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8/13/21

The following Q&A will serve as Amendment #2 to NYSIF's Request for Proposals (RFP) for Clearinghouse and Medical Bill Review and Repricing Services, bid number 2021-38-INS. Material in this Amendment supersedes any contradictory material in the RFP.

Please note that the due date for the submission of bids has previously been extended under Amendment #1.

All bids are due 9/3/21, by 2:00 p.m.(eastern).

Sincerely,

A handwritten signature in black ink that reads "Alexandria Romano".

Alexandria Romano
Contract Management Specialist 2

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
1			Are we able to bid on a piece or pieces of Category B vs all services in Category B? We are looking to respond for payments and possibly repricing.	Bidders must meet all requirements in Category B.
2			<p>which forms from Appendix M PARTICIPATION BY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES: REQUIREMENTS AND PROCEDURES need to be completed for the RFP response?</p> <p>FORM 101 – STAFFING PLAN FORM 102 - WORKFORCE UTILIZATION REPORT FORM 103 –M/WBE UTILIZATION PLAN FORM 104 – REQUEST FOR WAIVER FORM FORM 105 –M/WBE QUARTERLY REPORT FORM 106 –MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT</p> <p>Please confirm which forms needs to be filled out as a Bidder for the RFP response and which forms are only to be completed by the Contractor after the award of the contract.</p>	Per Section 4.2.5., Appendix M requires Bidders to submit (i) form 101; (ii) form 103 or a copy of bidders current NYSDDED MWBE certification; and (iii) form 106 or a copy of bidders EEO policy with their bid.
3	151	Appendix Z - Category B	Can you provide the volume of medical bills that are not re-priced according to the New York Fee Schedule, including a break-out by state, if possible?	~ 50,000 not NY in 2019; top 5: NJ (20,900), FL (9900), PA (4900), CT (2600), NC (2600)
4	151	Appendix Z - Category B	Can you provide the volume of medical bills from outside the USA, along with a break-out by country, if possible?	< 100 in 2019, mostly Canada and Jamaica
5	151	Appendix Z - Category B	Can you provide the volume of Non-medical bills including a break-out by type, if possible?	~ 75,000 in 2019; mostly investigators, court reporting/stenography, language services, outside counsel, and fees/assessments to wcb
6	17	2.2.3 Category A and B Services to be Provided	Based on the wording of the solicitation, it is believed that if offeror is responding to both categories, a proposal only needs to address the questions in Section 2.2.3/"Category A and B Services to be Provided" (starting at the bottom of page 17 and continuing to page 20) and not all three sections (2.2.1/"Category A Clearinghouse Services to be Provided"; 2.2.2/"Category B, Medical Bill Review and Repricing Services to be Provided" as well as 2.2.3). Please confirm	If a bidder is responding to both Category A and Category B, the bidder is required to respond to ALL sections of the RFP. Example: Firm must respond to Mandatory Requirements in Section 2.1.1, 2.1.2, and 2.1.3 and Technical Requirements in Section 2.2.1., 2.2.2., and 2.2.3.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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7	14	2.1.2 Category B, Medical Bill Review and Repricing Mandatory Requirements	<p>In the solicitation it states:</p> <p>"1. Bidder must review medical bills and supporting documentation for:</p> <ul style="list-style-type: none"> i. Causal relationship to established injury and body parts ii. Compliance with NY WCB Medical Treatment Guidelines iii. Compliance with granted variances and authorization requests including the ability to process reconsideration bills." <p>Will offeror be expected to review medical documentation associated with each bill for an included authorization?</p> 	Manner of data exchange to be specified in project plan.
8	14	2.1.2 Category B, Medical Bill Review and Repricing Mandatory Requirements	<p>In the solicitation it states:</p> <p>"1. Bidder must review medical bills and supporting documentation for:</p> <ul style="list-style-type: none"> i. Causal relationship to established injury and body parts ii. Compliance with NY WCB Medical Treatment Guidelines iii. Compliance with granted variances and authorization requests including the ability to process reconsideration bills." <p>Does NYSIF define an "authorization" as a prior "request for approval of services" that has been completed and needs to be applied during the repricing of the medical bill?</p> 	Yes.
