

DEPARTMENT OF HUMAN RESOURCES  
REQUEST FOR PROPOSAL FOR  
DISABILITY BENEFITS ADVOCACY PROJECT  
OBF/CARM/14-002-S

**QUESTIONS AND RESPONSES #2**

Question 23: Does the state have a preference to have the services requested in this RFP performed in state or out of state?

**Response:** **The State has no preference as to the location of an Offeror's headquarters or office. However, please note that the Contractor may need to travel to Local Departments of Social Services (LDSS) and SSA offices in Maryland as discussed in RFP Section 3.2**

Question 24: Does the state have any potential office space to provide to the selected vendor as co-location with the State's other child welfare eligibility unit is extremely advantageous both financially and operationally?

**Response:** **No, the State has no available office space.**

Question 25: Has there ever been a complete and thorough eligibility review of all children currently in the Maryland foster care population, exclusive of all current SSI eligible children, to ensure that all potentially SSI eligible children have been reviewed and considered for SSI eligibility?

**Response:** **No.**

Question 26: Will the Department execute a Business Associate agreement to extend to the vendor access to the SDX and BENDEX databases?

**Response:** **No.**

Question 27: Will the vendor have access to the Department's SACWIS system for the purposes of conducting screening and obtaining application-supporting materials?

**Response:** **No. However, the Contractor can obtain this information from the customers' LDSS caseworkers.**

Question 29: Does the Department have a set schedule of reimbursement rates based upon foster care placement types that the selected vendor can use to develop a SSI vs. Title IV-E preference formula?

**Response: The Department has removed the requirement for dual claiming from the RFP (see Amendment #1).**

Question 30: What criteria will the department use to identify “potentially disabled” adults?

**Response: A “potentially disabled” adult is any individual who: 1) has been determined by a treating physician to be disabled; and 2) the determination has lasted for at least 1 year.**

Question 31: Understanding that individuals whom are identified as potentially disabled are given that designation by a medical provider, what is the procedure for acquiring that designation? Is the medical provider working in conjunction with the state, or is the medical provider chosen by the client?

**Response: The client chooses the medical provider. The medical provider does not work for/ in conjunction with the State. The medical provider uses its own procedure for determining whether a client/customer is disabled.**

Question 32: The RFP only mentions applying for benefits for Adult TDAP, TCA, or PAA Recipients. Will the Contractor be permitted to supplement applications for individuals who have existing SSA applications?

**Response: The Contractor can only supplement applications for individuals with existing SSA applications if SSA denied the individual’s initial application and the Contractor believes the decision should be appealed.**

Question 33: Aside from independent medical examinations, functional capacity examinations, vocational assessments, and reports, a customer’s medical records/treatment notes are the central focus of the SSA disability application process. Medicaid does not cover the charges for medical records. Is this an expense that will be considered by the State Project Manager for coverage?

**Response:** Offerors should factor this cost into their Fully Loaded Fixed Unit Price per case.

Question 34: Is filing all “appropriate reconsiderations and appeals” within the Contractor’s sole discretion?

**Response:** Yes.

Question 35: Will the state provide a list of SSA liaisons with whom the Contractor may directly consult to obtain information about the client’s application and work history?

**Response:** Yes, DHR will provide this list to the successful awardee(s) at the Post-Award Kick-Off Meeting.

Question 36: The RFP states that the Contractor, upon SSA’s request, is to provide additional medical information/evidence to supplement a benefit application; and that the State Project Manager may approve some reports, etc. that are not covered by Medicaid. If the Contractor, after receiving all relevant medical information in the State Project Manager’s possession, deems it necessary to acquire more documentation during the screening process, will these expenses be considered for payment by the State Project Manager although an SSA application is not currently pending?

**Response:** Offerors should factor this cost into their Fully Loaded Fixed Unit Price per case.

Question 37: The length of the Start-up Period is not defined in the RFP. Is it the State’s intention to specify the length of the Start-up Period or have the Contractor propose an adequate period of time?

**Response:** The length of start-up will be from the date of Contract Commencement (4/17/15) to the Go-Live Date (5/1/15).

Question 38: Pricing Proposal- Is DHR requesting an individual price for each of the proscribed pay points that will be paid for each successful award or are they requesting one unit price that would account for all pay points to be paid in each of the five years for each of the functional areas?

**Response:** Offerors should provide individual prices for each payout point.

Question 39: Can the State clarify where a Disabled Adult Child (DAC) application will be placed in the Payout Points for Functional Area 1 (RFP, pg 36)?

