

## 2023 Families and Children Procurement Questions and Answers (Q&A)

### New questions with DHS response:

**1 Question: #7 - Provider Network Adequacy.** To be included as part of the network submission in the Provider Network Listing and Geo Access Maps, does the Responder need to have a fully executed contract with every provider? Related to the January RFP, can DHS provide any comment on interest/discussions around incorporating page limits for RFP proposals received?

**DHS Response:** Responders new to Minnesota Health Care Programs (MHCP) or the service area covered by this RFP may include providers for whom they have only an intent to contract with for the RFP proposal. Responders will be required to submit provider network adequacy documents and geo access maps that include only contracted network providers before DHS will execute a final contract to provide health care services for 2023.

**Follow up question:** In DHS's response to question #7, we would like to seek clarification of what evidence is needed for those providers who have an intent to contract with the responder to be including in our RFP submission. Please clarify which option:

1. A Responder needs a letter indicating the provider intends to contract with the Responder to be included in our proposal **OR**,
2. Responder needs a provider agreement (contract) fully executed and practitioners credentialed by the time DHS awards the RFP in June of 2022.

**DHS Response:** The Responder needs a letter of intent to contract signed by each provider in order for the Responder to include them in their proposal. A fully executed contract is not required at this time.

**2. Question:** Network Adequacy Attestation Document and Attestation Justification Supplemental Response form. If a responder answers no to question #3 of the Network Adequacy Attestation document due to active discussions with providers who have intent to contract but are not yet to the stage of having final signed contracts in place, it is our understanding we would provide a response on the Attestation Justification Supplemental Response Form.

Would this be where a responder would provide a list of those providers we have an intent to contract with, since question #3 asks the responder to attest they have a signed contract? And what type of documentation would MDH require to support our justification of providers who we intend to contract with the outcome of a successful award of the RFP?

**DHS Response:** If a Responder is submitting a network that has some contracted providers, but is also going to submit Letters of Intent for additional providers, the answer to that question is yes. The Letters of Intent in the prior question are sufficient. If a Responder is submitting all Letters of Intent, then explain that on the supplemental form.

**3. Question:** Professional Responsibility and Data Privacy. Regarding the Minnesota Information Technology Services (MN.IT) Vendor Security & Compliance Questionnaire - Outsource, Version 1.0), during the 2022 Children and Families Procurement and two most recent RFPS, DHS provided instruction that question 25 could be marked as not applicable, with the expectation Responders would comply with the requirement for Contingency of Operations Planning in section 6.G the RFP. Is that same guidance still applicable for this procurement?

**DHS Response:** This can be marked as not applicable. Please see Article 15, Emergency Performance Interruption in the model contract.

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Previous questions with DHS response:

1. **Question:** Can DHS please confirm if they are wanting responders to provide a list of all their subcontractor delegation reviews for the past year or just the subcontractors that are applicable to the Families and Children and MinnesotaCare contract?

**DHS Response:** Responders should provide a summary of the Responder's organization's subcontractor delegations specific to the Families and Children and MinnesotaCare contract subcontractors.

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Previous Questions with DHS responses:

1. **Question:** Section 5.3(3) Phase III: Selection of the Successful Responder(s) on page 31 says that successful responders will be selected "approximately" seven weeks after the RFP submission due date, which would be around May 23, 2022. Page 3 indicates that successful responders will receive a Notice of Intent to Contract June 24, 2022 ("anticipated"). Therefore:
1. Please confirm that "selected" is not the same as receiving the Notice of Intent to Contract; and
  2. If yes, does DHS intend on selecting successful responders around May 23, 2022 but not informing successful responders until approximately June 24, 2022?
  3. If the answer for #2 is yes, please clarify why successful responders couldn't know upon selection (i.e., around May 23).

**DHS Response:** This is standard template language that we neglected to update. The anticipated Notice of Intent to Contract will go out to "selected" Responders approximately June 24, 2022. DHS will update the RFP to approximately 12 weeks.

2. **Question:** The RFP states that complete proposals are due 'on' April 1, 2022 by 4PM Central Time, will DHS accept completed proposals prior to April 1, 2022?

