

**REVISED 3/20/2013**

**NYS Department of Health**

**RFA No. 1301300317**

**“Consumer Assistance for the New York State Health Benefit Exchange:  
In Person Assistors and Navigators”**

**All Questions Due: February 27, 2013 by 4:00PM ET**

**Answers to Questions received through February 22, 2013 are shown below.**

**PLEASE NOTE:** This revised document includes one revision to Question & Answer #2.

**Applicant Eligibility**

- Q1. Are County Health Departments eligible to respond to this RFA?
- A1. Yes, county health departments are eligible to respond to the IPA/Navigator RFA as described in Section II.A.1.8 of the RFA.
- Q2. Can you please clarify what it means on page 10 of the RFA that an applicant may only submit one Application?
- A2. An organization cannot submit an application on their own behalf to provide IPA/Navigator services and also be named as a subcontractor providing IPA/Navigator services in another application. An organization also cannot be named as a subcontractor providing IPA/Navigator services in multiple applications. Entities providing administrative services (as IPA/Navigator services) as a subcontractor will be permitted to serve as a subcontractor to one or more lead contractors and may also apply as a lead IPA/Navigator contractor.
- Q3. We would like to apply for a navigator grant in a county that also has an Indian tribe. If the tribe also applies to be a navigator, can we serve some of the people served by the tribe?
- A3. Yes. If a tribe and another entity are awarded Navigator contracts in the same county, they can each serve all potential enrollees or the tribe may limit its grant to enrollment of tribal members.
- Q4. Currently a worker from the County Health Department comes once a month to our site to do Medicaid intake. Will this service continue and will they also be able to help people apply for insurance through the Exchange?
- A4. Similar to the current facilitated enrollment program, successful Navigator grantees will offer assistance to individuals applying for the public insurance

programs, Medicaid and Child Health Plus. Additionally, they will provide application assistance for individuals seeking coverage with federal subsidies, such as Advance Premium Tax Credits and Cost Sharing Reductions, and those seeking to apply for coverage without federal subsidies. Navigators will also be available to assist small businesses.

### **Service Area**

- Q5. Is it possible to apply to provide services in more than one county?
- A5. Yes, an agency may apply to serve as many counties as it chooses.
- Q6. Given our organization's rural geographic location and proximity to portions of three counties, would it be acceptable to apply for all of one county and a particular part of another under the new RFA for In Person Assistors and Navigators?
- A6. No, the applicant has to serve an entire county.

### **Budget Questions**

- Q7. For an applicant proposing to cover multiple counties that are in different groups in Table 1 on page 41 of the RFA, how do we determine which county is in the "Maximum Award per County" column and which one is in the "Add On" column?
- A7. The base county is the county where the applicant agency is primarily located and should reflect the amount listed under the "Maximum Award per County." For example, an agency located in Chemung County should prepare their budget using a base maximum award of \$175,000. If additional services will be offered in another county, such as Broome County, the add-on amount for this county is \$90,000. The total award would be \$265,000. The budget justification should identify any costs that are particular to a specific county.
- Q8. We are currently maintaining a contract for the Facilitated Enrollment Program. I have budget questions specific to the transition/start-up period.

Some of our current FE staff will begin work in the IPA-Navigator program as the FE program transitions into this new program model. Is there guidance as how we should develop the new program budgets, start-up and first year, to accommodate this transition?

We also plan to hire new staff in time to participate in the required NYS training. Should we budget for the new hire to start effective August 1?

- A8. Contracts for the IPA/Navigator program are anticipated to start on August 1, 2013. The months of August and September are allowed for start-up activities, including the hiring and training of staff. You should prepare your budget to reflect the annual personnel cost for each IPA/Navigator position. The budget should be prepared in accordance with Section V.A.13 of the RFA. It is anticipated that the facilitated enrollment contracts will be terminated once the IPA/Navigator contracts begin so existing staff will be transitioned to the new IPA/Navigator program once the new contract begins.
- Q9. What is the maximum grant award for an agency proposing to serve Nassau and Suffolk Counties? What is the maximum value for our start-up activities?
- A9. The maximum grant award for an applicant proposing to serve Nassau and Suffolk counties is \$620,000 annually and the value of start up activities for the first two months can be no more than \$103,333.
- Q10. The RFA is unclear about the availability of funding to cover administrative expenses. On page 36, it says: "While administrative costs should be adequate to support the IPA/Navigator Program, they cannot be excessive in proportion to the amount of funding dedicated to direct IPA/Navigator activity and, in accordance with Executive Order 38, ("Limits on State Funded Administrative Costs and Executive Compensation") may not exceed 15% of the total budget." However, below, still on page 36, it says: "Non-Personnel Services Budgets may not include an overhead/indirect rate." Also, on Attachment 5, the application budget, there is no place to enter overhead/ indirect expenses - unless one were to enter them under Non Personnel Services.

