

New York State Department of Health

Office of Primary Care and Health Systems Management
Center for Health Care Provider Services and Oversight

Surveillance and Investigation Activities for:
Adult Care Facilities, Licensed Home Care Services Agencies, Nursing Homes,
Intermediate Care Facilities and Psychiatric Residential Treatment Facilities

RFP #16113

AMENDMENT #1 – August 5, 2015

The following are official modifications, which are hereby incorporated into the New York State Department of Health, Office of Primary Care and Health Systems Management Request for Proposals (RFP) #16113, issued June 24, 2015. The information contained in this amendment prevails over the original RFP language. For all amendments below, deleted language appears in strikethrough (“~~xxx~~”) and added language appears in underline (“xxx”).

A. DUE DATE

1. Cover Page, Schedule of Key Events, Proposal Due Date is amended as follows:

Proposal Due Date and Time by 4:00PM ET, ~~August 28~~ September 16, 2015

B. CONTRACT TERM

1. Page 1, Section I. Introduction, paragraph 1, sentence 6, is amended to read as follows:

Contracts awarded under this RFP will be for a five year term, with an anticipated start date of ~~November 1, 2015~~ January 1, 2016.

2. Page 50, section V.F. Term of Contract, paragraph 2, is amended to read as follows:

The anticipated contract term is for five (5) years, ~~November 1, 2015 through October 31, 2020~~ January 1, 2016 through December 31, 2020. Prices shall remain firm for the full contract period.

C. MINIMUM REQUIREMENTS

Page 4, Section III. Program Specifications/Deliverables, paragraph 1, is amended to read as follows:

Vendors may bid on one (1) or more Components included in the RFP, but MUST bid to provide the services described in ALL units within a Component. Proposals that do not include a ~~narrative and~~ bid prices for all units within a component will be deemed non-responsive for that Component. More than one (1) contract may be awarded as a result of this RFP, but only one (1) contract will be awarded for each component.

D. COMPONENT A: ADULT CARE FACILITIES

1. Page 7, Training subsection, paragraph 1, is amended to read as follows:

Training for contractor staff is conducted on-site at the Regional Office by the Department. The required training takes approximately eight weeks to complete (including computer training and on-site supervised surveys), but may take more or less time, depending on the experience of the contractor staff. While training, when contractor staff go on supervised surveys, these will be considered a unit, and the contractor will be paid when the deliverables in the Unit descriptions below have been met. ~~Contractor staff will not begin surveillance activities until training is complete.~~

E. COMPONENT B: LICENSED HOME CARE SERVICES AGENCIES

1. Page 14, paragraph 5, is amended to read as follows:

Unless otherwise stated, when two (2) contractor surveyors are required, the contractor may use an MSW as one of the surveyors, and. ~~When only one (1) contractor surveyor is needed, it must be an RN.~~

2. Page 15, Unit B1, paragraph 4, is amended to read as follows:

There are approximately 80 manual reviews conducted per year for which contractor assistance is required, averaging 80-120 hours per review (includes all follow-up). ~~For purposes of proposal development, bidders should use the median number of hours for the unit.~~

3. Page 16, Unit B2, paragraph 4, is amended to read as follows:

There are approximately 80 pre-opening surveys per year requiring contractor assistance, averaging 25-37.5 hours per survey. ~~For purposes of proposal development, bidders should use the median number of hours for the unit.~~

4. Page 17, Unit B3, paragraph 3, is amended to read as follows:

There are approximately 200 surveys per year requiring contractor assistance, averaging 30-37.5 hours per survey. ~~For purposes of proposal development, bidders should use the median number of hours for the unit.~~

F. COMPONENT C: NURSING HOMES

1. Page 19, paragraph 5, last sentence, is amended to read as follows:

Twenty five percent (25%) or more of a bidder's staff for this component should have SMQT certification when hired ~~at the start of the contract.~~

2. Page 20, Training subsection, paragraph 1, is amended to read as follows:

Training

For Component C, the required training includes, at a minimum:

- Web-based Basic Long Term Care Surveyor Training, approximately 15 hours in length

- CMS Sponsored Surveyor Minimum Qualifications Test (SMQT): The training is held nationwide; the most commonly used location(s) for the East Coast are Baltimore, MD and Clearwater, FL. The training is four (4) to five (5) days in length.
- For Unit C1, MARO surveyors: Quality Indicator Survey (QIS) Training, a 5 day training held in the Department MARO offices, given by Department staff.

3. Page 20-21, Unit C1, is amended to read as follows:

UNIT C1: Federal Standard Survey

The surveys described in this unit all begin as a standard survey, and may evolve into an expanded, extended or health revisit survey. The contractor staff will be responsible for conducting survey tasks, producing written documentation, drafting Statements of Deficiencies (SOD), assessing compliance with Plans of Correction (POC) and completing data entry in federal and State reporting databases as required.