9	20	2.2.3 Category A and B Services to be Provided	<p>Question 19 in the solicitation states: "19. Outline proposed SLA and escalation plan."</p> <p>Can NYSIF please further elaborate what they are looking for with an "escalation plan" and how it relates to the SLAs?</p>	If any deliverables are not fulfilled within a set time period, who at vendor should be contacted and how vendor proposes to resolve.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
10	16 and 17	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	<p>Question 5 in the solicitation states: "5. Describe how your firm will identify, process and properly price bills associated with NYSIF diagnostic testing networks (lesser of contract, fee schedule, or billed amount)."</p> <p>Question 6 in the solicitation states: "6. Describe how your firm will implement custom pricing rules as specified by NYSIF (e.g. NYSIF firm contracts)."</p> <p>How many diagnostic testing and contracted vendor invoices/ bills does NYSIF anticipate sending to the MBR vendor?</p>	Most of the bills from Q5 are contracted DTN vendors.
11	page 17	2.2.2 Cat B, Medical Bill Review and Repricing Services to be Provided	Can NYSIF please share the % breakdown via bill volume by state?	Same as Q3
12	page. 14	2.1.2 Cat B, Medical bill review and repricing mandatory requirements	Will NYSIF be considering bids from respondents that would be best fit as a specialized sub-contractor? For example, a MBR entity that was specialized in one state, versus satisfying all requirements?	No, a subcontractors scope of work must be included in the overall bid.
13	Page 17	2.2.2 Cat B, Medical Bill Review and Repricing Services to be Provided	Can NYSIF please share the current pricing for MBR, PPO, Negotiations, and Audits?	Not material to the RFP.
14	page 15	2.1.2 Cat B, Medical bill review and repricing mandatory requirements	If awarded any specific service of MBR, PPO, Negotiations, and/or audit, the bills we review and produce EOR/EOB, we will be responsible for payment to provider?	Yes.
15	page 17	2.2.2 Cat B, Medical Bill Review and Repricing Services to be Provided	Can NYSIF please share the % breakdown of bill type by state, IP/OP, provider bills, other bill type (specialty)?	State is same as Q3; 80% of bills from physicians, 6% for er/outpatient, 5% for non-medical, <10% all others.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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16	page. 14	2.1.2 Cat B, Medical bill review and repricing mandatory requirements	Does NYSIF get tasked with completing up-front preagreements with certain provider groups? For example, scheduled surgeries. If so, does NYSIF claims staff manage those requests internally?	In future state will be using WCB portal for auth requests.
17	page 16	2.1.2 Cat B, Medical bill review and repricing mandatory requirements	What percentage of of NYSIF's bill volume is related to non-medical billing?	Part of Q15
18	15	2.1.3.4	What is the current volume of rejected paper medical bills received by NYSIF daily, weekly or monthly?	~6000 weekly rejects
19	15	2.1.3.4	How many medical provider phone calls does NYSIF receive each business day related to medical bills?	Unknown at this time.
20	15	2.1.3.4	How many medical provider emails does NYSIF receive each business day related to medica bills?	Unknown at this time.
21	14	2.1.1.1	NYS WCB's CMS-1500 Phase 3 initiative involves requiring all medical providers to submit bills electronically. Will NYSIF award a contract before the NYS WCB's CMS-1500 initiative is implemented past Phase 3?	The timing may coincide but cannot guarantee.
22	14-16	2.1.1.3, 2.1.3.2, 2.2.1.1, 2.2.1.2	What data files will NYSIF provide to the selected vendor to assist in validating bills that are sent in paper form?	Project plan item, likely flat file or api.
23	14-16	2.1.1.3, 2.1.3.2, 2.2.1.1, 2.2.1.2	Will NYSIF provide a medical provider and medical provider billing address data file to the winning bidder on a daily basis to allow the vendor to determine if a billing address or provider on a medical bill should be rejected back to the medical provider OR will NYSIF review and reject for this reason with their own efforts?	Usually this is provided by the clearing house for contracted providers.
24	14-16	2.1.1.3, 2.1.3.2, 2.2.1.1, 2.2.1.2	Will the data file include the NPI, WCB license number and if a W-9 has been received by NYSIF for the medical provider?	Usually this is provided by the clearing house for contracted providers.
25	All	All	Please provide all reasons that a medical bill should be rejected by the vendor that are not reasons required by the NYS WCB CMS-1500 initiative XML requirements. What are the reasons that NYSIF rejects a bill that would otherwise be accepted by WCB XML standards?	NYSIF would not reject if the bill is accepted by WCB XML standards

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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26	1	Appendix Z	If NYSIF is requesting one price line for "Approved medical bills" regardless if they are received in paper or electronic then why how will NYSIF benefit if the winning bidder transitions medical providers from sending paper to in electronic bills?	Not material to the RFP.
27			What is the current process for reconsideration requests and will NYSIF continue to handle reconsideration evaluations and communication with the medical provider?	in the future state NYSIF will not handle reconsiderations and communication.
