

IFB #: 20180612

Date: July 10, 2018

IFB Question and Answer Document

Question #	IFB Section #	IFB Page #	Question	DOM Response
1	3.4.2	28	<p>Question: Will DOM please clarify if the bidder should have experience and prove past performance providing each and all of the mandatory services?</p> <p>Requirement: 3.4.2 Minimum Qualifications to be Deemed Responsible Bidders shall be deemed responsible if all of the following minimum qualifications are met. Please provide detailed justification of each of the following as an attachment to Attachment B (form located at https://medicaid.ms.gov/resources/procurement/).</p> <p>1. The Bidder shall have a minimum of five (5) years' experience serving as a contracted vendor performing Third Party Data Matching and Recovery services for a governmental business. Data Matching services are defined as the ability to identify third party coverage for the Mississippi Medicaid recipient population through data matching with commercial and governmental carriers. Recovery services are defined as post payment recoveries for claims (commercial, casualty, credit balance and LTC audits, and MCO come-behind) identified by retrospective identification of primary insurance and Medicare. Experience is defined as a contracted vendor that has performed Third Party Data Matching and Recovery services.</p> <p>2. The Bidder shall have experience operating a minimum of three (3) Third Party Data Matching and Recovery service programs for a population of at least 500,000 lives for a governmental business. Experience is defined as contracted vendor that has performed Third Party Data Matching and Recovery services.</p>	DOM requires a combined five years of experience in Third party Medicaid recoveries.

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2	Attachment B	1-3	<p>Question: Is DOM willing to pre-populate the recovery and policy figures with the average of the last 3 years, and/or insert your projections for the new services where the DOM does not have a recovery history? This will allow for the scoring to focus on the fee, without penalizing the bidder for greater recoveries or more policies.</p> <p>Requirement: It appears that the scoring/cost sheet penalizes the bidder for projecting higher recoveries and/or projecting more policies and updates.</p>	No, DOM will not pre-populate the recovery and policy figures.
3	Attachment B	4-5	<p>Question: Will DOM please provide if recovery figures have decreased over the past 3 years due to DOM's ongoing shift of lives to managed care?</p> <p>DOM Provided Recoveries:</p> <ul style="list-style-type: none">• CAV• Commercial/Medicare Recoveries• Casualty• Credit Balance/LTC Recoveries• Estate Recovery• Special Needs Trust	Yes, recovery figures have decreased due to the shift to managed care. However, LTC is not under managed care therefore Estate Recovery is not affected.
4	General	General	<p>Question: Will DOM please confirm that only the Aged, Blind and Disabled (ABD) population is the only remaining population that stays in Fee-For-Service?</p>	This is the only COE that is not allowed to participate in the Managed Care Program; however, there are some COEs that are allowed to opt out of the MCOs. These recipients would then fall into the FFS category.
5	General	General	<p>Question: Will DOM give any guarantees that the current Fee-For-Service population will not move to managed care during the life of this contract?</p>	DOM cannot make any guarantees. The MississippiCAN population is governed by the Mississippi State Legislature.
6	2.6.2	23	<p>Question: For the dedicated Data/Information Systems Manager, would DOM consider waiving this requirement after the project has been fully implemented and the contractor demonstrates that this is no longer a position requiring 40 hours of work each week as this will ensure that no unnecessary costs are built into pricing?</p>	This request will be evaluated based on the progress of the contract. If the need for this position declines, DOM will take that into consideration during the

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			<p>Requirement: 2.6.2 Key Personnel This section states the minimum requirements for staffing during the term of the contract. The Bidder must ensure that these minimum requirements are met and may also propose additional staff to ensure that all contract requirements are met and program operations are performed effectively and efficiently. Key staff persons may be based outside the state of Mississippi except where specifically noted otherwise. The Bidder shall develop a written Staffing Plan that designates key staff persons who will be responsible for program operations. Key personnel for program operations must include at least the following: 2. Data/Information Systems Manager – This key staff person will be responsible for developing and implementing all requirements related to hardware and software, data collection, information management, file transfers, and data coordination with DOM’s fiscal agent. This person should be skilled and experienced with data systems in a TPL program and be able to work with DOM and the fiscal agent to develop and implement a data and information systems plan for implementation and operations. This person must have a college or university degree in information systems management, computer science, and business administration with emphasis in information systems management, or similar degrees that relate to the required job duties.</p>	evaluation.
7	2.2.3	15	<p>Question: Considering that most Casualty cases take more than 180 days to close with recovery, would DOM consider changing the requirement to the Contractor returning cases to DOM upon request by DOM?</p> <p>Requirement: Casualty cases not closed within one hundred eighty (180) calendar days of referral to Bidder for action shall be returned to DOM for further action unless DOM</p>	DOM is aware that most Casualty cases take more than 180 days. Therefore, the 180 day come behind will only be considered on Commercial Billings.

