



GOVERNMENT OF PUERTO RICO

Department of Health
Medicaid Program

Amended on February 26, 2020

Invited Vendors

On Puerto Rico Medicaid Program New Congress Requirements

Dear Vendors:

You are invited to participate of this informal request with the purpose of selecting a firm that will support the Puerto Rico Department of Health (PRDoH) Medicaid Program with Congress requirements compliance. This Consulting Services are needed in order to ensure compliance with special requirements established by Congress on Federal ACT: P.L. 116-94, Further Consolidated Appropriations Act, 2020 (Enclosed) enacted on December 20, 2019.

PRDoH serves as the single State Agency responsible of the administration of the Puerto Rico Medicaid Program (PRMP). PRMP is overseen at the federal level by the Centers for Medicare and Medicaid Services (CMS). PRMP works closely and is regulated by CMS to plan, administer, and operate the Medicaid Program in Puerto Rico.

PRMP is seeking to engage a professional services contract with a known and capable organization, with extensive expertise on CMS rules and regulations. The organization should have expertise on compliance, reporting, and government best practices in a CMS regulated organization. Additionally, the selected vendor should have the potential to develop good relationships with members of congress.

The selected vendor will partner with designated PRMP staff and other related project counterparts to coordinate efforts and develop a written compliance plan to address the following activities:

Requirement by Congress	Responsibilities of the vendor
1. Not later than 6 months after the date of the enactment of this paragraph, the agency responsible for the Administration of Puerto Rico's Medicaid Program under Title XIX shall designate an officer (other than the Director of Such Agency) to serve as the Program Integrity Lead for the such Program.	<ul style="list-style-type: none">• PRMP currently has a Program Integrity Office. The selected vendor should advise and recommend changes to policies and procedures and scope of work to ensure compliance with Congress Requirement.• Recommend if additional Human Resources are needed to strengthen the Medicaid Integrity Office.

	<ul style="list-style-type: none"> The selected vendor should develop and prepare a quarterly report draft to ensure compliance of the requirements and avoid penalties as stated in the law.
<p>2. PERM Requirement- Not later than 18 months after the date of the enactment of this paragraph, Puerto Rico shall publish a plan developed by Puerto Rico in coordination with the Administrator of CMS, and approved by the Administrator, for how Puerto Rico will develop measures to satisfy the payment error rate measurement (PERM) requirements under subpart of part 431 of Title 42 CFR or any successor regulation)</p>	<ul style="list-style-type: none"> Advise how the Plan to comply with the PERM should be developed. The selected vendor should design a plan to implement the PERM in Puerto Rico. This is a new requirement and currently Puerto Rico does not have the scorecard measures. The selected vendor should develop and prepare a draft of the quarterly report to ensure compliance of the requirements and avoid penalties as stated in the law.
<p>3. Contracting Reform – Not later than 12 months after the date of the enactment of this paragraph, Puerto Rico shall publish a contract reform plan to combat fraudulent, wasteful or abusive contracts under Puerto Rico’s Medicaid Program under Title XIX.</p>	<ul style="list-style-type: none"> Advice regarding the development of the Plan to comply with the Contract reform as required by Federal and Puerto Rico Law, rules, regulations and federal policy established by CMS and Government Agencies best practices. The plan should include metrics for evaluating the success of the plan. Document recommended new contract business processes. If needed, should recommend new or amendments to existing local laws and Regulations. The selected vendor should develop and prepare a draft of the quarterly report to ensure compliance of the requirements and avoid penalties as stated in the law.
<p>4. MEQC – Not later than 18 months after the date of the enactment of this paragraph, Puerto Rico shall publish a plan, developed by Puerto Rico in coordination with the Administrator of CMS, and approved by the Administrator, for how Puerto Rico will comply with the Medicaid Eligibility Quality Control (MEQC) requirements of Subpart P of</p>	<ul style="list-style-type: none"> PRMP currently has a MEQC Office. The selected vendor should advise and recommend changes to policies and procedures and scope of work to ensure compliance of the Congress Requirements. Make recommendations on how to fully comply with CMS MEQC requirements. Recommend additional staff if needed to perform MEQC duties.