**Response:** DAC applications are included in Payout Point 5 in RFP Section 3.6.2 (C).

Question 40: Can the State further define the population to be served under Functional Area II “DHR’s adult customers” (RFP Section 1.1.1, pg 6 and 3.1, pg 28) – For example are the population numbers listed under section 3.1, total population numbers or only those not receiving SSA benefits?

**Response:** The population numbers shown in RFP Section 3.1 are individuals receiving TDAP, TCA, or PAA assistance, but not SSA Benefits.

Question 41: Would all foster children under the custody of Maryland DHR be eligible for screening regardless of funding type eligibility (Title IV-B vs. Title IV-E)?

**Response:** Yes.

Question 42: Could the state provide us with a copy of the 3<sup>rd</sup> party report referenced under RFP Section 3.1, pg 28 “In August 2012, DHR procured the services of a consultant to analyze the State’s Title II and Title XVI Benefit claiming practices in regards to children in foster care.”?

**Response:** Offerors that wish to see this information can submit a request to DHR in accordance with the Maryland Public Information Act.

Question 43: In the 2012 analysis, what was the figure for the number of children in foster care on SSDI and/or SSI benefits? What percentage was covered by Title IV-B?

**Response:** See the response to Question 42.

Question 44: Is the 2012 consultant's report available for potential bidders?

**Response:** See the response to Question 42.

Question 45: What information can be expected to be available through the State Project Manager (SPM)? Medical release forms, demographics, contact information, diagnoses, actual medical information?

**Response:** The State Project Manager will provide all available medical information.

Question 46: Section 3.2.A.2—is this section referring to establishing DHR/State of Maryland, the CINA attorney, the contractor, or someone else as the representative payee?

**Response:** RFP Section 3.2.A.2 refers to establishing DHR/State of Maryland as the representative payee.

Question 47: Please define the role of the CINA attorney in this process and indicate if there is any conflict potential with the contractor acting as the SSA appointed representative?

**Response:** The CINA attorney is only being notified of the change in representative payee. The CINA attorney performs no other role exists in this process.

Question 48: Section 3.2.A.3—is the state of Maryland or DHR to be included on SSA Form 1696 as a representative with the main appointed representative to be the Contractor?

**Response:** The State of Maryland should be the representative and the Contractor should act as the main appointed representative.

Question 49: Is the fee for representation (Form 1696) expected to be waived?

**Response:** Yes, Contractors should waive the representation fee and expenses from the claimant and any auxiliary beneficiaries.

Question 50: Section 3.2.A.5—what methodology is currently used? Is that information available to the Contractor?

**Response: The requirement for dual claiming has been removed from the RFP. Please see Amendment #1.**

Question 51: How will the Contractor obtain the Title IV-E costs in order to compare with the T. XVI benefit?

**Response: Please see the response to Question 51.**

Question 52: Who, the CINA attorney or other, is responsible for notifying the Contractor about changes in income (e.g.-retroactive SSA benefit receipt) that might impact dual claiming?

**Response: Please see the response to Question 51.**

Question 53: Will DHR provide the Contractor with access to or updates from SVES (monthly/bimonthly) to obtain information on current benefits for child and/or parent?

**Response: DHR will not provide access to SVES or any of its electronic systems.**

Question 54: How long after a child is allowed SSA benefits would case need to be monitored by Contractor for data collection purposes?

**Response: The Contractor shall monitor the case through the end of the contract.**

Question 55: What information is expected to be available through the State Project Manager? Does that information include any or all of the following: medical release forms, demographics, contact information, diagnoses, actual medical information, medical reports, vocational information, worker notes, prior claims history such a State Review Team disability determinations (DHR/FIA 402B, DHR/FIA 707 forms)? For TCA cases? For PAA cases? For TDAP cases?

**Response:**           **The State will provide all available medical information for all potentially disabled adults.**

Question 56:           How are the “potentially disabled” screened or identified by DHR before transmission to the contractor?

**Response:**           **Please see the response to Question 30.**

Question 57:           Is there an expectation or historical data on the percentage to be pursued for SSA benefits after screening?

**Response:**           **The State expects the Contractor to pursue benefits for all individuals it deems eligible for SSA Benefits, after performing its screening process.**

Question 58:           In what circumstances would SSA request additional information/medical evidence prior to submission of an application as in Section 3.2.B.2?

**Response:**           **SSA could request additional information if a review of a customer’s medical file reveals the existence of, or need for, additional medical evidence.**

Question 59:           May we see the standardized form for requesting Consultative Examinations (CEs) prior to the RFP due date (RFP Section 3.2.B.2.a)?

