

**Request for Proposal**  
**Development of Protocols and Procedures for Auditing the MDS Assessment Data**  
**Bidder's Conference Summary**  
**Questions/Answers**

1. **Would a contractor who bids on this proposal (Development of Protocols and Procedures for Auditing the MDS Assessment Data) be precluded from submitting a proposal to conduct MDS audits under a subsequent RFP that may be issued by the DOH?**

Answer: The Department does not anticipate that the successful bidder of this RFP would necessarily be precluded from submitting a proposal if a subsequent RFP is issued by the Department to conduct MDS audits.

2. **Section D. Proposal Requirements of the RFP (page 5), provides the required proposal outline. The Offeror's Questionnaire is requested in both Section D.2.2 and in Section D.2.5. In which section of the proposal should the completed questionnaire be included?**

Answer: The Offeror's Questionnaire (Attachment 10) should be included as Section D 2.5.

3. **How much money has been allocated by the Department of Health for this project?**

Answer: The budget appropriation for this project is a maximum of \$500,000. The actual contract amount will be the fixed price, not to exceed \$500,000, of the successful Bidders cost proposal.

4. **Is there a current contractor developing an audit process? If yes, who is the contractor? If no, has there been a contractor in the past who conducted similar activities? If so, who was that contractor?**

Answer: No, the successful bidder will develop protocols and procedures for auditing the MDS assessment data. The audit process for New York State's current assessment instrument, the Patient Review Instrument (PRI), was developed in 1985 by The Long Term Care Case Mix Reimbursement Project Staff (LTCCMRPS). The LTCCMRPS was grant funded and included staff from the Department of Health and Rensselaer Polytechnic Institute.

5. **Please explain how the performance of the audit relates to this RFP? Is there a contractor who currently performs the audit? Who does the DOH**

**anticipate will be performing these audits once the RUGs scores are based on MDS?**

Answer: Through the issuance of this RFP the Department is seeking a contractor to develop protocols and procedures to audit the MDS assessment data. MDS audits will be performed in accordance with the protocols and procedures developed by the successful bidder of this RFP. There is not a contractor performing MDS audits. The Department has not determined who will perform MDS audits.

- 6) **There are two places in the Proposal Requirements (Section D), that make reference to Attachment 10, Offeror's Questionnaire, D2.2 (Required Forms) and D2.5 (Response to Offeror's Questionnaire). Since it appears that the detailed response to the Offeror's Questionnaire belongs in D2.5, what needs to be addressed relative to Attachment 10 in D2.2?**

Answer: The Offeror's Questionnaire (Attachment 10) should be included as Section D 2.5.

- 7) **It appears that audit protocols will be transparent to providers as they are currently. Is the Department's intention to continue to share these detailed reporting guidelines, so nursing homes can incorporate them into internal auditing and data quality assurance efforts?**

Answer: Yes. The successful Bidder will be required to assist the Department in providing informational training sessions to stakeholders throughout New York State.

- 8) **The RFP is to develop criteria and specifications for auditors and their information support staff to implement and utilize. Since this is an interactive function, face-to-face meetings are usually needed. Who do you anticipate will fill these roles, and where?:**

**Field Auditors (On-site MDS reviews)**

**NYSDOH staff? Location(s)?**

**Office of the Medicaid Inspector General? Location(s)**

**Outside contractor from future RFP? Location(s)**

**Information Support (Implement section criteria, schedule, print audit tools, summarize results, etc.)**

**NYSDOH staff? Location(s)?**

**Office of the Medicaid Inspector General? Location(s)**

**Outside contractor from future RFP?**

Answer: A definitive answer to this question is difficult to provide at this time. It is anticipated that all face to face meetings between the Department and the successful Bidder of this RFP will be held in Albany. The Department has not determined who will actually perform the field audits of the MDS data or who will provide informational support.

- 9) **Under the current CMS timeline, there will only be one cycle of MDS 2.0 audits completed (for July 2009 submissions). The new MDS 3.0 is scheduled to be implemented on October 1, 2009, so will be the assessment in use for the second and future rounds of assessments (December, 2009 submissions and thereafter.) Details will released between now and final regulations more than a year from now as CMS refines their proposal and incorporates results from the STRIVE study and design of RUGSIV. The current payment schedule outlined in Number 7 (page14) has many deliverables and payments scheduled in the initial 4 month time frame of the RFP, but only two payments during the remaining 20 month period thereafter. Is the Department open to defining more deliverables with the selected vendor in the second (MDS 3.0/STRIVE?RUGS IV) phase of the project to better match payment cash flow with the actual work performed?**

Answer: No. The payment schedule crafted by the Department mirrors the contract deliverables which requires the successful Bidder to develop an MDS auditing system within the first four (4) months of the two-year contract period.