28	All	All	Is all NYSIF and NYSIF customer data required to be maintained in the USA?	Yes.
29	All	All	Does all work for this contract have to completed within the USA?	Yes.
30	1	Appendix Z	Appendix Z, Fee Schedule Proposal, requests a price for Accepted Non-bill documents, please explain the reason a non-bill should be rejected back to the Medical Provider?	It would be rejected if it fails business rules and edits to be specified in project plan.
31	16	2.2.1.1	Do non-bill documents include only claims documents or also include policy, underwriting, disability. PFL, Finance, HR, Administration, payroll, checks, returned mail and other NYSIF department mail and documents?	Claims only.
32	15	2.1.3.2	As the current paper scanning, paper bill logging and digital mailroom vendor for NYSIF for the last 13 years, would it be advantageous for NYSIF to connect SecureScan in Albany, New York with potential Medical Bill Review and Repricing companies to be a potential subcontractor so that a 45 person digital mailroom does not need to implemented for 12 months before it elminated by the WCB XML CMS-1500 initiative?	Bidders have to do this on their own initiative.
33	20	2.2.3.18	Is a disaster recovery site more than 50 miles away from a processing center required?	Yes.
34	8	Section 1, Sub-Section 1.4/Purpose of This RFP/ Category A, Clearinghouse Services	Please define what bills are included in non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services).	See Q5.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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35	8	Section 1, Sub-Section 1.4/Purpose of This RFP/ Category A, Clearinghouse Services	What is the anticipated volume for non-medical bills annually? Will these non-medical bills be pre-approved for straight through processing/payment?	Volume is same as Q5; some may have business logic attached to be specified in project plan.
36	8	Section 1, Sub-Section 1.4/Purpose of This RFP/ Category B, Medical Bill Review and Repricing Services	Of the 1.5M bills indicated, can NYSIF provide the estimated volume for each bill type (e.g., In-Patient, Out-Patient, Professional, Non-Medical types, etc.)?	Same as Q15.
37	17	Section 2, Sub-section 2.2.2/ Category B, Medical Bill Review and Repricing Services to be Provided, Question #6 NYSIF Firm Contracts	Does NYSIF have direct contracts negotiated with firm rates? If so, how many of these provider contracts does NYSIF currently have and what is the expected volume for future use?	See Q10.
38	19	Section 2, Sub-section 2.2.3/ Category A and B, Services to be Provided, Question #15 ii	As we are the current service provider, is a detailed a project plan, WBS, and project execution, and project management approach necessary for our submission?	Firm must respond to all requirements outlined in the RFP.
39	21	Section 2, Sub-Section 2.4/ Cost/Invoicing	Please confirm that NYSIF is looking for a different pricing structure than what is currently in place (percent of savings, post bill review Fee Schedule or UNC) and looking for a traditional pricing structure (per bill fee, pp% of savings, etc.). Or would you entertain the same model as current?	Bidders must complete the Appendix Z, Fee Schedules, for whichever Category the Bidders are submitting a proposal for.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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40	26	Section 4, Sub-Section 4.1/ Bid Preparation	This section states that proposals must be prepared on the forms provided. Is it acceptable to provide responses to Section 2 – Technical Specifications in a separate document?	NYSIF Appendices (Administrative Forms) will need to be completed on the forms provided, it is the Bidders responsibility to submit a proposal addressing the Technical requirements in the RFP.
41	26-27	Section 4, Sub-Section 4.2/ Bid Format	In addition to submitting the response electronically via email to contracts@nysif.com, is it NYSIF's expectation that a USB flash drive will be provided and mailed?	No. You may either electronically email the bid or submit a hard copy, that includes as USB.
42	30	Bidder Certifications, Certification #8	What information specifically are you looking for regarding 'access by partners outside of US'	Bidder must assure that NYSIF's information or data is NOT transmitted outside of or accessed from outside the United States. Any exceptions to these terms and conditions must be explicitly stated in a separate section of the proposal.
43	30	Bidder Certifications, Certification #8	Can we submit two pricings on our submission for all work and data staying within the US and a second pricing on bills where the data is securely accessed from outside of the United States.	No data can be transmitted outside or accessed from outside the US.
44	30	Bidder Certifications, Certification #8	Is it acceptable to house NYSIF data onshore in U.S. and provide secure access to NYSIF information offshore for the purpose of specific bill review functions (e.g., Data Entry, Code Review)?	No data can be transmitted outside or accessed from outside the US.
45	86	NYSIF Exhibit C/Contract Provisions	As we are the current provider and have an existing contract, do we need to provide contractual revisions or would renewing the terms of our current contract be acceptable?	All comments and limitations need to be outlined in your proposal as specified in Section 4.2.4.