**Response:**           **The Department will present this form to the successful Offeror after contract award.**

Question 60:           Since SSA is responsible for purchasing CEs needed to support an SSDI or SSI disability claim, when is this ancillary CE process primarily used, eg- for appeals or rebuttal evidence?

**Response:**           **The Contractor may use this process at any point in deciding whether to pursue the disability claim (determining whether to file an initial application or pursue an appeal).**

Question 61:           What currently is the CE rate on applications in Functional Area II?

**Response:**           **The Department has no currently available data.**

Question 62:           What is the current range of medical and psychological specialties available for the contractor to request a CE?

**Response:**           **DHR does not have a CE network and, therefore, cannot provide the information.**

Question 63:           What is the fee schedule for CEs (medical, psychological, functional capacity evaluations, etc.) that might be requested and paid for by the contractor?

**Response:**           **DHR does not have a CE fee schedule. The schedule is determined by the Maryland Disability Determination Services.**

Question 64:           Is there a CE network in place?

**Response:**           **No. Please see the response to Question 65.**

Question 65:           Section 3.2.B.3—is the State of Maryland or DHR to be included on SSA Form 1696 as a representative with the main appointed representative to be the Contractor?

**Response:**           **Please see the response to Question 49.**

Question 66:           Is the fee for representation (Form 1696) expected to be waived?

**Response:**           **Please review the response to Question 50.**

Question 67:           Who/where are the documents collected for submission to SSA maintained?

**Response:**           **The Contractor is required to maintain all documents for applications filed (see Section 3.2.C.5).**

Question 68:           Will DHR provide the Contractor with access to or updates from SVES (monthly/bimonthly) to obtain information on current benefits for adults?

**Response:** **No, DHR will not provide the Contractor with access to SVES or any other electronic DHR system.**

Question 69: May representation at hearings and appeals occur telephonically or by video-conferencing?

**Response:** **Representation should be in accordance with existing SSA policies and guidelines.**

Question 70: Please confirm the following as the site that the Contractor will be required to attend to represent a claimant at hearings and if not this, what locations will SSA hearings and appeals be held: *SSA, ODAR; Rolling Road Commerce Center; 2709 Rolling Road; Baltimore, MD 21244.*

**Response:** **The location will vary upon the location of the claimant's address. The Contractor should confirm the location with SSA.**

Question 71: Regarding Section 3.11 SOC 2 Type II Audit Report (RFP, pg 38): Offeror has been engaged with an independent security auditor to initiate the preparation process to conduct a SOC 2 Type II security assessment. Since other SOC Type security audits must be complete to establish the necessary internal controls to test for a SOC 2 Type II audit, this report would not be available for review until 2017. Would the State accept Offeror's SOC 1 Type I and SOC 1 Type II (when available) audit reports in lieu of the SOC 2 Type II?

**Response:** **No, DHR requires a SOC 2 Type II Audit Report and will not accept a substitute.**

Question 72: Regarding Section 3.11 (iii): Offeror does not perform security audits on subcontractors as Offeror's subcontractors are completely separate and independent entities and are small businesses that do not have the capacity to conduct this type of significant audit. Requiring Offeror to audit subcontractors is outside the scope of a SOC 2 Report and is an unreasonable cost and financial burden on small businesses. Would the State accept a security assessment report that does not include subcontractors?

**Response:** **No, DHR requires the SOC 2 Type II Audit Report to include subcontractors.**

Question 73: What medical records and other information does a Medical Provider use to determine a TDAP member as either Disabled or Medically Impaired?

**Response: Each medical provider makes an individual judgment when determining whether a TDAP member is disabled. The specific information may vary by case.**

Question 74: Are these Medical Providers also determining eligibility for Medicaid – Disability?

**Response: No.**

Question 75: Could the State please clarify the amount of the reduction or withholding of payment on the Contractor's invoices for non-compliance with the contract performance requirements?

**Response: The amount of withheld funds will depend upon the severity of non-compliance by the Contractor.**

Question 76: What is the period of time the Contractor has to cure any non-compliance issues?

**Response: DHR typically allows a vendor 30 days (after receipt and approval of the vendor's Corrective Action Plan) to cure any non-compliance issues.**

Question 77: If there are 4,000 Temporary Cash Assistance (TCA) members who are not receiving SSI or SSDI, how many total TCA members are there?

**Response: Maryland had 64,313 TCA recipients statewide in September 2014. This total includes adults and children.**