

OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION

PHONE (405) 521-3133
FACSIMILE (405) 522-0063

April 11, 2011

RE: LR-10-140 (Sales Tax Inquiry)

Dear

I am writing this letter in response to your request regarding sales tax. Set forth verbatim are the facts presented along with the responses thereto.

Facts:

I am writing to request a letter ruling to determine if the service my company provides is subject to Oklahoma State sales taxes. is a developer and provider of medical software and services. Our flagship service, is a web-based emergency health registry currently in use by Emergency Service Providers across the State and in many other States in the Country. (You may already be familiar with as it is a health benefit offered by the

As you may know our service is accessed by members (upon registration and to maintain account information) by logging on to a secure website using an 8-digit PIN found on a membership card. In the event of an emergency an emergency service provider (an EMT in an ambulance or nurse in an emergency room of a hospital) will utilize the PIN to look up the member's medical information on the same secure website.

Up until now the membership card was the only identifier offered to its members that contained the 8-digit PIN. The item is designed primarily for everyday athletes who mostly do not carry any identification when they exercise. It is called and contains the membership PIN used to access our service. The athlete carries the dot by "snapping" it on to clothing (running shorts, etc).

2501 NORTH LINCOLN BOULEVARD • OKLAHOMA CITY • OKLAHOMA 73194

IT IS OUR MISSION TO SERVE THE PEOPLE OF OKLAHOMA BY PROMOTING TAX COMPLIANCE THROUGH QUALITY SERVICE AND FAIR ADMINISTRATION

Since the new identifier is simply a medium for imprinting a member's PIN, just like our membership card, I don't believe it is taxable. We are selling and providing a service. The has no value without the service.

Response:

Charges by for membership in the described emergency health registry and the ICEDOTS which contain the 8-digit PIN necessary to access the registry are not subject to Oklahoma sales tax. However, the materials and supplies used or consumed to provide the registry service are taxable when sold to or purchased by

This response applies only to the circumstances discussed in your written request of September 13, 2010. Pursuant to Oklahoma Administrative Code 710:1-3-73(e), this Letter Ruling may be generally relied upon only by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and there has been no change in applicable law.

Sincerely,

OKLAHOMA TAX COMMISSION



Marc Morrison
Tax Policy & Research Division