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ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

June 20, 2011

Michael W. Sillyman
Kutak Rock LLP
8601 North Scottsdale Road
Scottsdale, Arizona 85253-2742

Re: Decision of Procurement Officer: SCAN Long Term Care Protest of Award for
ALTCS – Maricopa County, Solicitation Number YH12-0001

Dear Mr. Sillyman:

Pursuant to Arizona Administrative Code (“A.A.C.”) section R9-22-604 (G), this letter serves as the Decision of the Procurement Officer in response to the protest of Request for Proposal (“RFP”) Number YH12-0001 filed by SCAN Long Term Care (“SCAN”) which was received by the Arizona Health Care Cost Containment System (AHCCCS) on June 3, 2011.

SCAN’s protest challenges the scoring of the Case Management Oral Presentation, categories one, two, three and five. SCAN received fourteen unweighted points of a possible twenty-five unweighted total points for the Case Management Oral Presentation section, categories one, two, three, four and five. SCAN asserts that an additional nine unweighted points should have been awarded for categories one, two, three and five (SCAN did not challenge the score associated with category four, “Consideration of employment/benefits issues.”).

After careful review of SCAN’s protest, AHCCCS has determined that SCAN is not entitled to any additional points. Therefore, the protest is denied. Had SCAN received the nine additional unweighted points requested for the challenged items, SCAN’s overall weighted score would have increased from 70.11 to 70.94, a score still insufficient for SCAN to receive an uncapped contract in Maricopa County.

The remaining portion of this letter provides an explanation of the basis for the denial of SCAN’s protest.

Scoring Category Number One: *Consideration of appropriate in-home care services*
Additional Points Requested by SCAN: *Two*
Subcategories: *1) Attendant care (SDAC or traditional), 2) Respite, 3) Gaps in service, 4) Explanation of CES considerations, 5) Other*

SCAN maintains that it addressed four of the five subcategories listed under this scoring category and that it is entitled to an additional two unweighted points. For subcategory one, “Attendant Care (SDAC or traditional),” SCAN failed to reference Self-Directed

Attendant Care (SDAC) in its response. Thus, it was not awarded a point. Offerors were required to mention both SDAC and traditional attendant care in order to receive a point for subcategory one. All Offerors that failed to specifically mention both SDAC and traditional attendant care were not awarded a point.

Regarding subcategories three and four, "Gaps in service" and "Explanation of CES considerations," AHCCCS awarded SCAN one point for each of these subcategories.

For subcategory five, "Other," SCAN asserts that it proposed interventions/services that should receive credit under the "Other" subcategory. The interventions/services include: home modification, the provision of caregiver support, consideration of an outside caregiver and consideration of a day program. In order to receive a point in the subcategory of "Other," the Offeror was required to articulate an intervention/service that would be considered exceptional (not routine) and would not be included or considered under any of the defined subcategories outlined for: 1) Consideration of appropriate in-home care services, 2) Consideration of medical needs, 3) Consideration of behavioral health needs, or, 4) Consideration of employment/benefits issues. The activities articulated by SCAN are not exceptional and are considered routine processes.

Please note that the home modification was excluded from consideration in the subcategory of "Other." Home modification was not considered here because the modification was completed prior to the member's discharge, and before the scenario under consideration for the oral presentation. In addition, SCAN received a point for the home modification in the written Case Management Qualitative Scenario submission.

In conclusion, no additional points are warranted under the category of "Consideration of appropriate in-home care services."

Scoring Category Number Two: Consideration of medical needs

Additional Points Requested by SCAN: One

Subcategories: 1) Skin care (causes, treatment, neurological evaluation education of caregivers, DME), 2) Physical therapy or restorative exercise program (e.g. range of motion), 3) Further neurological evaluation, 4) Other

SCAN asserts that it proposed interventions/services that should receive credit under the "Other" subcategory. The interventions/services include: medication/pharmacy review, care coordination, the possible need for a neurological evaluation, the provision of home health, and the provision of bowel care. In order to receive a point in the subcategory of "Other," the Offeror was required to articulate an intervention/service that would be considered exceptional (not routine) and would not be included or considered under any of the defined subcategories outlined for: 1) Consideration of appropriate in-home care services, 2) Consideration of medical needs, 3) Consideration

of behavioral health needs, or, 4) Consideration of employment/benefits issues. The activities articulated by SCAN are not exceptional and are considered routine processes. Therefore, no additional point is warranted.

Scoring Category Number Three: Consideration of behavioral health needs

Additional Points Requested by SCAN: One

Subcategories: 1) Why inconsistent attendance (e.g. transportation issues, member's health on appt dates, progress – or perceived lack of – in sessions), 2) Consideration of alternative interventions (e.g. peer support), 3) Coping mechanisms for family, 4) Interventions for member or family members, 5) Other

SCAN asserts that it proposed interventions/services that should receive credit under the "Other" subcategory. The interventions/services include: consideration of behavioral health/day/vocational programs, service planning related to coordination of the caregiver and day program, medication/pharmacy review inclusive of behavioral health medication, and care coordination. In order to receive a point in the subcategory of "Other," the Offeror was required to articulate an intervention/service that would be considered exceptional (not routine) and would not be included or considered under any of the defined subcategories outlined for: 1) Consideration of appropriate in-home care services, 2) Consideration of medical needs, 3) Consideration of behavioral health needs, or, 4) Consideration of employment/benefits issues. The activities articulated by SCAN are not exceptional and are considered routine processes. Therefore, no additional point is warranted.

Scoring Category Number Five: Other

Additional Points Requested by SCAN: Five

SCAN asserts that it proposed interventions/services that should receive credit under the "Other" category. The interventions/services include: pharmacy review, the provision of a psychiatric evaluation, and coordination with quality management. In order to receive points in the category of "Other," the Offeror was required to articulate interventions/services that would be considered highly exceptional and significantly beyond the standard of care, demonstrating an innovative approach to case management. Furthermore, in order to receive points, the interventions/services identified could not be included or considered under any of the defined subcategories outlined for: 1) Consideration of appropriate in-home care services, 2) Consideration of medical needs, 3) Consideration of behavioral health needs, or, 4) Consideration of employment/benefits issues. The activities articulated by SCAN do not meet the standard. Therefore, no additional points are warranted.

It is also important to note that SCAN inaccurately asserted that Bridgeway Health Solutions and Evercare Select were awarded the maximum number of points under scoring category number five, "Other." Bridgeway Health Solutions and Mercy Care

were awarded zero points for this category, and Evercare Select was awarded four out of five points. SCAN's assertion regarding the allocation of points to other Offerors is incorrect.

As set forth above, SCAN's Case Management Oral Presentation did not warrant the award of any additional points. As previously mentioned, had SCAN received all nine unweighted points requested, SCAN's final weighted score would have increased by .83, which is insufficient for an award of uncapped contract in Maricopa County. For all of the above reasons, SCAN's protest is denied.

In accordance with A.A.C. R9-22-604 (I), SCAN may file an appeal of the Procurement Officer's Decision within five (5) days from the date the Decision is received.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Veit", written in a cursive style.

Michael Veit
Chief Procurement Officer
AHCCCS Administration