

FWARD RFP Questions and Answers:

1. Reference: Introduction section - One of the areas that DOH/OTDA is looking for a vendor to assist is "avoiding inappropriate future payments". Section C.1.a defines "recovery" as the "net monies retained by the State".

*Question: Our company would like to propose work as part of our response that will more likely result in methods that DOH / OTDA can implement to 'avoid' future overpayments, versus identify past overpayments already made. Since this will result in DOH/OTDA retaining monies by not making overpayments in the first place, will the contingency fee apply to these types of "cost avoids"?*

**DOH Response: No. The RFP indicates that in FWARD Phase II, the vendor will receive a contingency fee as a percentage of recovered health and human services program overpayments. Such recoveries are defined as the net monies that are retained by the State and its localities as payors under the Medicaid and OTDA programs. "Net" equals the Medicaid and OTDA program recovery resulting from FWARD activities on previously paid claims, less any federal share to be returned from the recovery. There will be no contingency fee for "cost avoids".**

2. Reference: Section B - The contractor selected as a result of this RFP must be prepared to modify its systems to conform to the requirements of the Replacement Medicaid Systems (eMedNY).

*Question: Please describe in additional detail the eMedNY initiative and its impact on this program. How long does the successful vendor have to modify its systems to conform to the requirements of the Replacement Medicaid System (eMedNY) before it begins Phase 1?*

**DOH Response: eMedNY is the State's Medicaid Management Information System (MMIS) and is responsible for claims processing, standard reporting, drug utilization review (prospective and retrospective), eligibility verification, utilization threshold, and service utilization management. In addition, eMedNY includes the data warehouse which provides information on adjudicated claims, client eligibility, provider data, reference and pricing data, prior authorization data, etc. eMedNY became fully operational on March 24, 2005.**

**It is difficult to further respond to this question without knowing the details of a proposed solution. However, the Department of Health (DOH) will assist the contractor in developing a method to access or extract the necessary adjudicated claims data from the eMedNY contractor. It should be noted that the eMedNY contractor will not**

**change its file structure to accommodate the FORWARD vendor, but rather the FORWARD vendor must accept the data in the format and layout currently provided by the eMedNY contractor.**

**The contractor will need to interact with the eMedNY contractor at the start of Phase 1.**

3. Reference: Section C.2 - Estimate the cost of implementing recommended improvements and initiatives, including staff costs.

*Question: Will DOH be able to provide State staff cost structures or schedules for the purposes of determining these estimates?*

**DOH Response: Yes. The State will provide the State staff cost structures, as necessary, to the vendor. State salary schedules can be located on the web at: <http://www.cs.ny.gov/cc/salary>. The salary schedules included at the site that would apply would be Management Confidential Unit; Professional, Scientific and Technical Unit and Administrative Services Unit. Within each of these units the salary level would be dependent on title series.**

4. Reference: Section C, specifically related to "The vendor will receive no reimbursement from New York State for Phase I work."

*Question: Will work on Phase II be a definitively agreed upon and contract phase of work in the contract? In other words, following the completion of Phase I, does DOH / OTDA guarantee that there will be a Phase II permitted to be performed by the winning vendor?*

**DOH Response: No. The RFP states that Phase II cannot begin until the State has approved the vendor's Phase I report, and the Phase II work plans. There is no guarantee that any of the FORWARD vendor proposals will be approved; all proposals will be evaluated and approved as determined appropriate to the State's administration of its programs.**

5. Reference: Section C.2.c and Form F.3.a.

*Question: Will the total term of the contract be five years, or will the term of Phase II be five years? If the total term is to be five years, then does DOH / OTDA confirm that the "First Year" of recovery work actual represent an opportunity of only six months to conduct contingency fee based recovery work, not a full twelve months (as the first six months of the first year will be used completing Phase I activities)?*

**DOH Response:** The total term of the FORWARD contract is five years, including the six month period allowed for Phase I. Therefore, the first year of contingency fee based recovery work would be six months (with Phase I taking the full six months to complete).

6. Reference: Section C.3.a - Payment will be made to the contractor based upon the actual recoveries received, either through checks or adjusted / voided claims, and validated by the State.

*Question: With what frequency will the selected vendor be able to invoice DOH/OTDA? What are the standard terms of payment of invoices submitted (in what timeframe can the selected vendor expect that correctly and accurately submitted invoices be paid)?*

**DOH Response:** As previously stated, the contractor is paid on a contingency fee basis for recovered overpayments. There will be no specific frequency for submission of invoices. They could be submitted whenever there is a documented contingency fee amount that has been agreed to by DOH/OTDA. Payment will be made in accordance with Article XI-A of the State Finance Law which requires that the State pay interest when it takes longer than 30 days to pay claims from eligible contractors and vendors. This 30 day period begins the date an acceptable claim (invoice or voucher) is received in the designated payment office or the date the merchandise is received, whichever is later. If interest is due, it is automatically calculated and paid by the office of the State Comptroller.

