

September 2, 2022

Mississippi Division of Medicaid

c/o Cody Smith
Attorney II
and
Margaret Middleton
Attorney III
Mississippi Division of Medicaid
550 High Street, Suite 1000
Jackson, Mississippi 39201
Cody.smith@medicaid.ms.gov
Margaret.middleton@medicaid.ms.gov

Magnolia Health Plan

c/o Tim Sensing
Watkins & Eager PLLC
P.O. Box 650
Jackson, MS 39205
tsensing@watkinseager.com

UnitedHealthcare of Mississippi, Inc.

c/o Alex Hontos
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-1498
Hontos.alex@dorsey.com

Mississippi True d/b/a TrueCare

c/o George H. Ritter
Wise Carter Child & Caraway P.A.
PO Box 651
Jackson, MS 39205
ghr@wisecarter.com

Molina Healthcare of Mississippi, Inc.

c/o Phillip Buffington Jr.
Adams and Reese LLP
1018 Highland Colony Parkway,
Suite 800
Ridgeland, Mississippi 39157
phil.buffington@arlaw.com

Re: **AMERIGROUP MISSISSIPPI, INC.'S NOTICE AND REASONS FOR PROTECTIVE ORDER** (Pursuant to Section 25-61-9 of the Mississippi Code and applicable law)

All,

On August 23, 2022, Amerigroup Mississippi, Inc. (“Amerigroup”) received an email from the Mississippi Division of Medicaid (the “Division”) notifying Amerigroup that the Division received Requests for Information from Magnolia Health Plan, Molina Healthcare of Mississippi, Inc., UnitedHealthcare of Mississippi, Inc., and Mississippi True d/b/a TrueCare (the “Requests”) requesting documents that may contain the confidential, proprietary, and trade secret information of Amerigroup. A true and correct copy of the Requests for Information provided to Amerigroup by

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DOM are enclosed with this letter. Please note that while the Division referenced that a Request for Information was also submitted by TrueCare that requested the protected information of Amerigroup, the Division did not provide a copy of the Request to Amerigroup.

The Requests seek records, documents, and other information that was submitted to the Division by Amerigroup in connection with the Division's Request for Qualifications RFQ#20211210 RFX# 3150003991 and includes the confidential, proprietary, and trade secret information of Amerigroup that is protected from disclosure by the Mississippi Public Records Act §§ 25-61-1 *et seq.* (the "Act") and other rules and law. As such, Amerigroup intends to seek a protective order to prevent the disclosure of any records, documents, and other information subject to the Act's protections and exemptions from disclosure.

Please take notice that pursuant to Section 25-61-9(7) of the Mississippi Code, through this letter Amerigroup hereby gives notice to the Division, Magnolia Health Plan, Molina Healthcare of Mississippi, Inc., UnitedHealthcare of Mississippi, Inc., and Mississippi True d/b/a TrueCare of Amerigroup's intent to seek a protective order from the Chancery Court of Hinds County, Mississippi, First District, seeking to protect Amerigroup's confidential, proprietary, and trade secret information contained in the records, documents, and information requested in the Requests.

In addition, this letter serves as a request to the Division to post this notice on the applicable website for the period of time prescribed by the Act and any other applicable rules and law.

At this time, the records, documents, and information Amerigroup intends to protect, includes, but is not limited to:

1. Personally identifiable information, including home addresses and social security numbers;
2. Amerigroup's trade secrets;
3. Amerigroup's other confidential commercial and financial information, which includes any confidential commercial and financial information pertaining or belonging to Amerigroup and its contractors and/or subcontractors;
4. Proprietary and confidential methods utilized in providing managed care services;
5. Historical performance data;
6. Claims processing methods and related data;
7. Information concerning Amerigroup's technology and innovation;
8. New products and services;
9. Employment, staffing, and personnel data;
10. Data protection and cyber-security information; and
11. Other information to be identified in any petition for a protective order.

Amerigroup reserves the right to seek the protection of additional categories of information, records, and documents.



