

# **ADMINISTRACIÓN DE SEGUROS DE SALUD DE PUERTO RICO (ASES)**

## **PUERTO RICO HEALTH INSURANCE ADMINISTRATION (PRHIA)**



### **MANAGED CARE ORGANIZATIONS' REQUEST FOR PROPOSALS FOR PLAN VITAL RFP # MCO 2022**

**PUBLICATION DATE: MAY 20, 2022**

**PROPOSAL DUE DATE: JULY 15, 2022 1:00 PM (AST)**

**AMENDMENT #1 ISSUE DATE: JULY 7, 2022**

**AMENDMENT #2 ISSUE DATE: JULY 12, 2022**

**AMENDMENT #3 ISSUE DATE: JULY 14, 2022**

## AMENDMENTS TO THE RFP

This document constitutes an amendment to the request for competitive proposals (RFP) titled Managed Care Organization’s RFP for Plan Vital (RFP #MCO 2022), issued by the Puerto Rico Health Insurance Administration (Administración de Seguros de Salud - ASES) (referred to herein as “Amendment #3”). Amendment #3 is being issued on July 14, 2022, and amends the RFP to modify several sections of Appendix L of the RFP, the Model Contract, to align it to the changes to the auto enrollment and open enrollment process. Changes are included in track changes. Accordingly, deletions to the initial RFP language are noted in violet and strikethrough and additions are noted in violet and underlined.

Amendment #3 will be available in the secure website by July 14, 2022. Also, the Procurement Contact will notify Amendment #3 via e-mail.

### Amendment to Appendix L – Model Contract

*Appendix L is amended as follows, all other clauses of the Model Contract remain unaltered.*

#### 1. ARTICLE 2 DEFINITIONS

**Auto-Enrollment:** The Enrollment of an ~~an Potential~~ Enrollee in a GHP Plan when he or she does not take action without any action by the Potential Enrollee, to affirmatively select a managed care plan as provided in Article 5.2.4 of this Contract.

[...]

**Initial ~~Auto-Enrollment~~ of Enrollees:** ~~{The process by which an Eligible Person chooses a GHP contractor or is enrolled with a GHP contractor by the ASES. prior to \_\_\_\_\_ is Auto-Enrolled with a contractor by ASES with an effective date of \_\_\_\_\_}.~~

[...]

**~~Initial Auto-Enrollment Enrollee:~~** ~~[An Eligible Person enrolled prior to \_\_\_\_\_ with a GHP contractor who is Auto-Enrolled with a Contractor’s Plan during Initial Auto-Enrollment.]~~

[...]

**Open Enrollment Period:** A period of ninety (90) Calendar Days during which Enrollees have one (1) opportunity to change the selected or auto-assigned~~select a different~~ GHP contractor, without cause, as set forth in Section 5.2.5.

#### 2. ARTICLE 5 ELIGIBILITY AND ENROLLMENT

##### 5.2.2 Effective Date of Enrollment

5.2.2.1 Except as provided below, Enrollment, whether chosen or automatic, will be effective (hereinafter referred to as the “Effective Date of Enrollment”) the same date as the period of eligibility specified on the MA-10.

5.2.2.1.1 The Effective Date of Enrollment for all Initial ~~Auto-Enrollment of~~ Enrollees is ~~[January 1, 2023.]~~

[...]

5.2.4 ~~Auto-Enrollment. Initial Enrollment of Enrollees. Prior to January 1, 2023 ASES shall implement managed care enrollment procedures in accordance with the requirements in 42 CFR 438.54. ASES will not use a passive enrollment process for initial enrollment. As part of the initial enrollment procedures ASES will require beneficiaries to affirmatively choose a managed care plan within a specified period and, if beneficiaries fail to make a choice during such period, they will be enrolled into a plan selected by ASES in conformity with the applicable enrollment guidelines in 42 CFR 438.54. The Contractor shall have the policies and procedures necessary, and as shall be approved in writing by ASES, to comply with the Initial Enrollment of Beneficiaries as of the Effective Date of the Contract for the Medicaid and CHIP Eligibles and members of the State Population, excluding State Employees eligible under Law 95.~~