<p>Part 431 of Title 42 CFR or any Successor regulation.</p>	<ul style="list-style-type: none"> The selected vendor should develop and prepare a draft of the quarterly report to ensure compliance of the requirements and avoid penalties as stated in the law.
<p>5. Treatment of Funding Under Enhanced Allotment Program – Section 1935 (e) of the Social Security Act (42 USc1396 u -5e as amended.</p>	<ul style="list-style-type: none"> Evaluate the current Puerto Rico special needs plan for dual eligible and recommend changes needed. Evaluate the requirement established by Congress. Determine steps to be taken to fully comply with this requirement. Develop a step by step plan needed to comply with Congress.
<p>6. Annual Report- In general not later than the date that is 30 days after the end of each fiscal year (beginning with fiscal year 2020 and ending with fiscal year 2021), in the case that a specified territory receives a Medicaid cap increase, or an increase in the federal medical assistance percentage for such territory under section 1905 (ff),for such fiscal year, such territory shall submit to the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives and the Chair and Ranking Member of the Committee of Finance of the Senate a report, employing the most up-to-date information available, that describes how such territory has used such Medicaid cap increase, or such applicable, to increase access to health care under the State Medicaid plan of such territory under title XIX (or a waiver of such plan). Such report may include-“(i) the extent to which such territory has, with respect to such plan (or waiver)-“(I) increased payments to health care providers; “(II) increased covered benefits; “(III) expanded health care provider networks; or “(IV) improved in any other manner the carrying out of such plan (or waiver); and “(ii) any other information as determined necessary by such territory.</p>	<ul style="list-style-type: none"> Evaluate the requirement established by Congress. Determine steps to be taken to fully comply with this annual report. Develop a document with the information needed to ensure compliance with this report. <p>This plan should at least: Provide counseling and support to develop and implement, at least, the following strategies:</p> <ul style="list-style-type: none"> How Puerto Rico has used the: <ul style="list-style-type: none"> ✓ Medicaid Cap increase or ✓ Federal Medical Assistance Percentage (FMAP) increase Increase access to health care Increased payments to health care providers; Increased covered benefits; Expanded health care provider networks; or Improved in any other manner the carrying out of such plan; and Any other information as determined necessary <p>The Puerto Rico Medicaid Program Annual Report to the Congress shall consider the following 3 elements:</p> <ul style="list-style-type: none"> Employing the most up-to-date information available

	<ul style="list-style-type: none"> • Description of how Puerto Rico has used the Medicaid Cap increase or such increase in the Federal Medical Assistance Percentage (FMAP) • Increase access to health care <p>Puerto Rico REPORT may include--</p> <ul style="list-style-type: none"> • The extent to which Puerto Rico is involved with creating such plan. • Increased payments to health care providers; • Increased covered benefits; • Expanded health care provider networks; or • Improved in any other manner the carrying out of such plan; and • Any other information as determined necessary by Puerto Rico.
<p>7. Report on Contracting Oversight and Approval- Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue, and submit to the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives and the Chair and Ranking Member of the Committee on Finance of the Senate, a report on contracting oversight and approval with respect to Puerto Rico’s State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or a waiver such plan). Such report shall- (A) examine- (i) the process used by Puerto Rico To evaluate bids and award contracts under such plan (or waiver); (II) which contracts are not subject to competitive bidding or requests for proposals under such plan (or waiver); and (iii) oversight by the Centers for Medicare & Medicaid Services of contracts awarded under such plan (or waiver); and (b) include any recommendations for Congress, the Secretary of Health and Human Services, or Puerto Rico relating to changes that the Comptroller General determines necessary to improve the program integrity of such plan (or waiver).</p>	<ul style="list-style-type: none"> • Evaluate current process used by Puerto Rico to evaluate bids and award contracts under State Plan. • Recommend which contracts are not subject to competitive bidding or requests for proposals under current State Plan. • Along with PRMP Management, prepare responses to possible findings and recommendations made by the Comptroller General.

<p>8. Audits of Managed Care Payments. – Not later than the date that is 1 year after the date of enactment of this Act, the Inspector General shall develop and submit to Congress- (A) A report identifying payments made under Puerto Rico’s Medicaid program to managed care organizations that the Inspector General determines to be at high risk for waste, fraud, or abuse; and (B) a plan for auditing and investigating such payments.</p>	<ul style="list-style-type: none"> • Evaluate current process used by Puerto Rico to make payments to the Managed Care organizations. • Recommend if current process represent risks of fraud waste or abuse. • Along with PRMP Management, prepare responses to possible findings made by the Office of Inspector general.
<p>9. System for tracking Federal Funding Provided to Puerto Rico; Medicaid and Chip scorecard reporting. -Section 1902 of the Social Security Act (42 U.S.C.1396a), as amended by subsection (e), is further amended by adding at the end the following new subsection:” (rr) Program Integrity requirements for Puerto Rico.- “(1) System for tracking federal Medicaid Funding Provided to Puerto Rico.-</p>	<ul style="list-style-type: none"> • The selected vendor should advise and recommend policies and procedures and scope of work to ensure compliance of the Congress Requirement. This is a new requirement and currently Puerto Rico does not have the scorecard measures. • Evaluate requirement established by Congress. • If needed, design and prepare if a template for the report.
<p>10. “(A) In general- Puerto Rico shall establish and maintain a system, which may include the use of a quarterly Form CMS-64, for tracking any amounts paid by the Federal Government to Puerto Rico with respect to the State plan of Puerto Rico (or a waiver of such plan). Under such system, Puerto Rico shall ensure that information is available, with respect to each quarter in a fiscal year (beginning with the first quarter beginning on or after the date that is 1 year after the date of the enactment of this bisection), on the following: “(I) In the case of a quarter other than the first quarter of such fiscal year-“ (I) the total amount expended by Puerto Rico during any previous quarter of such fiscal year under the State plan of Puerto Rico (or a waiver of such plan); and “(II) a description of how such amount was so expended. “(ii) The total amount that Puerto Rico expects to expend during the quarter under the Sate plan of Puerto Rico (or a waiver of such plan) and a description of how Puerto Rico expects to expend such amount.</p>	<ul style="list-style-type: none"> • PRMP Staff currently completes and submits the CMS 37 and CMS 64 on a timely manner. However, we require the selected vendor to propose an executive summary draft to send with the CMS 37 and the CMS 64. • Recommend what should be included in the narrative section on the CMS-37 and CMS-64. • If needed, design and prepare a fact sheet that includes all the needed requirements.