- 10) **What is perceived as a conflict of interest for item 2.1 on page 6? Specific examples noted in the instruction manual for conducting on-site PRI reviews (p.83) include previous employment or a personal relationship with facility staff; however, this RFP does not anticipate facility-specific reviews. What activities would the Department consider to be a conflict of interest for a vendor under this audit protocol development RFP?**

Answer: Bidders should follow the instructions provided in the RFP, including identifying all business relationships and ownership interests that may present a conflict of interest and describing how any potential conflict of interest will be avoided. Based on this information the Department will make a determination on a case-by-case basis.

- 11) The RFP acknowledges that the MDS 3.0 and subsequent changes to RUG-III will affect the product(s) of this project. Does New York State Department of Health (NY DOH) intend to fund the development of two audit programs through this procurement? One audit program, inclusive of sampling algorithms, for MDS 2.0 and another audit program, inclusive of sampling algorithms, for MDS 3.0?**

Answer: Yes. The successful Bidder to this RFP will be required to develop an MDS audit program within the first four months of the two-year contract period based on the MDS 2.0. The successful Bidder will also be required to make all changes, to the MDS audit system developed based the MDS 2.0, as a result of CMS' conversion to the MDS 3.0.

- 12) Are there aspects of the current PRI audit process that NY DOH intends to maintain as is, or are all aspects of the audit process open to revision? For example, does NY DOH intend to maintain separate auditors/reviewers for Stage I, Stage II, and Stage III audits, or can the offeror propose changes to this aspect of the audit?**

Answer: This is a new project therefore all aspects of the current PRI audit process are open to revision for developing an MDS audit process. As stated in the RFP, it is not necessarily the Department's intention that the MDS protocols replicate the current PRI audit system. The PRI information provided in the RFP is for informational purposes.

- 13) Who is the current audit contractor employed by NY DOH?**

Answer: This is a new project and there is no contractor for MDS auditing. However, the audit contractor for New York State's current assessment instrument, the PRI, is the Island Peer Review Organization (IPRO).

- 14) Is it expected that the offeror will modify the existing audit software, or propose new software for automation of the audit process?**

Answer: The successful bidder is not being asked to develop software for or provide software to the Department. However, Bidders are not precluded from proposing the development of an automated MDS auditing process in their proposal.

**15) Is there a required or preferred software platform for automating the audit?**

Answer: The successful bidder is not being asked to develop software for or provide software to the Department.

**16) Would NY DOH permit web-based audit data transmittal from auditors to NY DOH?**

Answer: Bidder's are not precluded from proposing the use of a secure internet transmittal between the Department and MDS auditors in their proposal.

**17) Can the Offeror assume that auditors will have laptops supplied by NY DOH or the audit contractor?**

Answer: No. However, Bidder's are not precluded from proposing the use of laptops by MDS auditors in their proposals.

**18) Should the Offeror assume that training of auditors on the new process will be provided under this contract? If so, please provide further details regarding when and where we should assume the training sessions will be held, how many training sessions we should anticipate, how many attendees will participate, etc.**

Answer: The Department expects that the successful Bidder will provide training on the audit protocols and procedures developed under this RFP. It is difficult to provide the requested details since they are dependent on the actual audit protocols and procedures that result from the successful Bidder's proposal. Generally, the Department anticipates that training would be held in Albany as soon as MDS audit staff is available to be trained. The number of sessions and attendees would be dependent on the proposal of the successful Bidder. At a minimum the successful Bidder should anticipate providing "train the trainer" sessions to Department staff and/or Contract staff responsible for administering MDS audits.

**19) Similarly, should the offeror assume that stakeholder training and informational sessions will be provided under this contract? If so, please provide the further details regarding when and where we should assume the stakeholder informational sessions will be held, how many sessions we should anticipate, how many attendees will participate, etc.**

Answer: Yes. The successful Bidder will be required to assist the Department in providing informational training sessions throughout New York State. Generally, the Department conducts one day sessions in each of the major six regions of the

State, i.e. New York City, Long Island, Albany, Syracuse, Rochester, and Buffalo. It is anticipated that these sessions will be provided immediately prior to the implementation of the MDS audit process. The Department would limit the number of participants at each session to 75-100. Additional sessions would be scheduled as demand warrants.