46	115	Appendix M, Form 101/Staffing Plan	There is some ambiguity in the reporting requested in Form 101. The instructions for Form 101 say include work force that will be used in the performance of the contract, but the form itself includes on SOC Job Titles for legal personnel including lawyers, paralegals and legal assistants. Can NYSIF clarify the expectations for Form 101?	Form 101 should be completed to reflect the work force that will be used in the performance of the contract. The template provides some job titles, but if they are not being utilized they can be ignored.
47	26	Section 4, 4.1/Bid Preparation	Can the delivery method be clarified? USB or email? Are either methods acceptable?	Yes, Section 4.3 states that Bid submissions can be either emailed or mailed.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
48	15	Section 2, 2.1.2/Category B, Medical Bill Review and Repricing Mandatory Requirements/#6	The NY regulations use language that "The <u>payer</u> must send the Board (and other required stakeholders) a timely filed <i>Form C-8.1B</i> or <i>Form C-8.4</i> with the same objection reason(s) noted to properly object to such payment. Is the Bidder filing these objections in conflict with the stated State Regulations? Does current vendor submit on your behalf?	Bidder is expected to comply with all prevailing WCB rules and regulations for the duration of the contract.
49	16	Section 2, 2.2.2/Cateryory B, Medical Bill Review and Repricing Services to be Provided/#5	Can you please provide your Diagnostic Testing networks?	Not material to the RFP.
50	8	1.4,Purpose of this RFP	If a BR vendor submits as a partnership with a clearinghouse should they also submit a separate proposal for BR only?	If bidders are partnering together on this RFP, one proposal should be submitted which includes both partnerships (prime/sub).
51	8	1.4,Purpose of this RFP	Will the BR company be considered as a separate submitter or as the partnership only?	See question 50.
52	15	Section 2,2.1.2/Category B, Medical Bill Review and Repricing Mandatory Requirements/#5	Will the bill review vendor be required to process payments? What methods are required (check, ACH, etc).	Yes, paper check and ACH.
53	17	Section 2,2.2.2/Category B, Medical Bill Review and Repricing Mandatory Requirements/#11	Can you describe how payments are currently made to lien holders or beneficiaries under current workflow.	When NYSIF receives notice that payments are subject to lien, NYSIF apportions payment in accordance with notice.
54	8	Section 1,1.4 Purpose of this RFP	The State of NY currently has 14 clearinghouses either approved or in the process. The mandatory provider submission requirement does not go into effect until July 2022. Is this RFP for clearinghouse responses meant to consolidate the use of vendors for one preferred vendor or a search for more?	Per Section 1.7, a single award is anticipated for each category.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
55	14	Section 2,2.1.2/Category B, Medical Bill Review and Repricing Mandatory Requirements/#2	Is the 3M grouper mandatory or will a similar repricing methodology be acceptable?	Mandatory.
56	14	Section 2,2.1.2/Category B, Medical Bill Review and Repricing Mandatory Requirements/#2	What percentage of bills require the use of a grouper?	Estimated 5-10% (class code 2 and 8)
57	21	2.4, Cost/Invoicing	What is your current pricing for "per bill" both in and out of NY? Current pricing for "non-fee schedule, nurse review, network access and negotiated" services. Was NYSIF charged an implementation fee in the past?	Not material to the RFP.
58	17	Section 2,2.2.2, Category B, Medical Bill Review and Repricing Services to be Provided/#15	Does NYSIF have a preferred PPO network list?	It is administered by current vendor.
59	18	#12	It our understanding that NYSIF has it's own mailroom for paper bills and clearinghouses for ebills, is the question for a mailroom process or once the bills have been received, it is about our bill processing capabilities.	Everything should go through the clearinghouse.
60	n/a	Attachment 3	With regards to the submission of the NDA, does NYSIF want the bidder to sign and notarize or sign, submit, get countersigned then get it notarized. Please clarify workflow.	Please sign and notarize the NDA and submit with your proposal.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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61	n/a	Appendix M	If there is no opportunity to utilize any MWBE's for this bid, does a bidder still need to make an effort with documentation of that effort or can the bidder just complete form 104 - Request for Waiver? Will this cause a bidder to be non-responsive if no MWBE's are utilized?	Appendix M requires Bidders to submit form 103 or a copy of bidders current NYSDDED MWBE certification; or fill out Form 104 (Waiver). Bidders will not be found non-responsive if no MWBE's are utilized.
