

Answers to Questions Regarding Request for Proposal: RFP #OSA-15-005

Michigan State Long Term Care Ombudsman Program (SLTCOP)

Updated July 22, 2014

Updated answers to questions 1, 13, and 14 are in bold on pages 1-4.

1. Page 11 of the RFP states that Key Personnel must be funded 100% by funds provided in this proposal. Since staff assigned 100% to the SLTCOP will be new hires for our organization, how will the expertise and experience of current staff in our organization be considered when explaining and evaluating our proposal?

OSA assumes that the successful Bidder has the appropriate expertise and experience to propose appropriate key staff for the SLTCOP. Regarding Key Personnel positions that are currently vacant, Bidders may provide position descriptions for Key Personnel instead of providing résumés.

2. On page 6, the RFP states that the SLTCOP is being transitioned to an independent, non-profit agency focused on advocacy for persons age 60 and over who are receiving or seeking long-term care supports and services in licensed facilities. Since many residents of licensed, long term care facilities are under age 60, will the grantee be permitted to use SLTCOP funds to serve those clients?

The long-standing Administration on Aging, now Administration on Community Living, position is that the SLTCO can serve individuals with disabilities who are under the age of 60 and who live in licensed long-term care facilities serving primarily older adults, if such service does not weaken or decrease service to older individuals covered under the Older Americans act.

3. What is the anticipated annual cost of the Harmony-- OmbudsManager on-line system? (RFP, p. 19)?

The current cost to the program is approximately \$25,000. Prospective Bidders are still advised to contact Harmony directly for cost information.

What is the renewal date of the current system? **October 1, 2014**

Is OSA aware what other contractors for on-line systems for data management and reporting are compatible with the National Ombudsman Reporting System and the approximate cost of those systems?

At this time, we are not aware of other contractors for on-line systems compatible with the National Ombudsman Reporting System (NORS), nor the cost.

4. On p. 12, the RFP states that the estimated cost for the toll-free line is \$1000. However, the RFP also states that the Bidder is responsible for all expenses related to installing and maintaining the necessary telephone equipment including the toll-free line at the SLTCO office and the links to local LTCO offices.

- a. Is the \$1,000 estimated cost for 2014 the cost for FY '14 or for calendar year 2014?

FY 2014, ending on September 30, 2014

- b. Does the \$1,000 estimated cost include the cost of installation and maintenance or only the cost once the system is installed in the new SLTCOP and linked to the local offices?

The bidder will need to contact the sub-contractor of their choice about the cost for installation, set-up, and maintenance.

5. On p. 12, the RFP refers to the Older Americans Act requirement that the SLTCOP has adequate legal counsel. May the attorney our organization selects to serve as legal counsel be assigned part-time to the SLTCOP and have a portion of her salary paid by the SLTCOP grant?

Yes.

6. On p. 19 of the RFP, it states that the Bidder is required to submit monthly program data to OSA. Does this data refer to activities conducted only by the SLTCOP office or also by the LLTCO?

Monthly program data must be submitted for both the SLTCOP and the LLTCO program activities.

7. We understand, pursuant to 45 CFR §160.103 and an opinion issued by the Administration on Aging, <http://www.ltombudsman.org/sites/default/files/norc/issues/Issues-AOA-IM-HIPAA-Info-Memo0203.pdf> , that ombudsman programs are not “covered entities” under HIPAA and, despite their own strict confidentiality requirements under the Older Americans Act, are therefore not subject HIPAA. Will the bidder still be required to train, monitor and certify state and local ombudsman staff in HIPAA compliance and execute the HIPAA Business Associate Agreement Addendum (Appendix C)? Or will it be sufficient to train, certify, and monitor state and local ombudsman staff on the confidentiality requirements that apply specifically to the LTCOP that are set forth in the Older Americans Act and the Older Michiganians Act?

OSA has reviewed the grant agreement package attached to the RFP, and has decided that the HIPAA Business Associate Agreement Addendum (Appendix C), will not be required. The ombudsman program will be required to follow all applicable confidentiality requirements set forth in the Older Americans Act and the Older Michiganians Act.

8. Is there an expectation that the successful bidder will provide any of the OSA grant funds awarded to the successful bidder to the LLTCOP offices?

OSA grant funds for the ombudsman program can be used for the operation of the SLTCOP and local ombudsman services throughout the state. It is the successful bidder’s responsibility to ensure that ombudsman services are provided statewide and the bidder may propose allocating a portion of the grant for local program operations.

9. Are there any other fees or charges in addition to the cost of the telephone system, the on-line data management system, and the normal costs of operating an office and fulfilling the responsibilities of the SLTCOP that the successful bidder will be required to incur?

The bidder is free to propose any fees or charges to fulfill the requirements of the SLTCOP.

10. Although we receive federal funding, we do not currently have an approved indirect cost rate. Are we able to work with the Michigan Department of Community Health Grants and Purchasing Division for approval of a rate? If this

process is not complete by the time the grant is due, can we estimate a rate in the budget proposal?

If the bidder agency does not already have an existing federally-approved indirect cost rate, then an indirect cost rate cannot be included in the SLTCOP budget.

11. The proposal speaks to the requirement that the SLTCO be available to the Governor and Legislature. This bidder is assuming that the program should similarly be available to federal officials such as ACL, CMS, HHS and the Congress. Is that a correct assumption?

Yes.

12. If a bidder is successful, what SLTCOP staff and resources and other OSA staff and resources will be available for a smooth transition of services to the bidder prior to October 1, 2014? After October 1, 2014?

There are no additional financial resources prior to or after October 1, 2014, available to the successful bidder specifically designated for the transition of the SLTCOP. However, the successful bidder will be working with an OSA Grant Manager for a smooth transition.

13. Can current SLTCOP staff currently employed by the State of Michigan be named in the bidder's proposal?

No, current State of Michigan employees may not be named in the Bidder's proposal. Regarding Key Personnel positions that are currently vacant, Bidders may provide position descriptions for Key Personnel instead of providing résumés.

14. Will the Office of Services to the Aging consider extending the due date for Bidders' proposals for this RFP by a few days?

Yes, the Office of Services to the Aging is extending the due date for Bidders' proposals for this RFP. The new due date to submit a proposal is Wednesday, July 30, 2014, and all proposals must be submitted by 3:00 p.m. to Lauren Swanson, Grant Manager at: swansonL1@michigan.gov.