FOLEY & LARDNER LLP

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Please do not hesitate to contact the undersigned with any questions you may have relating to this notice and/or the petition for a protective order.

Sincerely,

Robert H. Hosay
Foley & Lardner LLP
106 E. College Ave., Suite 900
Tallahassee, FL 32301

rhosay@foley.com

Cc: bjgrossman@foley.com

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and

John B. Howell, III
Jackson, Tullos, Rogers & Morgan PLLC
P.O. Box 15517
Hattiesburg, MS 39404

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Cc: MSCAN_CHIP@medicaid.ms.gov
rfi@medicaid.ms.gov

Mailing Address:
P.O. Box 650
Jackson, Mississippi 39205
Telephone: (601) 965-1900
Facsimile: (601) 965-1901



TIMOTHY L. SENSING
DIRECT DIAL: (601) 965-1813
E-MAIL: tsensing@watkinseager.com

August 22, 2022

Via Electronic & U.S. Mail

Public Records Officer
Division of Medicaid, Office of the Governor
550 High Street, Suite 1000
Jackson, Mississippi 39201

Re: Public Records Request of Magnolia Health Plan

Dear Public Records Officer:

We represent Magnolia Health Plan and are writing to request that the Division of Medicaid (“DOM”) provide us with the following materials pursuant to the Mississippi Public Records Act (Miss. Code Ann. §25-61-1 et seq.).

1. Copies of all protests and supporting or attached information submitted by any Offeror related to DOM’s Request for Qualifications #20211210 (“RFQ”).
2. Copies of any Requests for Information and Public Records Request to DOM by any Offeror or Protestor on an ongoing basis.
3. Copies of any documents provided by DOM in response to any Requests for Information and Public Records Requests from an Offeror or Protestor on an ongoing basis.

Public Records Officer
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Please let me know if you have any questions about the information requested herein or if further clarification is necessary.

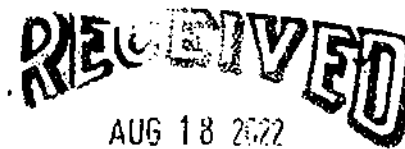
Sincerely,

Watkins & Eager PLLC



Tim Sensing

TLS/tgk
c: Aaron Sisk



DIVISION OF MEDICAID
EXECUTIVE DIVISION

Attorneys at Law
Alabama
Colorado
Florida
Georgia
Louisiana
Mississippi
North Carolina
South Carolina
Tennessee
Texas
Washington, DC

August 18, 2022

Mr. Drew Snyder
Executive Director
Mississippi Division of Medicaid
550 High Street, Suite 1000
Jackson, MS 39201

Phillip Buffington, Jr.
Direct: 601.292.0745
E-Fax: 601.944.9357
phil.buffington@arlaw.com

Re: Notification of Decision - Mississippi Division of Medicaid Coordinated Care
RFQ #20211210 RFX #3150003991

Dear Mr. Snyder:

Our firm represents Molina Healthcare of Mississippi, Inc. Pursuant to the Mississippi Public Records Act of 1983 (MS. Code Annotated §25-61-1, et seq.), we hereby request copies all documents held by the Mississippi Division of Medicaid relating to the above-referenced RFQ and RFX. In particular, the public records request seeks information/materials including, but not limited to, the following:

1. Any and all protests made by any party in connection with the above-referenced RFQ and RFX, including any exhibits to said protest. This request seeks all public records, created, possessed or maintained by the Mississippi Division of Medicaid or any of its employees, officers, departments, offices, or agencies in connection with the above-referenced RFQ and RFX in connection with or related to those protest.


This request seeks the broadest range of materials permitted under the Mississippi Public Records Act of 1983. Pursuant to MS. Code Annotated §25-61-3, this includes all books, records, maps, accounts, letters, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function with the Mississippi Division of Medicaid in connection with any protest of the above-referenced matter.

Please provide the requested documents to us as soon as possible but no later than seven (7) working days, as required by MS Code Annotated §25-61-5. We will pay the reasonable charges incurred in making copies of the requested documents in accordance with the provisions of MS Code Annotated §25-61-7.

