

## AMENDMENT

### STATE OF NEBRASKA – DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Nebraska Department of Health and Human Services (“DHHS”) and the {---Company Name---} have entered into this Amendment, amending the following:

#### EXISTING AGREEMENT NUMBER

{---Order Number---}

#### AMENDMENTS

The following sections are hereby amended:

Section 42 of Addendum A General Terms is amended to read:

42. **FUNDING AVAILABILITY.** DHHS may terminate this Agreement, in whole or in part without penalty and without any advance notice, in the event funding is no longer available. Should funds not be appropriated, allocated, sufficient, or available, or be withdrawn from appropriation, reduced, or suspended for any other reason—as determined by the DHHS in its sole discretion—DHHS may terminate this Agreement with respect to those payments for which such funds are not available. DHHS shall be the final authority as to the availability of funds. The effective date of such termination shall be as specified in a written notice to Contractor or the actual effective date of the funding reduction, whichever is earlier. Agency shall be entitled to receive just and equitable compensation for any authorized work that has been satisfactorily completed as of the termination date. In no event shall Contractor be paid for a loss of anticipated profit.

All other terms and conditions remain in full force and effect.

#### SIGNATURES

**IN WITNESS HEREOF**, the parties hereto have duly executed this Amendment, and each individual signing below certifies that he or she has the authority to legally bind the party to this Amendment. Each party acknowledges the receipt of a duly executed copy of this Amendment.

FOR DHHS	FOR Choose an item.
DATE:	DATE:

**Additional Approvals.** The following individuals, if required by either party, approve of the Amendment in form and content:

FOR DHHS	FOR Choose an item.

AMENDMENT

STATE OF NEBRASKA – DEPARTMENT OF HEALTH AND HUMAN SERVICES

DATE:	DATE:
DATE:	DATE: