

# Process for applying for a permission to reproduce the Malnutrition Universal Screening Tool 'MUST'



*These procedures supersede all prior arrangements.*

**Ratified and agreed by BAPEN Executive**

**Date:**

**Signed by BAPEN President .....**

**Signed by BAPEN Treasurer.....**

**Signed by Malnutrition Officer .....**

Version	Date	Changes in this version
2.0	20/3/24	Complete restructure of the process, categories and pricing
2.1	29/4/24	Clarification of cost for reproduction in an educational text book
2.2	11/6/2024	Changes to cost for educational and research purposes
2.3	21/8/2024	Removed reference to 'adaptations'
3.0	13/11/2025	Updated licence cost for additional countries
4.0	18/12/2025	MUST use in direct electronic patient care record to be free internationally where use is free to the provider

## 1. Introduction

The malnutrition universal screening tool ('MUST') was developed by the British Association of Parenteral and Enteral Nutrition (BAPEN) for the routine screening of patients in the healthcare settings and the community in the United Kingdom. The copyright for 'MUST' is owned by BAPEN. Therefore, anyone wishing to reproduce 'MUST' is required to apply for permission from BAPEN. Figure 1 shows the process for application.

On application a permission letter or licencing agreement will be issued by BAPEN depending on the user category as shown in Table 1. The reproduction of 'MUST' may be audited by BAPEN periodically to ensure accurate reproduction of the copyrighted tool. This may include requesting a copy of the reproduction from the user.

Where a letter of permission has been issued, permission stands if 'MUST' is used within the agreed terms. Where the user wishes to change the terms of use, the user must reapply for permission.

Where users have been issued a licence agreement, contracts are for 12 months as standard. Three months prior to the licence expiry date, BAPEN office will contact the user to identify if a renewal is required. Ongoing prices will be subject to changes in the consumer price index as at 1<sup>st</sup> January each year.

'MUST' is free in the download version from the BAPEN website to individual health and social care professionals using the tool. The online tool for 'MUST' is free to access for this purpose.

**Royalty fee:** licensing fees can be superseded by a Royalty fee, where payments are determined by the sales of an item, tool, or piece of equipment that incorporates the MUST tool or logo. In such cases, the projected annual royalty fee should exceed that of a one-off licence arrangement. The President and Treasurer should approve any such arrangement.

Agreements are subject to English Law and the jurisdiction of English Courts.

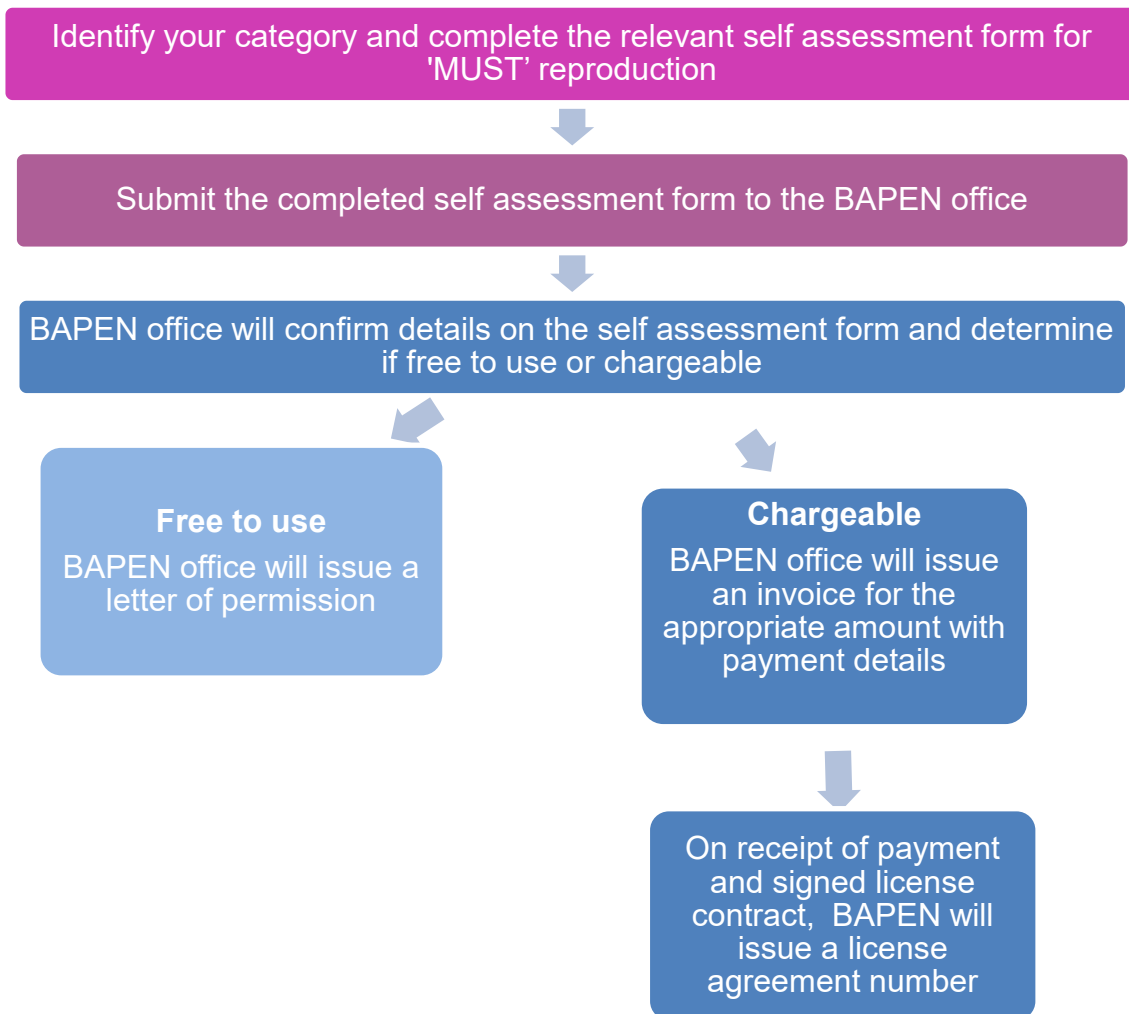


Figure 1 Process for applying for permission to reproduce 'MUST'

**Table 1 'MUST' User Categories and Costs**

User category	Cost for use 12 months	BAPEN office action
<b>United Kingdom and British Isles Use Only</b>		
<input type="checkbox"/> National Health Service <input type="checkbox"/> Private Healthcare <input type="checkbox"/> Social care facility inc. nursing and residential homes <input type="checkbox"/> Electronic patient record for use in the UK only <input type="checkbox"/> APP for use in the UK only	Free	Issue a letter of permission
<input type="checkbox"/> 'MUST' use in an APP	Free	Issue letter of permission
<b>UK, British Isles and International</b>		
<input type="checkbox"/> Educational organisation* <input type="checkbox"/> Research*	Free	Issue a letter of permission
<b>International Use/any use outside the UK or British Isles</b>		
<b>'MUST' embedded in an electronic patient record for direct patient care</b>		
<input type="checkbox"/> Any country where EPR use is free to the healthcare provider	Free	Issue a letter of permission
<input type="checkbox"/> In a single country where a charge is levied for use of the EPR	£20,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<input type="checkbox"/> Each additional country where a charge is levied for use of the EPR +	£10,000 +VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<b>'MUST' use in an APP</b>		
<input type="checkbox"/> In a single country	£20,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.

<input type="checkbox"/> Each additional country <sup>+</sup>	£10,000 +VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<b>Commercial partners</b>		
<input type="checkbox"/> In a single country	£20,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<input type="checkbox"/> Each additional country <sup>+</sup>	£10,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<b>Changing the branding of 'MUST' / Adding 'MUST' to another tool (UK and International)</b>		
<input type="checkbox"/> In a single country	£5,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.
<input type="checkbox"/> Each additional country	£2,000 + VAT	To be agreed by BAPEN Executive Lead prior to issuing a licence agreement.

VAT = value added tax at the current UK rate

\*Where 'MUST' is used in research, education or mentioned in any publication BAPEN must be acknowledged. A copy of any published work must be sent to the BAPEN office.

+ Contact BAPEN office to discuss costs in additional countries of a small population

## 2. Self-assessment for reproducing 'MUST'

BAPEN is pleased to grant copyright permission to organisations or individuals who wish to reproduce 'MUST' as part of their own non-commercial documentation or publication. To help us to manage requests for copyright quickly and efficiently please use the checklist below to ensure that 'MUST' is reproduced accurately. The list includes information on common issues that arise. 'MUST' needs to be reproduced exactly we do not allow any changes to the document.

### Permission to use for free

**Name of organisation:**

**Name of person applying for permission:**

**Profession/position of person applying for permission:**

**Contact details of applicant :**

- **Address**
- **Telephone**
- **Email**

**Date of application:**

**Confirm which free to use category your organisation belongs to (tick applicable)**

- ☐ National Health Service
- ☐ Private Healthcare UK based only
- ☐ Social care facility UK based only
- ☐ Electronic patient record UK based use only
- ☐ Educational organisation
- ☐ Research
- ☐ EPR In a single **low-income** country: State which country \_\_\_\_\_

Confirmation that 'MUST' will be used as per copyright permission.		
Check item	Notes	Tick to confirm
BAPEN logo	Is the current BAPEN logo used?	
Acknowledgement	Ensure the following statement is included on the documentation: 'The [insert item e.g. 'Malnutrition Universal Screening Tool' ('MUST') or weight loss chart] is reproduced here with the kind permission of BAPEN (British Association for Parenteral and Enteral Nutrition). For further information on 'MUST' see <a href="http://www.bapen.org.uk">www.bapen.org.uk</a> '	
Step 1 footnote	If documentation does not have a reverse side use alternative wording 'If unable to obtain height and weight, see 'MUST' Explanatory Booklet for alternative measurements and use of subjective criteria.' A PDF of the 'MUST' flowchart with amended text below step 1 is available.	
Step 2	Ensure the term 'unplanned' is used before weight loss. This is sometimes omitted by mistake. Intentional or planned weight loss is not relevant at step 2.	
Step 3	Ensure that the following statement is reproduced accurately 'If patient is acutely ill <b>and</b> there has been or is likely to be no nutritional intake for >5 days'.  We commonly see materials that refer to one or other part of this statement. To score 2 here an individual 'MUST' have <u>both</u> an acute illness and have had or is unlikely to have no nutritional intake for >5 days. Step 3 should NOT be renamed.	
Step 3 footnote	If the documentation is for use outside the hospital setting add a footnote explaining that step 3 is unlikely to apply. Step 3 should still be shown in materials outside of a hospital such as care homes, GP practices, individuals living in their own home but with the footnote added. This is because 'MUST' applies equal weighting to each of the three criteria. 'MUST' is a five Step process and it may be confusing for staff working across different care settings if Step 3 is omitted.	
Steps 1 + 2 + 3	Check that none of the criteria, cut off points and scores have been changed from the original	

	'MUST' If they are changed the validity of the altered tool would be uncertain.	
Subjective criteria	Ensure documents mention the use of subjective criteria. These criteria should be used collectively if weight and height cannot be obtained. MUAC can be used with the subjective criteria to aid professional judgement and assessment of risk category (low, medium or high). No scores should be assigned to subjective criteria.	
Step 5	Copyright approval covers steps 1-4 of 'MUST'. Step 5 can be modified in line with local policy. If the documentation includes brand names of products in Step 5 – Management Guidelines, then a statement must be included on the management guidelines to make it clear that by granting copyright BAPEN does not necessarily support the use of specific brands or individual nutritional products	
BMI and weight loss charts	A variety of BMI and weight loss charts are available for download on the BAPEN website.  Any charts associated with 'MUST' need to have the appropriate BAPEN logo	

BAPEN approved translated versions of 'MUST' and charts are available at <http://www.bapen.org.uk/screening-for-malnutrition/'MUST'/'MUST'-toolkit/the-'MUST'-itself> Please ensure that the requirements listed above are met. Permission requests for foreign language publications should acknowledge BAPEN for the reproduction of 'MUST' but should make clear that BAPEN is not responsible for the accuracy of translations other than those shown on the BAPEN website.

### **Chargeable categories**

**Name of organisation:**

**Name and position of person applying for permission:**

**Contact details of applicant including email:**

**Billing details:**

**Confirm which category your organisation or intended use of 'MUST' belongs to (tick applicable)**

**'MUST' use in an electronic patient record**

- ☐ In a single country outside the UK £20,000 + VAT
- ☐ Each additional country outside the UK £10,000 +VAT

**'MUST' use in an app**

- ☐ In a single country outside the UK £20,000 +VAT
- ☐ Each additional country outside the UK £10,000 +VAT

**'MUST' use by a Commercial Partner**

- ☐ In a single country £20,000 + VAT
- ☐ Each additional country outside the UK £10,000 +VAT

☐ **Changing the branding of 'MUST' / Adding 'MUST' to another tool (UK and International)**

- ☐ In a single country £5,000 + VAT
- ☐ Each additional country £2,000 + VAT

**Confirm 'MUST' will be used as per copyright permission.**

Check item	Notes	Tick to confirm
BAPEN logo	Is the current BAPEN logo used?	
Acknowledgement	Ensure the following statement is included on the documentation: 'The [insert item e.g. 'Malnutrition Universal Screening Tool' ('MUST') or weight loss chart] is reproduced here with the kind permission of BAPEN (British Association for Parenteral and	

	Enteral Nutrition). For further information on 'MUST' see <a href="http://www.bapen.org.uk">www.bapen.org.uk</a>	
Step 1 footnote	<p>If documentation does not have a reverse side use alternative wording 'If unable to obtain height and weight, see 'MUST' Explanatory Booklet for alternative measurements and use of subjective criteria.'</p> <p>A PDF of the 'MUST' flowchart with amended text below step 1 is available.</p>	
Step 2	<p>Ensure the term 'unplanned' is used before weight loss. This is sometimes omitted by mistake. Intentional or planned weight loss is not relevant at step 2.</p>	
Step 3	<p>Ensure that the following statement is reproduced accurately 'If patient is acutely ill <b>and</b> there has been or is likely to be no nutritional intake for &gt;5 days'.</p> <p>We commonly see materials that refer to one or other part of this statement. To score 2 here an individual 'MUST' have <u>both</u> an acute illness and have had or is unlikely to have no nutritional intake for &gt;5 days. Step 3 should NOT be renamed.</p>	
Step 3 footnote	<p>If the documentation is for use outside the hospital setting add a footnote explaining that step 3 is unlikely to apply.</p> <p>Step 3 should still be shown in materials outside of a hospital such as care homes, GP practices, individuals living in their own home but with the footnote added. This is because 'MUST' applies equal weighting to each of the three criteria. 'MUST' is a five Step process and it may be confusing for staff working across different care settings if Step 3 is omitted.</p>	
Steps 1 + 2 + 3	<p>Check that none of the criteria, cut off points and scores have been changed from the original "MUST" If they are changed the validity of the altered tool would be uncertain.</p>	
Subjective criteria	<p>Ensure documents mention the use of subjective criteria. These criteria should be used collectively if weight and height cannot be obtained. MUAC can be used with the subjective criteria to aid professional judgement and assessment of risk category (low, medium or high). No scores should be assigned to subjective criteria.</p>	

Step 5	Copyright approval covers steps 1-4 of 'MUST'. Step 5 can be modified in line with local policy. If the documentation includes brand names of products in Step 5 – Management Guidelines, then a statement must be included on the management guidelines to make it clear that by granting copyright BAPEN does not necessarily support the use of specific brands or individual nutritional products	
BMI and weight loss charts	A variety of BMI and weight loss charts are available for download on the BAPEN website.  Any charts associated with 'MUST' need to have the appropriate BAPEN logo.	

**Note:** The licence agreement only exists when the application is approved and both parties have signed and dated the agreement.

## **Appendix 1**

### **Low Income Countries**

The following low-income countries are eligible for free use of 'MUST'. These are countries that are defined by the World Bank as low-income economies (correct on 21<sup>st</sup> March 2024).

- Afghanistan
- Burkina Faso
- Burundi
- Central African Republic
- Chad
- Democratic Republic of the Congo
- Ethiopia
- Eritrea
- The Gambia
- Guinea-Bissau
- Korea
- Liberia
- Madagascar
- Malawi
- Mali
- Mozambique
- Niger
- Rwanda
- Sierra Leone
- Somalia
- South Sudan
- Sudan
- Syrian Arab Republic
- Togo
- Uganda
- Republic of Yemen