62	n/a	Appendix B and C	Is Exhibit B and C negotiable and can the bidder add terms?	Per section 4.2.4. Any exceptions, caveats or additional information to the Bidder's responses to specifications in this RFP must be listed, cross referenced to the response to which it applies and clearly explained.
63	n/a	Appendix M	If a bidder is requesting a waiver (Form 104), do forms 101,102,105, 106, ST-220-CA and ST-220-TD need to be submitted with the bid?	Appendix M requires Bidders to submit (i) form 101; (ii) form 103 or a copy of bidders current NYSDDED MWBE certification; and (iii) form 106 or a copy of bidders EEO policy. Regarding ST-220s, the awarded contractor(s) will be required to complete these forms prior to contract execution.
64	n/a	Appendix Z	Does NYSIF use FairHealth? If so, how many bills are run thru FairHealth? Will an alternative to FairHealth be considered?	Yes - we do not have this data as it is maintained by vendor - we could consider alternatives.
65	n/a	Appendix Z	How many bills are out of the US and how are they adjudicated?	See Q4 - adjudicated on a case by case basis.
66	n/a	Appendix Z	How many objection letters per month can a bidder expect from NYSIF?	On average 270,000 per month.
67	7	Section 1, 1.1 Overview of the New York State Insurance Fund	Can you please provide: # of bills by jurisdiction, Total Charges, total savings, total fees by bill type and process (bill review, PPO, Nurse, etc) and average fee per bill for the last 3 years?	Not material to the RFP.
68	n/a	Appendix Z, #3	Can you please provide the number of non-medical bills and what types of bills these are?	Same as Q5.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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69		Appendix Z, #4	Can a bidder provider a different % of savings for the Nurse, Network and Neg? Will the bidder be allowed to take a fee schedule reduction and an additional PPO reduction resulting in a PPO fee? How many Negotiated Bills for the last 3 years and how much is NYSIF being charged?	% savings should be the same; bidder can take fee for any below fee schedule reduction; # of negotiated bills not available
70	16	Exhibit B, NYSIF PREROGATIVES, vv	What does this mean? Can NYSIF just switch vendors? Have any service completed via separate competitive bid or other means, as determined to be in the best interest of NYSIF.	Per section 4.2.4. Any exceptions, caveats or additional information to the Bidder's responses to specifications in this RFP must be listed, cross referenced to the response to which it applies and clearly explained.
71		General Contracting	If a bidder would like to submit its Standard Terms of Agreement describing the overall service to be delivered, how would NYSIF like that submitted?	Per section 4.2.4. Any exceptions, caveats or additional information to the Bidder's responses to specifications in this RFP must be listed, cross referenced to the response to which it applies and clearly explained.
72		General Question	What are NYSIF's pain points with regards to Bill review? Clearinghouse? What problems are trying to be solved with a new vendor?	Bidder should respond to requirements in RFP, no further details will be provided.
73	14	2.1.1	Will the Clearinghouse Services (Category A) contract be awarded to an exclusive vendor or multiple vendors?	Per Section 1.7. A single award will be made for each category, however, NYSIF reserves the right to (i) award to one Bidder; (ii) split separable portions of the contract by category and award to one or more Bidders; (iii) not award for any of the categories or (iv) any combination thereof.
74	14	2.1.1	What is the anticipated annual volume of: -paper claims -all other paper documents	Paper claims - ~ 1 million; other docs not tracked.
75	14	2.1.1	What is the anticipated annual electronic claim volume?	~ 400,000
76	14	2.1.1	What is the annual expected EC-4 NARR volume?	This is being phased out per CMS-1500
77	151	Appendix Z - Fee Shedule Proposal Category A - Clearinghouse Services	Within Appendix Z (Fee Schedule Proposal) Category A, for the Price Per Accepted Medical Bill Transaction , does NYSIF want a Receiver-only rate (ie: Payor rate) , or, a comprehensive rate to include both the Receiver and Submitter charges (ie: No direct charges to Provider)?	Comprehensive rate per bill.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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78	151	Appendix Z - Fee Schedule Proposal Category A - Clearinghouse Services	Will NYSIF pay the Clearinghouse for the transmission of EOB information, as per requirements of the NYWCB? Should this be included in the <i>Price Per Accepted Bill Transaction?</i>	Price should be all inclusive.
79	14	2.1.1 - Category A - Clearinghouse Services Mandatory Requirements	Will NYSIF require the Clearinghouse to manage and process the non-medical bills sent to the designated single physical address?	Yes.
80	151	Appendix Z - Fee Schedule Proposal Category A - Clearinghouse Services	Withing Appendix Z (Fee Schedule Proposal) Category A, the term Transaction contains an asterisk(*). What does that mean? Is there a missing footnote defining the asterisk?	Please ignore the asterisk.
81	151	Appendix Z - Fee Schedule Proposal Category A - Clearinghouse Services	For Category A, what are the anticipated annual volume splits between <i>Per Accepted Medical Bill and Per Accepted Non-medical Bill Transactions?</i>	See Q5
82	8	1.4 Purpose Of This RFP / Category A, Clearinghouse Services	Can you please further define "quality electronic format" required? Is it a standard electronic ANSI 5010 claim format?	Subject to project plan to be defined
83	8	1.4 Purpose Of This RFP / Category B, Medical Bill Review and Repricing	Of the approximate 1.5 million bills processed each year by NYSIF, can you please estimate: the number of standard electronic ANSI 5010 claims, the annual volume of paper claims broken down into the following categories-Red HCFAs, Black HCFAs, Red UBs, Black UBs, and ADAs; claims in other possible formats and identify other possible formats, the annual volumes HCFA EDI83s and UB EDI837s, and the annual volume of other bills with a list of form types and volumes by each form type.	Unknown, this data is not available.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

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84	8	1.4 Purpose Of This RFP / Category B, Medical Bill Review and Repricing	How many different non-HCFA/UB/ADA bill types and file formats are there?	NYSIF vendors may send invoices on their own format - medical providers will send in accordance with CMS-1500 - file formats will be the same.
85	8	1.4 Purpose Of This RFP / Category B, Medical Bill Review and Repricing	What is the average number of pages per non-claim (HCFA/UB/ADA) bill?	This is a claims procurement only.
86	14	2.1.1 Category A / Clearinghouse Services Mandatory Requirements / 1.	Can you give us information on how an entity becomes an approved XML Submission Partner with the NYS Workers' Compensation Board, or direct us to a source where we can find out more?	Please see more information on the WCB's website. http://www.wcb.ny.gov/content/ebiz/XMLSchemas/WCB-CMS1500-Onboarding.pdf
87	14	2.1.1 Category A / Clearinghouse Services Mandatory Requirements / 2.	Can you please identify NYSIF's non-contracted clearinghouses that are referenced and the approximate volume per year from each?	Not material to the RFP.
88	14	2.1.1 Category A / Clearinghouse Services Mandatory Requirements / 2.	If NYSIF's non-contracted clearinghouses charge fees for claims and other files or documents, who is expected to pay?	The fee bid for the NYSIF contract is all inclusive, if the Bidders counterparties charge fees they have to account for it
89	15	2.1.3 Category A & B Mandatory Requirements / 2.	What other forms would exist other than paper or electronic files?	None.
90	15	2.1.3 Category A & B Mandatory Requirements / 4.	What is the volume of annual incoming inquiries from providers by type: phone, email, hard copy? Does bidder provide response on behalf of NYSIF based on provided rules/requirements?	1) NYSIF does not have this info 2) only if special rules are provided
91	N/A	General Question	What is the average number of pages per claim and average number of pages per claim attachments?	NYSIF does not have this information.
92	N/A	General Question	What is the set of EDI transactions for which you require support beyond 837EDI (HCFA/UB/ADA)?	To be determined in project plan

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
93	N/A	General Question	Is there an incumbent for this work today? If so, can you identify them, their current pricing and whether will they be permitted to rebid?	Not material to the RFP.
94	N/A	General Question	Will selected Clearinghouse vendor be expected to process all or any of these ASNI 5010 transactions: 837s/835s, 276s/277s, 275s, any others? If so, can you provide the estimated annual volumes?	To be determined in project plan - see Q4 for volume
95	N/A	General Question	Approximately how many providers submit medical bills each year?	There were approximately 20,000 distinct payees in 2019
96	N/A	N/A	Is there a requirement to only use onshore (domestic USA) resources for Category B services (medical bill review), or can the Contractor utilize offshore resources as well?	No data can be transmitted outside or accessed from outside the US.
97	N/A	N/A	Please provide a breakdown of medical bill volume by state for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020).	See Q3.
98	151	Appendix Z; Category B; #1	What systems are required to be integrated by the Contractor for the implementation for Category B services?	To be determined in project plan
99	151	Appendix Z; Category B; #2	What is the annual volume of bills (July 1, 2020 to June 30, 2021 or CY 2020) that were applied the Per Medical Bill Rate?	See Section 1.4 of the RFP.