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			provides written authorization to the Bidder to continue recovery efforts.	
8	3.4.2	28	<p>Question: By 500,000 lives are greater, please confirm that DOM means at least a daily average of 500,000 lives over the most recent year.</p> <p>Requirement: 2. The Bidder shall have experience operating a minimum of three (3) Third Party Data Matching and Recovery service programs for a population of at least 500,000 lives for a governmental business. Experience is defined as contracted vendor that has performed Third Party Data Matching and Recovery services.</p>	DOM is not requiring a daily average of 500,000 lives. DOM is requiring that the contractor has successfully maintained the third party operations of a contract with a population of at least 500,000 lives.
9	2.3	18	<p>Question: Will DOM please confirm that DOM's MCOs are also required to perform these same recovery services, excluding Estate and Trust Recovery.</p> <p>Requirement: 2.3 MANAGED CARE COME-BEHIND RECOVERIES The Bidder shall submit a Managed Care Come-Behind Recovery work plan designed to identify claims paid by the Managed Care Organizations (MCO) that are covered by a liable third party source and were not recovered by the MCO. The State has reserved the right to pursue collection as a "come behind" process after the one hundred and eighty (180) calendar day timeframe for the MCOs to collect has elapsed. This work plan shall describe the Bidders process for seeking reimbursement from liable third party health insurance carriers or directly from Medicaid providers for medical services provided under Title XIX or Title XXI Medicaid for Medicaid managed care members. Bidder shall provide details of other services that they are able to provide that could enhance DOM's third party</p>	Although it is not a requirement in the MCO contract, the MCOs are currently performing the same services with the exception of Estate and Trust Recovery.

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			functions. The Bidder must describe its capabilities for identifying areas that could be improved, describe its work plan and provide a price for each enhancement proposed. The Agency will evaluate each proposed enhancement independently and separately from the specific scopes of work defined in the previous sections.	
10	2.3	18	<p>Question: For Casualty come-behind recoveries, will DOM accept the clarification that new cases identified within 180 days from the date of incident belong to the MCO, and new cases identified more than 180 days from the date of incident belong to the contractor?</p> <p>Question: Please confirm for all other come-behind recoveries, is it date of payment?</p> <p>Requirement: 2.3 MANAGED CARE COME-BEHIND RECOVERIES The Bidder shall submit a Managed Care Come-Behind Recovery work plan designed to identify claims paid by the Managed Care Organizations (MCO) that are covered by a liable third party source and were not recovered by the MCO. The State has reserved the right to pursue collection as a “come behind” process after the one hundred and eighty (180) calendar day timeframe for the MCOs to collect has elapsed. This work plan shall describe the Bidders process for seeking reimbursement from liable third party health insurance carriers or directly from Medicaid providers for medical services provided under Title XIX or Title XXI Medicaid for Medicaid managed care members. Bidder shall provide details of other services that they are able to provide that could enhance DOM’s third party functions. The Bidder must describe its capabilities for identifying areas that could be improved, describe its work plan and provide a price for each enhancement proposed. The Agency will evaluate each proposed enhancement independently and separately from the specific scopes of</p>	DOM is aware that most Casualty cases take more than 180 days. Therefore, the 180 day come behind will only be considered on Commercial Billings.

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			work defined in the previous sections.	
11	2.4	19	<p>Question: Would DOM please specify the reports for which hard copies are to be provided by the Bidder?</p> <p>Requirement: 2.4 REPORTING REQUIREMENTS 1. The Bidder shall provide DOM with written reports that are clear, concise, and useful for the audience for whom they are intended. The reports shall be composed in a manner consistent with DOM specifications and with the Bidder's stated criteria. All reports shall be provided in electronic formats compatible with software applications in use by DOM (i.e., MS WORD, Excel, SQL, Crystal, COGNOS, and others as appropriate) as well as in hard copy, as specified by DOM. All reports shall be made available to relevant DOM staff via web portal. Where required, the Bidder shall provide supporting documents such as report appendices.</p>	All reports produced by the contractor must be available in hard copy upon DOM's request.
12	1.2	8	<p>Question: Will DOM please provide the total Medicaid population and the breakdown FFS and MCO membership?</p> <p>Procurement Overview: 1.2 Background The majority of Mississippi's Medicaid beneficiaries are enrolled in managed care organizations (MCOs) under contract to DOM. These Medicaid-contracted MCOs are required, as a condition of their contract, to implement appropriate measures for cost avoidance and recovery to maximize reimbursement from liable third party resources. To assist them, DOM regularly provides a daily electronic file containing known insurance coverage, as well as other information that identifies potential MCO opportunities for recovery.</p>	During the months of March, April and May 2018, there was an average of 690,051 Medicaid beneficiaries. Of that number, 454,776 of them were enrolled in MCO, 235,275 of them were enrolled in FFS.