~~ASES shall apply an algorithm developed in accordance with the requirements in 42 CFR 438.54 to conduct Initial Auto-Enrollment prior to [January 1, 2023]<sup>‡</sup>. The Contractor shall have the policies and procedures necessary, and as shall be approved in writing by ASES, to comply with Initial Auto-Enrollment as of the Effective Date of the Contract for the Medicaid and CHIP Eligibles and members of the State Population, excluding State Employees eligible under Law 95.~~

~~5.2.4.1 In the event that ASES contracts with an MCO that was not contracted with the State to provide Medicaid managed care services prior to the effective date of this Contract (“Newly Selected Contractor(s)”), ASES reserves the right to will implement an automatic assignment mechanism to assign Enrollees among all contractors such that enrollment can support the GHP design and sustainability. all contractors achieve initial minimum enrollment levels as determined by ASES. Pursuant to 42 CFR 438.54, if an auto-assignment process should need to be implemented, ASES shall consider existing provider-beneficiary relationships and equitably distribute beneficiaries among the MCOs the State must consider in the auto-assignment process existing Provider-Enrollee relationships and equitably distribute Enrollees among the MCOs without arbitrarily excluding an MCO or entity. In such a case, tThe number of Enrollees assigned to each contractor will be determined by ASES based on the demonstrated capacity and network of the contractors.~~

~~5.2.4.2 If an MCO was an immediately preceding contractor of the GHP but will not continue to participate as a contractor (“Exiting Contractor”), ASES will implement an~~

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<sup>‡</sup>This and other bracketed dates in this section will require updates based on ASES’s determination of enrollment periods.

~~auto-assignment process in which a Newly Selected Contractor will be assigned Exiting Contractor's Enrollees, unless the Newly Selected Contractor requests a lower limit of its Enrollees. If two or more new contractors are selected, the number of Enrollees of the Exiting Contractor will be added together and equally divided amongst the Newly Selected Contractor(s) unless one or more of the Newly Selected Contractor(s) requests a lower limit of Enrollees. If a lower limit of Enrollees is requested, the Enrollees will be distributed equitably among the remaining, participating contractors.~~

5.2.4.2 The Foster Care Population and Domestic Violence Population will be Auto-Enrolled in one contractor's plan and are not eligible to enroll into another contractor's plan unless the Enrollee experienced a change in his or her eligibility as a member of the Domestic Violence or Foster Care Populations.

### 5.2.5 Open Enrollment Periods

~~5.2.5.1 Initial Auto Enrollment Enrollees.~~ Enrollment of Beneficiaries. Initial ~~Auto-Enrollment~~ Enrollees will have one (1) opportunity to change ~~their~~~~s~~ selected or auto-assigned GHP contractors, as applicable, without cause during their Open Enrollment Period, which shall begin on January 1, 2023 and end on March 31, 2023.~~[\_\_\_\_\_ and end on \_\_\_\_\_]~~. The date of notification of Enrollment for Initial ~~Auto-Enrollment~~ Enrollees must occur prior to the Effective Date of Enrollment of all Initial ~~Auto-Enrollment~~ Enrollees as set forth in Section 5.2.2.1.1.

5.2.5.1.1 Services provided during the Open Enrollment period starting ~~[\_\_\_\_\_]~~ January 1, 2023, shall be governed by the requirements established in ASES Normative Letter ~~18-1003, as amended~~ \_\_\_\_\_, which is included in Attachment ~~\_\_\_13~~ to this Contract.

### 5.2.6 Enrollment Procedures for All Enrollees Except Newborns

5.2.6.1 Upon receipt of notices in accordance with Section 5.1.5 of this Contract, the Contractor shall comply with the ~~Auto-Enrollment~~ process and issue to the Enrollee a notice informing the Enrollee of the PMG and PCP they are assigned to and their rights to change the PMG or PCP without cause during the applicable Annual Open Enrollment Period. Such changes may be requested through ASES's designated enrollment counselor.