100	151	Appendix Z; Category B; #2a	What is the annual volume of bills (July 1, 2020 to June 30, 2021 or CY 2020) that were applied the Outside of USA Per Medical Bill Rate?	Less than 100
101	151	Appendix Z; Category B; #3	What is the annual volume of bills (July 1, 2020 to June 30, 2021 or CY 2020) that were applied the Per Non-Medical Bill Rate?	If you are asking how many the current vendor handled, the answer is zero – if you are asking how many we handled in house that would potentially become eligible under the new RFP then this is the same as Q5

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
102	151	Appendix Z; Category B; #4	What were the total number of bills that were applied a Percentage of Savings Fee for non-fee schedule savings for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020)?	Not material to the RFP.
103	151	Appendix Z; Category B; #4a	What were the total dollars of Non-Fee Schedule savings for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020)?	Not material to the RFP.
104	151	Appendix Z; Category B; #4b	What were the total dollars of Nurse Review savings for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020)?	Not material to the RFP.
105	151	Appendix Z; Category B; #4c	What were the total dollars of Network Access/Contracted Rate savings for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020)?	Not material to the RFP.
106	151	Appendix Z; Category B; #4d	What were the total dollars of Negotiated Discount savings for the last 12 months (July 1, 2020 to June 30, 2021 or CY 2020)?	Not material to the RFP.
107	12	Section 1.9 Participation of NYS Business Enterprises (MWBE)	Will NYSIF waive the 30% MWBE participation goal if the Contractor cannot agree to acceptable contract terms and pricing with proposed MWBEs?	Please complete Appendix M, Form 104 (waiver) if you are requesting a waiving of MWBE goals.
108	26-29	Section 4.1 Bid Preparation (paragraphs 3-4); Section 4.2 Bid Format (paragraphs 1 & 3); Section 4.3 Bid Submission & Delivery	According to Section 4.1 Bid Preparation and Section 4.2 Bid Format, bidders must submit each of the complete Administrative, Technical, and Cost Proposals as separate electronic files on a single USB flash drive, and the Fee Schedule Removal Proposal must be a separate electronic file on the USB flash drive. However, according to Section 4.3 Bid Submission & Delivery, bids may be emailed or hand-delivered. If we submit a bid by email, are we also required to hand-deliver the USB flash drive?	Yes, Section 4.3 states that Bid submissions can be either emailed or mailed.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
109	120	Appendix M, Form 101 - Staffing Plan	In Appendix M, the second table of the Form 101 - Staffing Plan requires us to provide the "total anticipated employees" on the bottom line; however, the remainder of the table is asking for "hours worked by race/ethnic identification during the reporting period." Are you looking for total number of employees or number of hours worked?	Form 101 should be completed to reflect the work force that will be used in the performance of the contract. Please provide the total number of employees as bidders have not done any work on this contract yet.
110	121-122	Appendix M - Instructions for Completing the Workforce Utilization Report	Appendix M provides instructions for completing Form 102 - Workforce Utilization Report, but Form 102 is not provided. Are we required to complete Form 102 in response to this RFP?	Form 102 is attached separately as an Excel on our website, it is not required to be submitted with your proposal.
111	130	Contractor Certification to Covered Agency ST-220-CA	Are we required to complete the form "Contractor Certification to Covered Agency ST-220-CA" in response to this RFP?	Section 4.2.5 outlines which forms need to be included with your bid.
112	132	Contractor Certification ST-220-TD	Are we required to complete the form "Contractor Certification ST-220-TD" in response to this RFP?	Section 4.2.5 outlines which forms need to be included with your bid.
113	151	Appendix Z - Fee Schedule Proposal	To ensure that Bidders are able to offer NYSIF the most competitive pricing available for this project, would NYSIF be willing to provide its current incumbent vendor rates and pricing for per medical bill, non-medical bill, and percentage of non-fee schedule savings?	Not material to the RFP.
114	26	4.1 BID PREPARATION	As indicated in 4.1 BID PREPARATION of the RFP, bidders must submit each of the complete Administrative, Technical, and Cost Proposals as separate electronic files on a single USB flash drive. Or, conversely, on page 28 (4.3 BID SUBMISSION & DELIVERY), it is indicated that bids can be emailed to contracts@nysif.com with Email Subject Line: Formal Proposal - Bid # 2021-38-INS. If submitting the proposal via email, is it acceptable to email the Administrative, Technical, and Fee Schedule proposals in the same email, as long as all required portions are separate attachments/files within the same email?	Yes, Section 4.3 states that Bid submissions can be either emailed or mailed.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
115	6,26	RFP Calendar & 4.1/Bid Preparation	RFP Calendar says final bid submission can be emailed or sent via US mail. Section 4.1 says bidders must submit each proposal as separate electronic files on a single USB flash drive. If the bidder submits via email: Does NYSIF want each proposal document sent in separate emails; or can everything be sent in one email, with separate files (assuming there isn't an email file size limitation)? If there is an email file size limitation, what is the maximum file size that NYSIF can receive in one email? If there is an email file size limitation, is it acceptable to NYSIF to receive URL hyperlinks within an email submission that direct NYSIF to where it can download the proposal documents?	Each proposal document can be sent in one email with separate files. If a firm feels the submission is too large, they can submit in multiple email parts.
