

# State of Maine Procurement Justification Form

## PART I: OVERVIEW

|   |  |   |                    |
|---|--|---|--------------------|
| Department Office/Division/Program:                     |  | DHHS/OADS/Ombudsman Program                                   |                    |
| Department Contract Administrator or Grant Coordinator: |  | Nancy Tan / Valerie Andreassen                                |                    |
| (If applicable) Department Reference #:                 |  | ADS-20-9307B  |                    |
| Amount:<br>(Contract/Amendment/Grant)                   | Current: \$2,081,489.00<br>Amd B: \$20,250.00<br>Rev Total: \$2,101,739.00 | Advantage CT / RQS #:   | CT10A20190729*0340 |
| CONTRACT  | Proposed Start Date:   |   | Proposed End Date: |
| AMENDMENT   | Original Start Date:   | <b>10/01/2019</b>   | Effective Date:    |
|   | Previous End Date:   | <b>09/30/2021</b>   | New End Date:      |
| GRANT   | Project Start Date:  |   | Grant Start Date:  |
|   | Project End Date:  |   | Grant End Date:    |
| Vendor/Provider/Grantee Name, City, State:              |  | Maine Long Term Care Ombudsman Program                        |                    |
| Brief Description of Goods/Services/Grant:              |  | Long term care ombudsman services and complex case transition |                    |

## PART II: JUSTIFICATION FOR VENDOR SELECTION

Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)

|          |                                   |  |                                  |
|----------|-----------------------------------|--|----------------------------------|
|          | A. Competitive Process            |  | G. Grant                         |
| <b>X</b> | B. Amendment                      |  | H. State Statute/Agency Directed |
| <b>X</b> | C. Single Source/Unique Vendor    |  | I. Federal Agency Directed       |
|          | D. Proprietary/Copyright/Patents  |  | J. Willing and Qualified         |
|          | E. Emergency                      |  | K. Client Choice                 |
|          | F. University Cooperative Project |  | L. Other Authorization           |

## PART III: SUPPLEMENTAL INFORMATION

Please respond to ALL of the following:

**1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.**

Ombudsman Services

The State is required to engage a State long term care ombudsman and administer a long-term care ombudsman program. The ombudsman and program must advocate for the rights of older individuals who reside in nursing facilities and other residential care facility settings or who are receiving long term care services in their homes.

Complex Case Transition Services

The State is also empowered to provide "advocacy during the hospital discharge process to assist patients with complex medical needs who experience significant barriers in accessing long-term services and supports".

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### PART III: SUPPLEMENTAL INFORMATION

See: Older Americans Act (42 U.S.C. §3058g) and Maine statutes (22 MRSA §5106 and §5107-A).

The Purpose of this amendment is to add Title VII EAP funds for the Mandatory Reporting Project.

#### 2. Provide a brief justification for the selected vendor to supplement the response in Part II.

This Provider possesses a demonstrated high level of directly related expertise and experience in the fields of long-term care and advocacy (42 U.S.C. §3058g).

The Provider has an established network of trained paid staff and volunteers who provide services throughout the state. The incumbent Ombudsman has recruited, trained and supervised over 50 volunteers. The Provider was the only bidder in response to the Request for Proposals issued in 1995 and 2000.

The contract for long term care ombudsman services is a contract for a specific person who must have, pursuant to federal law, demonstrated experience as a public policy advocate to serves as the Ombudsman, as well as a person with the skills necessary to create, maintain and operate a statewide program with a small staff and a large corps of skilled volunteers ("Program"). Duties of the Ombudsman and Program include, but are not limited to: (1) investigating complaints received on behalf of individuals receiving long term care services at residential care facilities, assisted living facilities and nursing facilities; and by home-based care programs, home and community based waiver programs, licensed home health agencies or licensed adult day care agencies; and (2) making unscheduled and unannounced visits to all long term care facilities in the State of Maine at least twice per year to assess the quality of care and quality of life at the facilities.

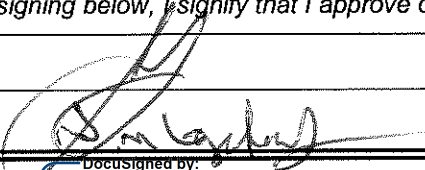
#### 3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The cost of these services is considered fair and reasonable when compared to previous Department negotiated and approved Provider budgets for these services.

#### 4. Describe the plan for future competition for the goods or services.

The Department plans to issue an RFP, T2020078, for these services with a new competitive agreement start date of 10/01/2021.

### PART IV: APPROVALS

|   |  |              |           |
|---|--|--------------|-----------|
| <b>Signature of requesting Department's Commissioner (or designee):</b> | <i>By signing below, I signify that I approve of this procurement request.</i>       |              |           |
| <b>Printed Name:</b>  |  | <b>Date:</b> | 17-Feb-21 |
| <b>Signature of DAFS Procurement Official:</b>                          | DocuSigned by:<br><i>Kathy Paquette</i>  |              |           |
| <b>Printed Name:</b>  | kathy Paquette<br><small>41C2BA36FAF44CD...</small>                                  | <b>Date:</b> | 3/12/2021 |