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13	2.2.3	15	<p>Question: Will DOM please clarify if the contractor will be paid a fee after the file is returned to the DOM?</p> <p>Requirement: 2.2.3 Casualty Recoveries DOM will provide specific instructions to the Bidder regarding its authority to reduce Medicaid's claim. In the event a third party requests a reduction greater than the Contract has authority to grant, then the Bidder shall return the file to DOM immediately.</p>	No, there will not be a paid fee to the contractor.
14	2.2.4	16	<p>Question: Will DOM please clarify if the contractor will be paid a fee after the file is returned to the DOM?</p> <p>Requirement: 2.2.4 Exclusions and Prohibitions Bidder shall not take legal action to recover funds through litigation. In the event litigation becomes necessary, the entire file (regardless of form) shall be transferred to DOM immediately. The Bidder is expressly prohibited from litigating on behalf of DOM.</p>	No, there will not be a paid fee to the contractor.
15	2.2.9	17	<p>Question: Does DOM currently perform the Estate Recovery scope of work?</p> <p>Question: If so, what are DOM's average annual Estate Recovery collections?</p> <p>Requirement: 2.2.9 Estate Recovery DOM shall provide the Bidder with correspondence from attorneys and responsible representatives, as well as eligibility files that indicate the possibility of an estate recovery claim for reimbursement of claims paid by Medicaid.</p>	<p>Yes, Estate Recovery scope of work is performed in-house by DOM employees.</p> <p>DOM's average annual Estate Recovery Collections from the three previous years is \$612,704.57.</p>

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16	2.2.9	17	<p>Question: Will DOM please clarify if the contractor will inherit DOM's existing Estate Recovery case inventory to pursue for recovery, or will the contractor have to build an inventory with new cases?</p> <p>Requirement: 2.2.9 Estate Recovery DOM shall provide the Bidder with correspondence from attorneys and responsible representatives, as well as eligibility files that indicate the possibility of an estate recovery claim for reimbursement of claims paid by Medicaid.</p>	Yes. Recoveries that come in as a result of DOM's communication will be credited to DOM. Recoveries that come in as a result of communication from the contractor will be credited to the contractor.
17	2.2.9	17	<p>Question: Will DOM please clarify if the contractor will inherit DOM's existing Estate Recovery case inventory, what is DOM's count of current open cases?</p> <p>Requirement: 2.2.9 Estate Recovery DOM shall provide the Bidder with correspondence from attorneys and responsible representatives, as well as eligibility files that indicate the possibility of an estate recovery claim for reimbursement of claims paid by Medicaid.</p>	Yes. Recoveries that come in as a result of DOM's communication will be credited to DOM. Recoveries that come in as a result of communication from the contractor will be credited to the contractor.
18	2.2.10	17	<p>Question: Does DOM currently perform the Estate Recovery scope of work?</p> <p>Question: If so, what are DOM's average annual Estate Recovery collections?</p> <p>Requirement: 2.2.10 Special Needs Trusts DOM shall refer to the Bidder any attorney or beneficiary who has a trust agreement established or will need to establish special needs trusts or pooled trusts. The Bidder shall provide special needs trust plans to identify, validate and recover special needs trust resources available.</p>	Yes, Estate Recovery scope of work is performed in-house by DOM employees.

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			Special Needs Trusts plans will be developed by DOM and the Bidder and will include schedules, and other details of work to be performed by the Bidder or DOM. DOM reserves the right to modify Special Needs Trust plans to exclude specific cases as well as to modify timeframes to maximize cost effectiveness. DOM will return the approved or modified work plan within ten (10) days of receipt from the Bidder. Bidders shall ensure that all special needs trusts and collections are in compliance with State and Federal laws.	
19	2.2.10	17	<p>Question: Will DOM please clarify if the contractor will inherit DOM's existing Estate Recovery case inventory to pursue for recovery, or will the contractor have to build an inventory with new cases?</p> <p>Requirement: 2.2.10 Special Needs Trusts DOM shall refer to the Bidder any attorney or beneficiary who has a trust agreement established or will need to establish special needs trusts or pooled trusts. The Bidder shall provide special needs trust plans to identify, validate and recover special needs trust resources available. Special Needs Trusts plans will be developed by DOM and the Bidder and will include schedules, and other details of work to be performed by the Bidder or DOM. DOM reserves the right to modify Special Needs Trust plans to exclude specific cases as well as to modify timeframes to maximize cost effectiveness. DOM will return the approved or modified work plan within ten (10) days of receipt from the Bidder. Bidders shall ensure that all special needs trusts and collections are in compliance with State and Federal laws.</p>	<p>Yes the contractor will inherit DOM's existing Estate Recovery case inventory.</p> <p>**Recoveries that come in as a result of DOM's communication will be credited to DOM. Recoveries that come in as a result of communication from the contractor will be credited to the contractor.</p>
20	2.2.10	17	<p>Question: Will DOM please clarify if the contractor will inherit DOM's existing Estate Recovery case inventory, what is DOM's count of current open cases?</p> <p>Requirement: 2.2.10 Special Needs Trusts</p>	<p>Yes the contractor will inherit DOM's existing Estate Recovery case inventory.</p> <p>DOM currently has 404 open Estate Recovery cases.</p>

