

ADDENDUM #4

STATEWIDE MANAGEMENT ORGANIZATION LOUISIANA BEHAVIORAL HEALTH PARTNERSHIP OFFICE OF BEHAVIORAL HEALTH RFP# 305PUR-DHHRFP-SMO-2014-OBH

All additions are in **red** and underlined.

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RFP	Table of Contents: List of Appendices	<p>LIST OF APPENDICES</p> <p>APPENDIX A: PROVIDER CERTIFICATION MANUAL</p> <p>APPENDIX B: PSH PROGRAM RESPONSIBILITIES</p> <p>APPENDIX C: DELIVERABLE SUBMISSIONS TABLE</p> <p>APPENDIX D: MERCER LBHP CAPITATION RATE DEVELOPMENT ASSUMPTIONS</p> <p>APPENDIX E: SMO PERFORMANCE MEASURES</p> <p>APPENDIX F: MERCER BEHAVIORAL HEALTH DATA BOOK</p> <p>APPENDIX G: <i>RESERVED</i> – DHH-OBH NON-MEDICAID PAYMENT</p>	<p>LIST OF APPENDICES</p> <p>APPENDIX A: PROVIDER CERTIFICATION MANUAL</p> <p>APPENDIX B: PSH PROGRAM RESPONSIBILITIES</p> <p>APPENDIX C: DELIVERABLE SUBMISSIONS TABLE</p> <p>APPENDIX D: MERCER LBHP CAPITATION RATE DEVELOPMENT ASSUMPTIONS</p> <p>APPENDIX E: SMO PERFORMANCE MEASURES</p> <p>APPENDIX F: MERCER BEHAVIORAL HEALTH DATA BOOK</p> <p>APPENDIX G: <i>RESERVED</i> – DHH-OBH NON-MEDICAID PAYMENT</p> <p><u>APPENDIX H: CHISHOLM V. KLIEBERT STIPULATED ORDER</u></p> <p><u>APPENDIX I: CHISHOLM V. KLIEBERT THIRD STIPULATION 2002</u></p>
RFP		Add new section	<p><u>3.7 Compliance with Court Ordered Settlements</u></p> <p><u>3.7.1 The SMO shall comply with all requirements of court judgments and/or settlements as directed by DHH-OBH. DHH reserves the right to amend this contract in accordance with future court orders or settlements.</u></p> <p><u>3.7.2 DHH has entered into a Stipulated Order pertaining to the Chisholm vs. Kliebert lawsuit attached in Appendix H.</u></p> <p><u>3.7.2.1 This court settlement applies to and ensures necessary psychological and behavioral services</u></p>

			<p><u>described in 42 U.S.C. § 1396d(a), including diagnostic services and treatment, to correct or ameliorate defects and physical and mental illnesses and conditions must be provided by the state to those members of the Chisholm Class, who meet the criteria listed in the stipulation.</u></p> <p><u>3.7.2.2 Autism is a covered diagnosis under the LBHP; therefore, members shall not be excluded from services based solely on diagnosis. However, Applied Behavioral Analysis (ABA) therapy is not a covered service under the LBHP.</u></p> <p><u>3.7.2.3 The SMO must comply with reporting requirements as directed by DHH-OBH, specifically, reporting requirements for the SMO are found in Appendix H, paragraphs 19 and 20 of the Stipulated Order and are limited to those requirements reporting on psychological or behavioral services, and corresponding Medicaid expenditures and/or actions (excluding ABA services).</u></p> <p><u>3.7.2.4 The SMO must also maintain an outreach and referral system to direct class members with an ASD diagnosis to providers who are Licensed Behavior Analysts, for evaluation and treatment.</u></p> <p><u>3.7.2.5 The SMO shall also comply with content requirements of denial notices and prior authorization provisions requirements in the stipulated orders as described in <i>Chisholm v</i></u></p>
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			<u>Kliebert Third Stipulation 2002 in Appendix I.</u>
RFP	7.14.6.1	When the SMO fails to collect payment from the Third Party Liability within three hundred (365) days from date of service, DHH may invoke its right to pursue recovery.	When the SMO fails to collect payment from the Third Party Liability within three hundred and sixty-five (365) days from date of service, DHH may invoke its right to pursue recovery.
RFP	8.11.1	The SMO shall be responsible for coverage, payment, and provision of outpatient emergency behavioral health services and covered post stabilization services performed by LMHP in an emergency room setting. The SMO shall provide that emergency behavioral health services for LBHP members be rendered without the requirement of prior authorization. The SMO must cover and pay for emergency behavioral health services regardless of whether the provider that furnishes the emergency behavioral health services has a contract with the SMO. If an emergency behavioral health condition exists, the SMO is obligated to pay for the emergency behavioral health service. The coverage will be provided consistent with 42 CFR §438.114.	The SMO shall be responsible for coverage, payment, and provision of outpatient emergency behavioral health services and covered post stabilization services performed by LMHP or psychiatrist in an emergency room setting. The SMO shall provide that emergency behavioral health services for LBHP members be rendered without the requirement of prior authorization. The SMO must cover and pay for emergency behavioral health services regardless of whether the provider that furnishes the emergency behavioral health services has a contract with the SMO. If an emergency behavioral health condition exists, the SMO is obligated to pay for the emergency behavioral health service if provided by an LMHP or psychiatrist . The coverage will be provided consistent with 42 CFR §438.114.
RFP	11.9.2.3	The SMO shall make concurrent review determinations within one (1) business day of obtaining the appropriate medical information that may be required.”	The SMO shall make concurrent review determinations within twenty-four (24) hours of obtaining the appropriate medical information that may be required.”
RFP	12.3.2	For services that do not meet the definition of emergency services, the SMO is not required to reimburse more than ninety percent (90%) of the published Medicaid FFS rate in effect on the date of service to out-of-network providers to whom they have made at least three (3) documented attempts (see Glossary) to include the provider in their network (except as noted in Section 10.1.16).	For services that do not meet the definition of emergency services, the SMO is not required to reimburse more than ninety percent (90%) of the published Medicaid FFS rate in effect on the date of service to out-of-network providers to whom they have made at least three (3) documented attempts to include the provider in their network (except as noted in Section 10.1.16).

