commercial purposes include technology vendors, pharmacy benefit managers, accreditation organizations, and consultants.

- 4) **Research.** Research use is the use of the PQA Measures for a research study or initiative, regardless of funding source. Researchers may be granted permission to use the Measures within a specific research project. PQA will grant permission for use of the Measures if the research is deemed to be useful for generating new knowledge regarding the quality of medication use, and if the researchers demonstrate their capability to conduct the research in a scientifically appropriate manner. A license agreement with a license royalty is required for use of PQA Measures in research. Additionally, researchers are expected to provide a final report of their measure-related findings to PQA.

### **General Parameters of Licenses**

Licenses are granted on a year-to-year basis. PQA reserves the right to audit the licensee's use of the Measures and will revoke a license if it is determined that the licensee has used the Measures in a manner that is outside the scope of permitted use specified in the license agreement.

### **Licensed Content**

The Measures are comprised of unique measure specifications contained in the PQA Measure Manual (technical specifications with the measure logic) as well as the associated value sets, including drug code lists, for each Measure. A typical license agreement will provide the licensee with permission to use the Measures within defined parameters. Technical assistance on the use of the Measures is included within the terms of an original license agreement.

### **License Royalty**

Except for government agencies, licensees will be required to pay a royalty to PQA for the use of the Measures.

For more information, please reach out to [Contracts@PQAalliance.org](mailto:Contracts@PQAalliance.org) or visit the [Measure Use and Licensing](https://www.pqaalliance.org/measure-licensing-use) page of the PQA website: <https://www.pqaalliance.org/measure-licensing-use>.

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