A federal standard survey is a periodic, resident-centered inspection that gathers information about the quality of services furnished in a facility to determine compliance with the requirements of participation (see SOM Section 7001).

The number of standard surveys to be conducted annually to meet CMS requirements is estimated at one (1) per facility, unless otherwise identified by CMS as a Special Focus Facility (SFF). The nursing homes to be surveyed with contractor assistance all hold an active Medicare/Medicaid number and are licensed and operating in NYS.

At least ten percent (10%) of the Federal Standard Surveys above must be "Off Hours Surveys", which start either on weekends/holidays or evening/early morning hours (before 8:00am or after 6:00pm) and are conducted daily until complete. Two percent (2%) of federal surveys are extended and include monitoring visits (refer to State Operations Manual Chapter 7, §7203.7 for a definition and expectations for a State Monitoring Visit).

When deficiencies are cited during the course of a standard survey, the Department may, as necessary, conduct a post survey revisit (PSR) to determine if the facility now meets the requirements for participation (SOM Section 7203D).

Each survey is expected to take 42 hours per surveyor. Two (2) contractor RNs will be required to participate in each survey along with NYSDOH staff for facilities with less than 300 beds (240 annual surveys). Facilities with 300 or more beds (35 annual surveys) require four (4) contractor RNs to participate in each survey along with State staff. A federal standard survey may require revisits, state monitoring visits, and/or expanded/extended survey, which is included and reflected in the average hours of this unit.

In the MARO region, the Department conducts QIS surveys, a computer assisted survey process using ASE-Q software on a laptop PC, which will be provided by the Department. Each surveyor must be QIS certified prior to functioning independently on a survey team, beginning with a 5 day classroom training. After the 5 day training, they will be part of a survey team until certification is achieved (approximately 4 weeks). Once the classroom training has been completed, any survey team the surveyor is part of will be considered a unit and payment will be made to the contractor after the survey is complete, as detailed below.

The total expected numbers of surveys requiring contractor assistance are broken down by region as follows: 221 in MARO (31 having more than 300 beds) and 54 in CNYRO (4 having more than 300 beds).

A unit is considered complete and payment will be made to the contractor when:

1. The nursing home is in substantial compliance with all rules and regulations citations;
2. The Tracking Status is "10-Processing Complete" as identified in the tracking tab in ASPEN Central Office (ACO), all data is entered into ACO and AEM, and the survey is uploaded;
3. All letters are complete and sent to the facility including the Statement of Deficiencies; and
4. The survey is reviewed and approved by the supervisor, and passes quality assurance review processes.

G. COMPONENT E

1. Page 30, paragraph 3, is amended to read as follows:

To be certified as a PRTF, the facility must attest to meeting the Conditions of Participation (CoP) found at 42 CFR Part 483~~2~~, Subpart G, and attest that all residents meet the certification of need requirements as identified under 42 CFR Part 441, Subpart D.

H. KEY STAFF

1. Page 6, Section III.A., Monitoring and Reporting, paragraph 2, is amended to read as follows:

The contractor is required to develop and maintain links and communication with the Department including a system for transmitting ongoing review activity and required periodic reports, feedback to changes in policy and procedures, and the ability of the project manager and other staff as needed ~~key management staff~~ to attend required meetings at Department offices and be available for conference calls. Whereas many required meetings with the project manager and other staff as needed ~~key staff~~ may occur via teleconference or web-based mediums, key ~~the~~ staff should be able to travel to the Department's Central Office in Albany, or MARO/CNY Regional Offices as requested.

2. Page 40, Section IV.B.3.b. Project Narrative, subsection iv.b, is amended to read as follows:

- b) The bidder should describe in detail their organizational structure, including an organizational chart, and the qualifications of staff that will manage the component. Include a description of how the assigned project manager will oversee and implement the administrative functions as described in RFP Section III.A. ~~background and experience of the officers, executives and key staff that would be assigned to manage the component, ensuring all staffing, reporting and other management activities are completed.~~

~~Include a brief description of the background of key staff in this type of work and estimate the share of time each key staff would allocate to the component and the rationale for that time allocation. Key staff is defined as any staff the bidder needs to ensure compliance with all contract responsibilities and may include any number of~~

~~positions including support staff. The bidder should describe how the key staff and their functions relate to the successful completion of the project.~~

3. Page 41, Section IV.B.3.b. Project Narrative, subsection iv.e, is amended to read as follows:

- e) Detailed description of how the bidder will develop and maintain links and communication with the Department including a system for transmitting ongoing review activity and required periodic reports, feedback to changes in policy and procedures, and the ability of the project manager and other staff as needed ~~key management staff~~ to attend required meetings at Department offices and be available for conference calls. Whereas many required meetings with the project manager and other staff as needed ~~key staff~~ may occur via teleconference or web-based mediums, the key staff should be able to travel to the Department's Central Office in Albany, or MARO/CNY Regional Offices as requested; narrative should describe their ability to attend meetings in any setting.