7. Reference: Form F.2.e

*Question: Based on our experience with other states, there are a variety of different initiatives that our company will be proposing to assist DOH I OTDA with the FORWARD activities. Since these initiatives vary widely in scope of work, approach and intended results/ deliverables, we would like to be able to present each initiative separately. Can we present each initiative using a separate form F.2: e, or would DOH I OTDA prefer for all the different initiatives to be presented in one combined form?*

**DOH Response:** We would prefer all the different initiatives to be contained in one combined form, with the space for each item expanded to accommodate the vendor's response.

8. Reference: Section C.1.b of the RFP - refers to "existing contracts with other vendors" that are performing related but excluded recovery work.

*Question: Can you provide a (i) list of those vendors or other persons performing the work, (ii) the exact scope of work each is current contracted for, (iii) the recovered monies results in dollars, if any, has each area collected, (iv) In what amount of time the recovered monies were collected and, (v) the terms and terminations of their existing contracts?*

**DOH Response: Yes. The scope of excluded work is identified at a level of detail necessary to respond to this RFP in Section C 4, a & b. Excluded work is performed by OMM staff and several vendors. Our current vendors are Public Consulting Group, Inc., University of Massachusetts Medical School and Center for Medicare Advocacy, Inc. The identification of monies recovered and the terms and conditions of each contract is not pertinent in responding to this RFP.**

9. Reference: Section C.4

*Question: Will the vendor awarded this contract be allowed to seek recoveries in these areas if they can identify additional specific initiatives related to the scopes of work defined in this section that are not currently being pursued?*

**DOH Response: No. As the RFP states, the vendor selected by this RFP process will be excluded from implementing Phase II fraud, waste, and abuse detection and recovery activities in areas where the State has existing contracts with vendors that are performing such activities, or where the vendors have authorization to perform such activities. In addition, other areas may be excluded at the discretion of the State. The selected FORWARD vendor is not to evaluate the work, potential work or scope of work being performed by existing State contractors involved in cost avoidance and/or overpayment recovery activities.**

10. Reference: Section C.4. a. 2

*Question: What are the systems, software and/or decision support / data warehouse environment currently being used by OMM to conduct post payment audit/payment integrity reviews?*

**DOH Response: The eMedNY data warehouse is a Bull solution operating on a NCR teradata platform. The data warehouse holds sixty-three (63) months of data with nine (9) terabytes of raw data. The tools currently in use include the Hummingbird suite of tools (e.g., BI/Query, BI/Analyze, BI/Reports), SPSS, SPSS Clementine, CS-SURS, Ingenix, and MapInfo Professional.**

11. Reference: Section C.4.a.2

*Question: What systems, software and commercial software packages (i.e., McKesson Claim Check) are currently implemented as part of the current claims processing environment for pre-payment edits/audits?*

**DOH Response: There are no such commercial packages included in the eMedNY. All prepayment edits within the eMedNY are State-defined Medicaid Management Information System (MMIS) edits.**

12. Reference: Section C.4.a.2

*Question: Can you provide any documentation on the payment edits and audits that are currently implemented in the claims processing system?*

**DOH Response: No. There are about 1,500 prepayment edits that are applied during claims processing including some that pend claims for prepayment manual review. It is expected that the selected vendor would review these edits as part of its Phase I activities. Audits, within the context of the referenced section, are post payment reviews and not a component of claims processing.**

13. Reference: Section C.4.a.2

*Question: What DRG grouper software is currently being used by DOH / OTDA?*

**DOH Response: eMedNY utilizes the 3M All Provider DRG grouper software, currently version 21.**

14. Reference: Section G.6 and Appendix D-Section L

*Question: Our company has previously built, proprietary software, tools and methods that we would expect to deploy as part of our efforts on FWARD. Can we expect full ongoing ownership of and exclusive rights to software, tools and methods fully built "before" work on the FWARD contract?*

**DOH Response: Yes. Full ongoing ownership of and exclusive rights to software, tools and methods fully built before work on the FWARD contract will be retained by the vendor.**

15. Reference: Appendix C

*Question: Appendix C contains forms that are required to be completed and submitted as part of the response to the RFP. Each form indicates that additional pages can be added as necessary to complete the requested information. Can these forms be electronically replicated in form and content, so as to be incorporated into larger electronic response documents, containing both these forms and the additional response information?*

**DOH Response: Yes, the forms can be replicated and pages added. However, as the RFP indicates, an offeror's proposal must be sent or hand delivered to the specified address (not submitted electronically).**

16. Reference: Appendix D, Section T

*Question: In the event of a deemed failure to perform in the opinion of DOH I OTDA, will there be a written notice of failure to perform and a short period for the vendor to cure such failures?*

**DOH Response: The State is not required to provide a "cure period" when the contractor has failed to perform. However, in most circumstances it is in the best interest of the State to provide such a period in order to salvage the project. Therefore, the State would likely provide appropriate notification and an opportunity for corrective action should the contractor fail to perform.**

17. *Question: Review efforts conducted by the State Utilization Review Agent/Quality Improvement Organization were not included in the "specific areas excluded from FWARD". Can recoveries be made from providers already audited/reviewed by these entities?*

**DOH Response: No. Bidders should consider the Utilization Review Agent/Quality Improvement Organization an excluded category for purposes of this RFP.**