

## State of Maine Procurement Justification Form

### PART I: OVERVIEW

Department Office/Division/Program:		DHHS/OMS		
Department Contract Administrator or Grant Coordinator:		Shawn Belanger Eliza Fielding		
(If applicable) Department Reference #:		OMS-21-910		
Amount: (Contract/Amendment/Grant)	\$2,215,440	Advantage CT / RQS #:	CT 10A 20210111000000002010	
CONTRACT	Proposed Start Date:	1/1/2021	Proposed End Date:	9/30/2021
AMENDMENT	Original Start Date:		Effective Date:	
	Previous End Date:		New End Date:	
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		Gainwell Technologies LLC Conway, AR		
Brief Description of Goods/Services/Grant:		Fiscal Agent Services		

### 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. 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.**

Under a separate contract, the Provider (formerly known as DXC MS LLC) provides an ongoing MMIS solution (HealthPas) and Fiscal Agent Operations. The MMIS solution must meet all CMS certification requirements and incorporate changes to support and accommodate new and changing federal and state requirements for claims processing, monitoring, reporting, and associated functions in order to maintain federal compliance and maximum federal funding.

This Agreement provides for changes to the existing core Fiscal Agent processing solution and incorporates the system-related changes needed to comply with required to comply with the Centers for Medicare and Medicaid Services T-MSIS data submission requirements. These changes include but are not limited to the adoption of operating and processing requirements for the standardization of eligibility for a health plan and health care status transactions, data content standardization, infrastructure standardization, and adherence to performance measures.

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

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### PART III: SUPPLEMENTAL INFORMATION

The Provider has been providing these customized services to the Department since 2008, after its predecessor company was selected through a competitive RFP process. The Fiscal Agent solution, MIHMS, is run on the Provider's proprietary HealthPas software. The Provider's solution and related services include updates to support and accommodate new and changing federal and state requirements for claims processing, monitoring, and reporting, which allows the Department to maintain maximum federal funding.

The Provider's staff are uniquely familiar with the HealthPas solution and have the advanced IT skills needed to maintain and operate it. These skills are crucial to the operation of MIHMS and the member and provider population served by MaineCare. The Provider's HealthPas system has been uniquely configured over the duration of the contract to support claims processing for MaineCare providers and to meet federal and state policy and statutes. The system has been certified by the Centers for Medicare & Medicaid Services (CMS).

The focus of this request is based on the uniqueness of the contractor and the Provider's ownership of the software. There would be significant lead time needed to gain approval from CMS for another vendor, to procure the services of another vendor, and to negotiate, resolve issues, and attempt to obtain licensing rights from the Provider for another vendor to perform these upgrades/services. The MIHMS system is extremely complex and would take up to five years for another vendor to fully understand and obtain skilled resources, during which time the MIHMS system would need to continue to operate as is under the Provider so as not to disrupt provider reimbursement or member access to services.

In addition, to comply with new guidance from CMS, the Department has determined that a "modular" (functional) approach to procurement, resulting in multiple procurement processes, will better suit our business and technology needs; this new approach will take additional time to plan.

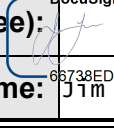
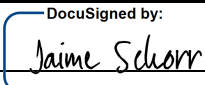
#### 3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

During the negotiation process, the Department evaluated the changes in the market rates since the inception of the original contract in 2008. The negotiated cost schedule includes an annual reduction in the base operations costs over the lifetime of the contract, and the negotiated contract language includes stronger penalties for non-compliance with required performance metrics. The Department considers these rates to be fair and reasonable.

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

The Department is in the process of evaluating these services and does not intend to competitively procure at this time.

### 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>		
	<small>DocuSigned by:</small>		
<b>Printed Name:</b>	66738ED17E0C4B2... Jim Lopatosky	<b>Date:</b>	3/10/2021
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small>		
	<small>6D6437754DD0459...</small>		
<b>Printed Name:</b>	Jaime Schorr	<b>Date:</b>	4/2/2021