I. STAFF REPLACEMENT

1. Page 5, Section III.A. Administrative Specifications, Staff replacement, is amended to read as follows:

Staff replacement: If necessary, the contractor is required to replace staff due to attrition or dismissal. The contractor will be required to advertise job openings, conduct interviews and submit resumes of chosen candidates to the Department for prior approval; this is to be completed within ~~45~~ 30 days of the current staff person leaving the position. Extenuating circumstances, such as sudden death of a current staff person, several current staff members leaving at the same time, or chosen candidates declining the job offer, may be considered by the Department for extension of the ~~45~~ 30 day timeframe.

J. STAFFING AND CONTRACT DELIVERABLES

1. Page 4 of the RFP, Section III, paragraph 4, is amended to read as follows:

Each unit description provides an estimate of the number of surveys and/or complaint investigations that the Department is seeking contractor assistance in conducting annually, and the number of hours to complete a survey/investigation, based on historical data. **These workload projections are based upon information available at the time of the RFP issuance and are in no way a guarantee of work to be performed under the contract. Annually, approximately 45 days in advance, the Department will determine, based on availability of funding and state staff, an estimate of the deliverables to be completed by the contractor.**

2. Page 35, Section IV.B. Technical Proposal, paragraph 2, is deleted as follows:

~~**FOR THE PURPOSES OF PROPOSAL DEVELOPMENT ONLY, BIDDERS SHOULD ASSUME COMPLETING THE MAXIMUM NUMBER OF SURVEYS PER YEAR AS DETAILED IN THE CHARTS IN SECTION III.**~~

3. Page 40, Section IV.B.3.b. Project Narrative, subsection iv.a, bullet 4, is amended to read as follows:

- How the bidder will assure the availability of staff to perform activities in all of the areas of the State required in each component, and any plan for distribution of staff among the various units of the component.

~~If submitting a proposal for more than one (1) component, and any staff will be utilized across components, the distribution plan in each component narrative should demonstrate how the staff will be allocated across components and describe the feasibility of this approach, including appropriate staff qualifications and training. In addition, an alternative plan should describe staffing in the event not all components included in the bid are awarded to the bidder.~~

Resumes of key staff are not required and will not be evaluated.

4. Page 42, Section IV.C. Cost Proposal, paragraph 2, is amended to read as follows:

~~**WORKLOAD ESTIMATES OF THE MAXIMUM WORKLOAD ARE PROVIDED IN THE COMPONENT CHARTS IN SECTION III FOR PURPOSES OF PROPOSAL DEVELOPMENT. BIDDERS MAY ARE ENCOURAGED TO USE THEIR INDUSTRY EXPERIENCE (E.G., THE COMPETING WAGES OF QUALIFIED STAFF AND OVERHEAD COSTS, ETC. DEEMED NECESSARY TO ADEQUATELY COMPLETE THE RFP DELIVERABLES) IN DEVELOPING THEIR COST PROPOSALS AND WILL BE RESPONSIBLE FOR COMPLETION OF ALL REQUIRED UNITS AT THE PRICES INCLUDED IN THE PROPOSAL.**~~

5. Page 43, Section IV.C. Cost Proposal, paragraph 9, is amended to read as follows:

~~Upon award, the Department will convene a meeting with the awarded bidder(s) to discuss the estimated staffing levels for the first year of the contract. detail the number of units to be provided by the Contractor, and staffing will be decided accordingly. If the needs change further during the contract period, the Department will give the Contractor proper notice of any staffing need changes.~~

K. PAGE LIMITS

1. Page 37, section IV.B.3., Project Narrative, paragraph 1, is amended to read as follows:

A proposal narrative should be submitted by the bidder for **EACH** component proposed (i.e., **up to five (5) proposed narratives**). Each narrative has the following page limits:

- Executive Summary: three (3) double-spaced pages
- Project Narrative: 50 double-spaced pages
- Work Plan: ~~six (6)~~ eight (8) pages

L. DATA CONFIDENTIALITY PLAN

1. Page 41, section IV.B.3.b.iv.d, is amended to read as follows:

Provide a brief description of the bidder's data confidentiality plans and procedures as well as a plan for meeting HIPAA requirements as they relate to the RFP and the units within each component, including all plans as they relate to subcontractor work where applicable. Describe

procedures the bidder will use to ensure the confidentiality of all information collected by the bidder or subcontractors.

M. Information Security Breach and Notification Act

1. Page 53, Section V.N. last sentence is amended to read as follows:

Information relative to the law and the notification process is available at:

<http://its.ny.gov/eiso/breach-notification>.