DHS Response: Yes, the RFP proposals are to be submitted "by" 4:00 p.m. Central Time on April 1, 2022 to be considered.

3. **Question:** 3.2M Detail of Proposal Components. The final bullet in section M refers to collecting responses pursuant to a survey, is DHS interested in the response to include surveys that address topics covered earlier in this question?

**DHS Response:** DHS is requesting that Responders submit a summary of the responses to the survey, not the actual surveys used.

4. **Question:** 3.2(2)(I) Service Delivery Plan: Financial Management. Given that Medicaid but not MinnesotaCare is noted, please confirm that responders must describe how they set Medicaid and MinnesotaCare payment rates for providers.

**DHS Response:** Yes. Responders should describe how they set Medicaid and MinnesotaCare payment rates for both Medicaid and MinnesotaCare.

5. **Question:** 3.2.3 ii Data Privacy. III in the data privacy attachment: Listing of Sensitive Data Breaches - Data Dictionary and Examples states: List breaches in the past five years only (from 1/1/2015 through 12/31/2020). Can DHS please update this date range for 2023 F&C RFP?

**DHS Response:** The posted Data Privacy template has been updated with the dates: from 1/1/2016 through 12/31/2021.

6. **Question:** 3.2.3 ii. Data Privacy. Under the Data Privacy Narrative Section (Professional Responsibility – Question 3.ii (1) (narrative description of the privacy program) (question 2a: Methods, Policies and Steps Taken to Protect Sensitive Data), DHS asks for a description of legal agreements. Does this description include a listing of all vendors that have access to PHI, or just vendors that are considered key to meeting the responder's administrative responsibilities in the DHS model contract? Should this listing be included as an attachment to the Data Privacy Section of the response or included in another portion of the response? Related to the January Request for Proposal (RFP), can the Department of Human Services (DHS) provide any comment on the interest/discussions around including a competitive price bid?

**DHS Response:** DHS expects a list of all vendors who have access to PHI. The list may be an attachment to the Data Privacy Section of the response.

7. **Question:** Provider Network Adequacy. To be included as part of the network submission in the Provider Network Listing and Geo Access Maps, does the Responder need to have a fully executed contract with every provider? Related to the January RFP, can DHS provide any comment on interest/discussions around incorporating page limits for RFP proposals received?

**DHS Response:** Responders new to Minnesota Health Care Programs (MHCP) and area covered by this RFP and/or Responders applying to expand their service area via this procurement may include providers with an intent to contract for the RFP proposal, but must submit provider network adequacy documents and geo access maps for their contracted network providers before DHS will execute a final contract to provide health care services for 2023.

8. **Question:** Provider Network Adequacy. Please confirm that the only Pediatric Specialties to include in the Pediatric Specialty map are those 9 specialties listed under map #20, Pediatric Specialty

**DHS Response:** Yes, please map those 9 specialties on the map but also include any additional pediatric subspecialties that are in your provider network.

9. **Question:** Provider Network Adequacy. Please confirm that Adult Nurse Practitioner can be included in the Provider Specialty List. The Geographic access maps section indicates "nurse practitioner practicing independently may be listed as PCP's if they practice in adult or pediatric primary care".

**DHS Response:** Nurse practitioners can be included if they practice or associated with a primary care clinic.

10. **Question:** Performance and Service Deliverables #2 and #20. Please define "the changing demographics of Greater Minnesota.

**DHS Response:** DHS expects the Responders to be able to identify the changes in the demographics of the MA and MinnesotaCare populations across greater Minnesota.

11. **Question:** To prevent and avoid duplication are responders permitted to refer back to other sections within the Service Delivery Plan? Will cross-references be counted towards the 10-page limit?

**DHS Response:** In order to ensure there is no confusion as to what the RFP evaluators are to review, we request that you respond to each of the questions in the Performance and Service Deliverables section without using cross references from other sections of the RFP.

12. **Question:** Performance and Service Deliverables Question 7. How is DHS defining 'birthing facility'? Does this include hospitals and birthing centers?