Can you please explain this discrepancy and advise us on where to show our administrative (overhead/ indirect) expenses?

- A10. Items generally classified as overhead such as fiscal personnel, IT support and audit are appropriate categories to be included in the proposed line item budget. These categories must be itemized and may not be classified under one overhead/indirect line.
- Q11. On page 37 (first bullet) it lists various examples of computer equipment that will be necessary for submission of applications to the online web portal through NYHBE. Not listed, are portable printers and signature pads. How will applicants "sign" their applications? Will an electronic signature pad be required? As for portable printers, the grant states that IPAs must provide a copy of the application on request. Since our IPAs will be out in the field (libraries, parish outreaches, etc.), are we required to immediately give a copy of the application upon request or could staff return to their offices to print out the application and mail it to the applicant the next business day?

A11. IPA/Navigators will not be required to have electronic signature pads. If an applicant requests a copy of their application and/or enrollment decision, it is acceptable for the Navigator to print the information in their office and mail it to the applicant no later than the next business day.

Q12. Are we able to access any funding for public relations, to distribute information about the Exchange?

A12. Part of the role of the Navigator will be to educate potential enrollees about the types of insurance programs offered through the NYHBE. It is anticipated that the NYHBE will provide materials to Navigators regarding the Exchange. Navigators will not be paid to distribute those materials at events such as health fairs. Navigators may include, as part of their budget, costs for marketing the availability of their services to the community.

### **Conflicts of Interest**

Q13. With respect to page 32, bullet 2. If a CBO received donations or participated in collaborative relationships with health plans that offer public health insurance products to improve the health condition of its members, does this pose a conflict of interest?

A13. Receipt of donations or consideration from a health plan that is not connected with enrollment into a plan does not automatically disqualify an applicant. As set forth in Section V.7 of the RFA, applicants must disclose any monetary or other consideration, the terms and conditions for receiving such consideration and a plan to ensure that such consideration does not pose a conflict of interest for the entity to service as an IPA / Navigator. The Applicant will be disqualified if DOH deems the conflict of interest mitigation plan to be insufficient.

### **Privacy and Security**

Q14. Page 16 (Section L) discusses personally identifiable information (“PII”). I am not sure what it means where it states (in the first bullet) “when IPA/Navigators create, collect, or use personally identifiable information. . .” How would an IPA “create” personally identifiable information? When the RFA says “PII”, is it referring to something more than a birth certificate, passport, or social security number?

A14. The reference to the creation, collection or use of PII is drawn from the requirements for the Privacy and Security of Personally Identifiable Information set forth in 45 CFR 155.260. While "create" is not specifically defined, section 155.260 sets forth standards for gaining access to, collecting, using and/or

disclosing PII to the extent necessary to accomplish authorized functions. See, 45 CFR 155.260. Section 155.260(b) states that the Exchange must require the same or more stringent standards [as in 155.260(a)] of individuals and entities such as Navigators and IPAs who gain access to PII or collect, use or disclose PII gathered from applicants, qualified individuals or enrollees while the individual or entity is performing functions outlined in its agreement with the Exchange. See, 45 CFR 155.260(b).

PII refers to any information that can be used to distinguish an individual's identity, and includes but is not limited to social security number, date and place of birth, mother's maiden name; as well as any other information that may be linked to an individual, such as financial or employment information.

Q15. Page 16 and 17 of the RFA discusses security requirements and protection of sensitive information over the Internet. Will the state provide protocols to agencies regarding Internet and computer safety or will awarded agencies be required to develop their own protocols? Will they be expected to submit these protocols to the state within a certain time frame of being awarded the grant?

A15. As set forth above, the privacy and security requirements with respect to personally identifiable information (PII) are set forth in 45 CFR 155.260. Section 155.260(b) states that the Exchange must require the same or more stringent standards [as in 155.260(a)] of individual entities such as Navigators and IPAs. See 45 CFR 155.260(b).

The state sponsored IPA/Navigator training curriculum will include a session regarding security requirements and protocols. Grantees will be required to monitor their employees to ensure adherence to these requirements.

### **Letters of Intent/Administrative Questions**

Q16. We are interested in participating in the procurement and want to get more information. How do we do that?