**20) Will MDS data be supplied to the offeror, and in what format and timeframe?**

Answer: The Department does not anticipate supplying MDS data to the successful Bidder of this RFP. However, if it becomes apparent that MDS data will be needed by the successful Bidder, the Department is open to modifying the DUA with CMS to include the successful Bidder.

**21) What aspects of the audit program must be completed within the first four months of the contract?**

Answer: Sections C 2.1, 2.2, 2.3 and 2.4 Details of Contract Deliverables in the RFP are the aspects of the MDS audit system that must be completed within the first four months of the two-year contract period.

**22) In what month and year does NY DOH anticipate that auditors will begin to review MDS 2.0 assessments for accuracy using the new audit program developed under this contract?**

Answer: At this time the Department cannot provide a definitive answer to this question. However, the earliest MDS audits could begin is June/July of 2009.

**23) How will data from the revised section S be used in the RUG calculation or the resulting rates? Should responses be included in the review protocols and procedures?**

Answer: Revisions to Section S were made to identify New York State specialty residents and primary payer. New York State nursing homes with specialty residents, as identified in Section S, receive either a rate add-on or discrete rate for these residents. Bidder's proposals should include protocols and procedures to audit these special populations and the primary payer.

**24) Should state staff and auditor training on the protocols and procedures be included in the work plan?**

Answer: Bidders are not precluded from including the use of State staff in their proposal. Yes, auditor training should be included in the Bidder's proposal.

**25) Where in the Technical Proposal should bidders include their response to Attachment 10, Offeror's Questionnaire? The order listed in the RFP (p. 5-7) shows the Offeror's Questionnaire placed with the required forms and as the last section of the Technical proposal. Should Attachment 10 be included twice?**

Answer: The Offeror's Questionnaire (Attachment 10) should be included as Section D 2.5.

**26) Please provide the budget amount for this project appropriated by the State.**

Answer: The budget appropriation for this project is a maximum of \$500,000. The actual contract amount will be the fixed price, not to exceed \$500,000, of the successful Bidders cost proposal.

**27) Attachment 14 requires bidders to certify that it has filed Form ST-220-TD with the Department of Taxation and Finance. However, Form ST-220-TD appears to only be required once a contract has been awarded since the contract number and value is needed. Please advise whether Attachment 14 is a requirement and, if so, how bidders should proceed in filing Form ST-220-TD without a contract currently in place.**

Answer: The ST-220 tax forms may be submitted with the bid or upon receipt of the contract award as indicated by the Bid Form (Attachment 11) of the RFP.

**28) Section 2.6 states that "the offeror should continue to be available to the DOH until the contract end date of the two-year contract period to respond to any questions or concerns that arise after implementation of the MDS audit system." As it is difficult to anticipate the scope of this statement, would any additional consulting be reimbursed on a per hour basis during this time period? Or if it is to be incorporated into the other deliverable costs, could you clarify the anticipated scope of effort needed during this period?**

Answer: Section D 3.2 Cost Proposal Form states: The total fixed price bid amount must reflect all costs for the full term of the contract, including the cost of consultation after audit system development through the end of the contract period. No additional consulting will be reimbursed.

**29) Is Section S going to play at all in the audit?**

Answer: Yes. Revisions to Section S were made to identify New York State specialty residents and primary payer. New York State nursing homes with specialty residents, as identified in Section S, receive either a rate add-on or discrete rate for these residents. Bidder's proposals should include protocols and procedures to audit these special populations and the primary payer.

**30) Will Section S questions be included in the MDS?**

Answer: Yes. Revisions to Section S were made to identify New York State specialty residents and primary payer. New York State nursing homes with specialty residents, as identified in Section S, receive either a rate add-on or discrete rate for these residents. Bidder's proposals should include protocols and procedures to audit these special populations and the primary payer.

**31) Can DOH provide a list of the attendees of the bidders conference?**

Answer: The following 9 organizations were represented at the bidders conference: Abt Associates; IPRO; NYCHSRO; Myers & Stauffer; Harmony Healthcare; Altarum Institute; NYAHSAs; CNFNY; Next Wave.

**32) It's anticipated that the successful bidder will need to appear in Albany to meet with DOH, how often will these meetings take place?**

Answer: The successful Bidder will be required to meet as often as necessary to complete the project in accordance with the contract deliverable. It's anticipated that at a minimum, weekly meetings will be held in Albany.

**33) What are the expectations of the first four months of audit procedure defined in Section C of the RFP?**

Answer: Sections C 2.1, 2.2, 2.3 and 2.4 Details of Contract Deliverables in the RFP are the aspects of the MDS audit system that must be completed within the first four months of the two-year contract period.