**DHS Response:** Birthing facility refers to licensed facilities where a birth may occur that is a place of service eligible for reimbursement under the MA and MinnesotaCare programs.

13. **Question:** Performance and Service Deliverables #12. Please provide examples of growing access to "other needed services."

**DHS Response:** Other needed services refer to all of the services offered under the Medical Assistance and MinnesotaCare programs.

14. **Question:** Performance and Service Deliverables #19. Please provide an example(s) of "complex services."

**DHS Response:** Examples of complex services can be services that require unique eligibility for them to be received or services with complex payment methodologies. Two examples in a non-exhaustive list are EIDBI and CCBHC.

15. **Question:** Performance and Service Deliverables Question 25. The term 'resident' is used in the question, how is DHS defining resident? Is it interchangeable with the MHCP population referenced in other questions? (such as question 23)

**DHS Response:** The term 'resident' refers to the MHCP population.

16. **Question:** Can responders convert the Excel spreadsheets for 2023 Great MN County List and Disclosure of Ownership Reporting Template to PDFs to make part of our continuous searchable PDF?

**DHS Response:** Responders may convert the Excel spreadsheets for the 2023 Greater MN County list and Disclosure of Ownership to PDFs for the RFP Responders' Proposal.

17. **Question:** 3.3.6.e Human Rights Compliance. If responders are exempt from Minnesota Statutes 363A.36 (Workforce Certificate) and 363A.44 (Equal Pay Certificate), is it acceptable to leave the form blank, sign, and provide a narrative summary as to why we are exempt from the statute requirements?

**DHS Response:** Yes, it is acceptable to leave the forms blank, sign, and provide a narrative summary as to why Responder is exempt from statute requirements. Scanned copies of the Equal Pay Certification are acceptable.

15. **Question:** 4.5. Proposal Submission. We intend on hand delivery. Do we deliver our submission to the 444 Lafayette Front Desk or to the mail room/delivery door?

**DHS Response:** The Lafayette Building is currently closed to visitors. There is an intercom button to the left of the main entrance to the Lafayette Building for people to push to call the Security officers. They will respond and will let the InfoDesk staff know that someone is there to drop off an item.

16. **Question:** Regarding section 6. REQUIRED CONTRACT TERMS AND CONDITIONS, Item H. Accessibility Standards, DHS provided instruction that The Web Content Accessibility Guidelines (WCAG) 2.0 (Level AA) and Section 508 Subparts A-D are applicable to websites or other information systems and tools that are part of Responder's proposed work and not to Responder's submission of a proposal, is that same guidance applicable to this procurement?

**DHS Response:** The Web Content Accessibility Guidelines (WCAG) 2.0 (Level AA) and Section 508 Subparts A-D are applicable to websites or other information systems and tools that are part of Responder's proposed work and not to Responder's submission of a proposal.

17. **Question:** Is it a requirement to restate the RFP question prior to each proposal response? If not, and we choose to include them, how should the questions be presented in the page-limited section?

**DHS Response:** Please restate the RFP question prior to each proposal response, but it will not be counted against the page limits.

18. **Question:** Vendor Security and Compliance Questionnaire. The previous two RFPs have clarified that questions #8, 9, 17, 22, and 32 on the Minnesota Information Technology Services (MN.IT) Vendor Security & Compliance Questionnaire are to be marked Not Applicable (n/a). Is this the case with this RFP?

**DHS Response:** See the following responses in regards to questions #8, 9, 17, 22, and 32 on the Minnesota Information Technology Services (MN.IT) Vendor Security & Compliance Questionnaire:

- #8 - Responders may mark this section "Not Applicable."
- #9 - Responders may mark this section "Not Applicable." DHS expects that Responders, if awarded a contract, will comply with data transmission requirements in Article 3 of the model contract, as well as all other subcontractor privacy and security requirements.
- #17 - Responders may mark this section "Not Applicable."
- #22- Responders may mark this section "Not Applicable." DHS expects that Responders verify their security compliance with the rule titled "Security Standards for the Protection of Electronic Protected Health Information", found at 45 CFR Part 160 and Part 164, Subparts A and C.
- #32 - Responders may mark this section "Not Applicable."