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			<p>DOM shall refer to the Bidder any attorney or beneficiary who has a trust agreement established or will need to establish special needs trusts or pooled trusts. The Bidder shall provide special needs trust plans to identify, validate and recover special needs trust resources available. Special Needs Trusts plans will be developed by DOM and the Bidder and will include schedules, and other details of work to be performed by the Bidder or DOM. DOM reserves the right to modify Special Needs Trust plans to exclude specific cases as well as to modify timeframes to maximize cost effectiveness. DOM will return the approved or modified work plan within ten (10) days of receipt from the Bidder. Bidders shall ensure that all special needs trusts and collections are in compliance with State and Federal laws.</p>	<p>** Recoveries that come in as a result of DOM's communication will be credited to DOM. Recoveries that come in as a result of communication from the contractor will be credited to the contractor.</p>
21	4.7.6	43	<p>Question: Will DOM please clarify if electronic records for any paper document received satisfy this requirement?</p> <p>Requirement: 4.7.6 Records Retention Requirements The Contractor shall maintain detailed records evidencing all expenses incurred pursuant to the Contract, the provision of services under the Contract, and complaints, for the purpose of audit and evaluation by DOM and other Federal or State personnel. All records, including training records, pertaining to the contract must be readily retrievable within three (3) business days for review at the request of DOM and its authorized representatives. All records shall be maintained and available for review by authorized federal and State personnel during the entire term of the Contract and for a period of ten (10) years thereafter, unless an audit is in progress or there is pending litigation. The right to audit shall exist for ten (10) years from the final date of the contract period or from the date of completion of any audit, whichever is later.</p>	<p>Electronic records will satisfy this requirement.</p>

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22	General	General	Question: Will DOM please provide the entities that submitted a Letter of Intent for this IFB?	This is unavailable at this time.
23	4.1	34	Question: Will the State of Mississippi allow Contractor to submit specific exceptions to the terms and conditions of the IFB, including but not limited to those found in Section 4.1 General, as part of its bid, such exceptions to be incorporated into the Contract upon mutual agreement of the parties as described in Section 4.1? Question: If Contractor does submit such an exception, it is not accepted by the state, and Contractor's bid is accepted, will the contractor be considered to have agreed to the unmodified terms of the IFB?	DOM will not consider any exceptions.
24	4.10	45	Question: Contractor requests further clarity regarding the first Paragraph of Section 4.10 Indemnification. Is the intent that Contractor shall be required to indemnify the State and related agencies for any and all claims by Contractor's employees, subcontractors, etc. regardless of fault? Specifically, would Contractor be required to indemnify the state for claims by a subcontractor where the State or associated entities were solely at fault? Requested Modification: Contractor believes that the indemnification terms of this paragraph should be limited to cases where claim and losses accrue or result from injuries, damages, or losses caused by negligence or misconduct by Contractor.	DOM will not modify the language of Section 4.10. DOM interprets this language to mean that the Contractor would not be required to indemnify the State for claims where the State or associated entities were solely at fault.
25	4.10	45	Question: Contractor requires further clarity regarding the first Paragraph of Section 4.10 Indemnification. Is the intent that "any other person, association, partnership, entity or corporation furnishing or supplying work, services, materials or supplies in connection with performance of this contract" as used in said paragraph would apply to entities providing related services directly to the State with no contractual	DOM will not modify the language of Section 4.10. The referenced language would not apply to entities that are providing services directly to the State and have no contractual relationship with the Contractor.

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			relationship with Contractor? Requested Modification: Contractor believes that this category should exclude entities that are not assisting Contractor in the performance of its obligations, but are rather providing related services directly to the state.	
26	4.16.3	53	Question: May Contractor request exceptions to the specific terms of the BAA and DUA as identified in Section 4.16.3 as part of its bid (all such modifications remaining in compliance with all applicable Federal and/or State laws, rules, and/or regulations)?	No.