Mr. Drew Snyder
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If any portion of the request is denied, please provide a written statement on the specific exemption relied upon for the denial, as required by MS Code Annotated §25-61-5. We appreciate your assistance in this matter. If you should have any questions or comments, please do not hesitate to contact us.

Sincerely,
ADAMS AND REESE, LLP

A handwritten signature in black ink, appearing to read "Phillip Buffington, Jr.", written in a cursive style.

Phillip Buffington, Jr.

CPB, jr./an



ALEX P. HONTOS
Partner
(612) 492-6634
FAX (612) 677-3403
hontos.alex@dorsey.com

August 10, 2022

VIA ELECTRONIC MAIL

Mississippi Division of Medicaid
Attn: Public Records Officer
550 High Street
Suite 1000
Jackson, MS 39201-1399
Fax: 601-576-6342
Email: RFI@medicaid.ms.gov

Re: Public Records Act Request Under the Mississippi Public Records Act

Dear Sir or Madam:

This law firm represents UnitedHealthcare of Mississippi, Inc. ("United"). On behalf of United, we submit this public records request under the Mississippi Public Records Act (Miss. Code § 25-61-1 et seq.). Government data carries a presumption that it is public. United seeks the records described below within seven working days after the request as required by Mississippi Division of Medicaid ("DOM") policy and Miss. Code § 25-61-5.

1. All applications, bids, offers, proposals, or other responses to Request for Qualifications No. 20211210 (the "RFQ");
2. All evaluation criteria, evaluation ratings or scorings, scoring sheets, bidder ranking documents or spreadsheets, and interim and final scoring and evaluation documents related to the evaluative process for responses to the RFQ, including drafts of such documents;
3. All internal planning or training documents related to the RFQ, including training documents related to the evaluative process for responses to the RFQ;
4. All documents identifying persons responsible for evaluating and/or scoring any aspect of RFQ bid submissions, including bios, job titles, responsibilities, duties, and scope of assignment;
5. All documents and communications related to internal bid submission evaluation and/or scoring meetings, including agendas, meeting minutes, notes, and documents created as a result of such meetings related to the RFQ;
6. All bid tabulations and similar documents related to the RFQ;

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7. Internal documents, communications, notes, and memoranda, including drafts, related to any decisions to select any vendor for contract negotiations or award related to the RFQ;
8. Internal documents, communications, notes, and memoranda, including drafts, related to any decisions not to select any vendor for contract negotiations or award under the RFQ;
9. Communications with any vendors or offerors regarding the RFQ, before and after the selection decisions were made including, but not limited to, requests for clarifications;
10. All oral presentations made by any vendors or offerors regarding the RFQ;
11. Communications with any vendors regarding oral presentations made by any vendors or offerors regarding the RFQ;
12. Internal documents, communications, and memoranda related to oral presentations made by any vendors or offerors regarding the RFQ;
13. All resulting contracts and communications related to the negotiation of contracts awarded as a result of the RFQ;
14. Copies of any protests filed in connection with the RFQ or award decisions arising from the RFQ;
15. Copies of any responses to any protests filed in connection with the RFQ or award decisions as a result of the RFQ; and
16. All documents disclosed pursuant to any public records request made related to the RFQ or the award decisions arising from the RFQ by an RFQ offeror other than UnitedHealthcare of Mississippi, Inc.

I am willing to pay fees for this request. If you estimate the fees will exceed \$500, please inform me before processing the request.

If you deny any or all of this request, please cite each specific exemption to the Public Records Act that you believe justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Further, if some of the records responsive to this request are available before others, I ask that you provide those records on a rolling basis to expedite the disclosure of records.



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Cordially yours,

DORSEY & WHITNEY LLP

A handwritten signature in black ink that reads 'Alex Hontos'.

Alex P. Hontos
Partner

cc: Mary Margaret Gay - Gay, Jones & Kuhn, PLLC