<p>“(B) Report To CMS.- For each quarter with respect to which Puerto Rico under subparagraph (A) to ensure that information described in such subparagraph is available, Puerto Rico shall submit to the Administrator of the Centers for Medicare & Medicaid Services a report on such information for such quarter, which may include the submission of a quarterly Form CMS-37.</p>	
<p>11. Request – Puerto Rico shall, upon request, submit to the Administrator of the Center for Medicare & Medicaid Services all documentation requested with respect to contracts awarded under the State plan of Puerto Rico (or waiver of such plan).</p>	<ul style="list-style-type: none"> • Evaluate all documentation that is required in current contracts. • Recommend a process on how to report to CMS PRMP’s current contracts.
<p>12. “(3) Reporting on Medicaid and Chip scorecard measures-Beginning 12 months after the date of enactment of this subsection, Puerto Rico shall begin to report to the Administrator of the Center for Medicare & Medicaid Services on selected measures included in the Medicaid and Chip Scorecard developed by the Center for Medicare & Medicaid Services”.</p>	<ul style="list-style-type: none"> • Evaluate Congress requirements. • Design a plan to be presented to CMS to determine what information should be included in the Scorecard Measures report. This is a new requirement and Puerto Rico does not have the scorecard measures in place. • Develop a draft of the Scorecard Measures report. • This reporting should include two phases, the cost of the scorecard measures and the reporting of the scorecard measures.
<p>13. In general- for each fiscal quarter during the period beginning on January 1, 2020 and ending on September 30, 2021: (I) for every clause under sub paragraph (A) with respect on which Puerto Rico does not fully satisfy the requirements described in the clause (including requirement imposed under the terms of a plan described in the clause) in the fiscal quarter, the Federal medical assistance percentage applicable to Puerto Rico under section 1905 (ff) shall be reduced by the number of percentage points determined for the clause and fiscal quarter under subclause (II).</p> <p>(II) The number of percentage points determined under for this subclause with respect to a clause under subparagraph (A)</p>	<ul style="list-style-type: none"> • Recommend policies and procedures in order to avoid penalties. • Develop a calendar based on requirements of important dates and milestones needed.

and a fiscal quarter shall be the number of percentage points (not to exceed 2.5 percentage points equal to: (aa) 0.25 percentage points; multiplied by (bb) the total number of consecutive fiscal quarters for which Puerto Rico has not fully satisfied the requirements described in such clause.	
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Additional Requirements:

- Develop a budget of funding needed for PRMP, in order to fully comply with requirements.
- If applicable, develop the draft to amend the State Plan Amendment (SPA).
- Recommend if additional personnel are necessary in order to maintain and continue the effort needed to comply with all requirements in subsequent periods.

General requirements that vendors should comply with:

- Currently, Puerto Rico has no waiver granted by CMS, so vendor should assume this when preparing quote.
- Some members of the proposed staff to work with PRMP should be fully bilingual (Spanish and English, both verbal and written).
- Some members of the staff should be available and willing to work on site at PRMP offices located in San Juan, Puerto Rico and to attend meetings or hearings in CMS offices and other government offices including Congress in Washington DC.
- Please include a list of references with contact information of prior work performed with other states on CMS, HHS or Congress related work.
- This work requires extreme urgency, so immediate availability of the professional staff offered in the proposal is required.
- The selected vendor will be responsible for the Tax requirements of Puerto Rico and the State of origin.
- The contract will be administered and in compliance with all applicable federal and Commonwealth of Puerto Rico laws, rules and regulations.
- All intellectual property and documentation produced in this contract by the selected vendor will be property of the Government of Puerto Rico.

Your response to this RFQ should include the cost per hours of the resources needed to perform the listed requirements, and an estimated budget to comply with all expected duties. The Puerto Rico Medicaid Program will conduct conference calls as needed.

The response to this request for quote shall be received no later than 5:00 PM (AST) on Sunday, March 8, 2020. PRMP anticipates the contract execution to take place during March or April 2020, subject to approval from CMS. The proposals should be sent on said date to the following email: luz.cruz@salud.pr.gov.

Due to the urgency and importance of the compliance of all requirements established by U.S. Congress, there will be no extensions to present the proposal, thus we ask that you please comply with the dates specified above.

Sincerely,

SIGNATURE ON FILE

Luz E. Cruz-Romero
Executive Director
Puerto Rico Medicaid Program

Enclosure: ACT No: 116-94, Further Consolidated Appropriations Act, 2020
Puerto Federal Affairs Administration (PRFAA) Memorandum