RFP	12.8.1	The SMO shall follow the provisions of Sections §7.11 and §7.15 of this RFP regarding payment for emergency and post-stabilization services.	The SMO shall follow the provisions of Sections §8.11 and §8.12 of this RFP regarding payment for emergency and post-stabilization services.
RFP	15.9.2.5	Member's rights and responsibilities, as specified in 42 CFR §438.100 and this RFP under the Member Bill of Rights (Section 15.14);	Member's rights and responsibilities, as specified in 42 CFR §438.100 and this RFP under the Member Bill of Rights (Section 15.13);
RFP	16.8.1 16.8.1.1	Notice of Action is defined as written notification advising the beneficiary of the action and providing information on the beneficiary's right to appeal the decision. Notice of Action is required when the SMO takes any of the following actions: Denies or gives limited authorization of a requested service, including the type or level of service;	Notice of Action is defined as written notification advising the beneficiary of the action and providing information on the beneficiary's right to appeal the decision. Notice of Action is required when the SMO takes any of the following actions: Denies or gives limited authorization of a requested service in an amount duration or scope that is less than requested , including the type or level of service;
RFP	16.8.2	Add new subsection	<u>16.8.2 The Notice of Action to members shall be in compliance with any agreements that DHH may enter into relative to the timing of notice, format of notice, or contents of member notices of denial or partial denial of services, regardless of whether such agreements are related to legal proceedings or out of court settlements.</u>
RFP	17.3.2.1.3	A failed audit that nullifies a required measure is considered non-compliant with this standard and may subject the SMO to penalties as referenced in Section 16.3.2.5 .	A failed audit that nullifies a required measure is considered non-compliant with this standard and may subject the SMO to penalties as referenced in Section <u>17.3.2.5</u> .
Attachment	Attachment 1	All eligible vendors are encouraged to become certified. Qualification requirements and online certification are available at https://smallbiz.louisianaforward.com/index_2.asp .	All eligible vendors are encouraged to become certified. Qualification requirements and online certification are available at https://smallbiz.louisianaeconomicdevelopment.com/Account/Login .
Attachment	Attachment 1	A current list of certified Veteran-Owned and Service-Connected Disabled Veteran-Owned and Hudson Initiative small entrepreneurship may be obtained from the Louisiana Economic Development Certification System at https://smallbiz.louisianaforward.com/index_2.asp .	A current list of certified Veteran-Owned and Service-Connected Disabled Veteran-Owned and Hudson Initiative small entrepreneurship may be obtained from the Louisiana Economic Development Certification System at https://smallbiz.louisianaeconomicdevelopment.com/Account/Login .

APPENDIX		Add new appendix	APPENDIX H: CHISHOLM V. KLIEBERT STIPULATED ORDER See RFP Procurement Library at http://new.dhh.louisiana.gov/index.cfm/newsroom/category/47
APPENDIX		Add new appendix	APPENDIX I: CHISHOLM V KLIEBERT THIRD STIPULATION 2002 See RFP Procurement Library at http://new.dhh.louisiana.gov/index.cfm/newsroom/category/47