

Request for Proposals

RFP #20052 Environmental Modifications (EMOD) Evaluators for the New York State (NYS) Medical Indemnity Fund (MIF) AMENDMENT #1

April 13, 2021

The following are official modifications, which are hereby incorporated into RFP #20052: Environmental Modifications (EMOD) Evaluators for the New York State (NYS) Medical Indemnity Fund (MIF).

Deleted language appears in strikethrough (“xxx”) and added language appears in red text.

The information contained in this amendment prevails over the original RFP language.

Bidders should review all documents in their entirety to ensure all amended language is incorporated into proposals.

2.0 OVERVIEW

Through this Request for Proposals (“RFP”), the New York State (“State”) Department of Health (“DOH”) is seeking competitive proposals from the following types of offerors, including but not limited to: Independent Living Specialists, Independent Building Contractors, Occupational Therapists, Physical Therapists, Remodeling Contractors and Builders, Engineers, Rehabilitation Specialists, Case Managers, Public Health Nurses, Assistive Technology Specialists, Rehabilitation Evaluation Agencies, and Rehabilitative Specialists Services to provide services as further detailed in Section 4.0 (Scope of Work).

It is the Department’s intent to award up to six (6) contracts in Regions ~~4, 5, and 6~~ **4 and 5**, and up to four (4) contracts in **Regions 1,2,3, and 6** ~~each of the other regions~~ as defined below.

The offeror shall identify in their technical proposal which region(s) they are able to provide evaluation services within. At the discretion of the Department, and contingent upon the enrollee’s needs, the Fund Administrator and/or Department may assign the offeror an evaluation in a bordering region or state.

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2.1 Introductory Background

The Medical Indemnity Fund (MIF) was established for the purpose of paying or reimbursing the health care costs of individuals who have suffered birth-related neurological injuries as a result of medical malpractice during a delivery admission. More specifically, the fund covers the costs of qualified health care services, supplies, equipment, medications, and certain home and vehicle modifications that the qualified individual’s physician, physician assistant or nurse practitioner have determined are necessary to meet the individual’s health care needs. Eligible individuals must be deemed by a court-approved settlement or judgement to suffer from neurological injuries and provide documentation regarding the specific nature and degree of the applicant’s diagnoses as a result of medical malpractice during delivery admission.

As of October 1, 2019, the New York State Department of Health (Department) serves as the administrator of the MIF, per Health and Mental Hygiene Article VII Legislation, Part K. For the purpose of this RFP, the

Fund Administrator is defined as any person or entity designated by the Department to administer the Medical Indemnity Fund.

The operations and administration of the MIF is subject to regulation, [10 NYCRR § 69-10.1 et seq.](#), promulgated by the New York State Department of Health. **Applicable regulations include:**

- 69-10.1 Definitions
- 69-10.7 Prior Approval Request for Emods
- 69-10.8 Conditional Prior Approval Requests for Emods

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6.2.D.1 Tasks/Deliverables

a. Initial Evaluation

Offerors should:

1. Summarize their process for scheduling an initial evaluation, ensuring it's within the fifteen (15) business day of assignment.
2. Describe their process for submitting an e-mail notification to the Fund Administrator and the Department identifying the date of the initial evaluation.
3. Describe their process for:
 - a. Reviewing a letter of medical necessity (LOMN) from the enrollees ordering provider outlining the needs of the enrollee;
 - b. Reviewing the EMOD Request(s); and,
 - c. Visit and examine the home and to determine whether the requested modification is in accordance with all appropriate regulations.
4. Describe their process of documenting and recommending a potential solution to report to the Fund Administrator and the Department should the modification not meet all appropriate regulations.

b. Bid Evaluation

Offerors should:

1. Identify their plan for receiving and reviewing at least three (3) acceptable bids, as defined by regulation, that have been submitted for the construction or installation of any EMOD(s) approved by the Fund administrator.
2. Describe their plan for evaluating the qualifications of each bidding contractor.
3. Describe their plan for evaluating the content of each bid to make a recommendation to the Fund Administrator whether it is acceptable, as outlined in 4.1.b.ii.i of this RFP.
4. Describe their process to ensure that each bid provides for the complete scope of work and the proper construction of the EMOD, and that each bid relies upon the use of cost- effective materials.
5. Describe the process for recommending a ~~bidding~~ **bidding** contractor for selection based on his or her experience and expertise.