A16. The RFA is available to the public, at no charge. Please review the RFA for the requested information:

<http://www.health.ny.gov/funding/rfa/1301300317/index.htm>.

Questions and answers will also be posted on this site.

Q17. May I submit our questions via email, so long as they are received by the February 27, 2013?

A17. As per the RFA, questions will be accepted through the dedicated mailbox, [navrfal3@health.state.ny.us](mailto:navrfal3@health.state.ny.us), until 4:00p.m. February 27, 2013.

Q18. I saw that the funding is for a period of five years. We were wondering if the RFA will be released on an annual basis to provide an opportunity for new and additional organizations to become involved and to meet emerging needs or will the RFA only be released every five years?

A18. At this time, the Department anticipates this RFA will be re-issued in five years.

Q19. Do LDSSs that want to provide enrollment assistance need to submit the Letter of Interest in Attachment 2 of the RFA?

A19. No, LDSSs that want to provide enrollment assistance do not need to submit a new Letter of Interest. Page 20 of the RFA indicates that, "The State will work with those LDSSs that have indicated a desire to provide in-person assistance to MAGI applicants in their response to the Letter of Interest." The Letters of Interest being referred to in this context are the letters previously submitted by LDSSs.

Q20. I am interested in becoming a subcontractor to an organization applying for a Navigator grant. How can I find out which organizations are applying for funding in my county for collaboration purposes?

A20. Partnering of organizations is addressed in the RFA. Entities interested in becoming a subcontractor to an organization applying for an IPA/Navigator grant must conduct their own outreach to organizations that are applying for funds. Page 10, Section II. B. of the RFA indicates that "IPA/Navigator grant awards will be made to individual organizations and to organizations that choose to serve as a lead with one or more subcontractor organizations that provide IPA/Navigator Program services. Any subcontractors providing IPA/Navigator Program services must meet all of the minimum eligibility criteria in Section II (A) of this RFA.

Q21. In addition to the letter of interest attachment, do I need to include something on letterhead with the background, history and current contracts I have?

A21. No additional information is required for the letter of interest found in Attachment 2 of the RFA.

### **Training and Certification**

Q22. Page 23 (Section J) states in the second bullet "IPA/Navigator Contractors must possess, at no cost to the State, all qualifications, licenses and permits to engage in the required business as may be required within the jurisdiction where the work specified is to be performed. Workers to be employed in the performance of the contract will possess the qualifications, training, and licenses and permits as may be required within such jurisdiction." Is it possible to be a little more specific in

this area? Will staff need to pass certain state exams to remain employed or before being hired? Are there materials that agencies will need to purchase to study for these exams? Is there any idea to the potential costs of such exams and training materials? Will the agency need the permit and/or license? Or will each IPA hired be required to possess a permit and/or license? Should the cost of exams, permits, licenses, etc. be considered as an in-kind contribution from the agency, since it can be “at no cost to the State.”

- A22. The State, through a contractor, will provide training for the IPA/Navigator program. Individual navigators will need to take a test at the conclusion of the training program and be certified. It is anticipated that training will be available in various modes such as in-person and on-line. Navigators will not be charged for the cost of this training.

### **Quality Assurance**

- Q23. What type of feedback will agencies be getting regarding the quality of the work submitted by their IPAs to develop any necessary trainings sessions or review for staff to ensure the work is being done consistently and correctly?
- A23. IPA/Navigators will be able to track the results of individual applications they submit. For example, an individual IPA/Navigator will know the eligibility determinations for the applications they submit as well as the status of applications that are pending/incomplete. The contracting agency will be able to review this information for each IPA/Navigator.

### **Miscellaneous/Other**

- Q24. Does New York plan on staffing a call center to assist individuals, families and businesses as is the case with other state based exchanges? Is so, do you know who will be running that program?
- A24. MAXIMUS will be operating the Call Center for the New York Health Benefit Exchange (NYHBE) and will provide assistance to individuals, families and small businesses.
- Q25. Does the State/Exchange intend to implement the Application Assister/Counselor program described in Federal regulations: 45 CFR 435.908 Certified Application Assisters, a role different than the In Person Assister/Navigator program described in the February 13, 2013 RFA?

If so, how would the Assister/Counselor role differ from the IPA/Navigator role?

A25. If the proposed federal rule cited above is promulgated, Certified Application Counselors would not be compensated or under contract with the State. These counselors would be trained using the same curriculum as the IPA/Navigator program. Certified Application counselors would be required to be certified by the State before they can provide application assistance.