116	7	1.1/Overview of the NYSIF	This section states that in addition to WC insurance, NYSIF provides disability benefits coverage or off-the-job injuries to more than 65,000 New York employers and Paid Family Leave as a component of disability benefits. Will the chosen bill review vendor also be providing medical bill review and repricing services for these non-WC bills? And, if so, can NYSIF provide a breakdown of the annual number/percent of: WC Bills Non-WC Bills	This is for WC Claims only.
117	8	1.4/Purpose of this RFP/Category B	Can NYSIF provide a breakdown of the annual number/percent of bills it receives from: Medical providers Contracted firms providing non-medical services Claimant reimbursements Any other type(s) of bills with a significant volume	See Q15
118	8	1.4/Purpose of this RFP/Category B	Can NYSIF provide a high-level outline of its current bill review workflow steps today, from medical bill receipt to provider payment?	Not material to the RFP.
119	8	1.4/Purpose of this RFP/Category B	Are there any aspects of the current bill review program that NYSIF hopes to improve upon for the next contract period?	Bidder should respond to requirements in RFP, no further details will be provided.
120	12	1.9/Participation of NYS Business Enterprises/MWBE	This section specifies a goal of 30% MWBE participation. Would MBWE entities located outside NY State count toward this goal?	Firms must be a certified MWBE in NYS.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
121	12	1.10 / Participation of Service-Disabled Veteran Owned Business (SDVOB)	This section states that NYSIF has determined "that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor." However, should a SDVOB be identified by the bidder as a viable option, will scoring points be allotted to the bidder for including a SDVOB in the bid? If so, what scoring weight/scoring points are available (e.g. the same scoring opportunity as MWBE inclusion?)	If a certified SDVOB firm bids are the prime bidder in this RFP, Section 3.1.3. states that five percent (5%) of the overall evaluation scale (referred to herein as the "quantitative factor") will be awarded to any responsive Bidder.
122	14	2.1.1 & 2.1.2/Category A and B Mandatory Requirements	Can a bill review vendor present a clearinghouse as a <u>subcontractor</u> as the proposed NYSIF solution? Or do the two entities need to submit a single bid as a "joint partnership"?	Bidders can choose to submit a proposal as a prime/sub.
123	14	2.1.2/Category B Mandatory Requirements	Can NYSIF share the claims system it uses that the bidder will need to integrate with? Additionally, are there any other systems that the bidder will need to integrate with electronically?	To be determined in project plan - no additional systems
124	16	2.2.2/Category B Services to be Provided/Item 1	Can NYSIF provide a breakdown of the annual number/percent of "non-medical bills" it currently processes <u>by type</u> (e.g. utilization review, stenography, DME, PBM, Physical Therapy, etc.)?	see Q10 - NYSIF considers DME and PT to be medical billing - PBM is not in the scope of this procurement.
125	16	2.2.2/Category B Services to be Provided/Item 1	Does NYSIF want the bidder to also pay its non-medical bills/vendors (e.g. UR, stenography) as part of the bidder's payment processing services?	Yes.
126	17	2.2.2/Category B Services to be Provided/Item 14	Can NYSIF identify the Top 3 countries/territories outside of the US for which it receives bills? And, can NYSIF identify the annual number/percent of foreign bills it receives?	See Q4.
127	17	2.2.2/Category B Services to be Provided/Item 15	Can NYSIF provide the percentage of bills that received a discount through a PPO network, and the corresponding reported savings, for each of the last three years?	Not material to the RFP.
128	18	2.2.3/Category A and B Services to be Provided/Item 4	Can NYSIF provide a list of all vendors for which it currently depends on to provide services related to the transmission of claims data, managed care functions, or other ancillary services (e.g. Utilization Review, Durable Medical Equipment) in which the awarded vendor may have a direct or indirect interaction?	Not material to the RFP.
129	20	2.2.3 Category A and B Services to be provided, item 19	Can NYSIF clarify if the SLA(s) it is seeking in this question is an SLA for the Implementation Project? Or is it an SLA to resume operations should an outage take place (e.g. a Disaster Recovery/Business Continuity event)? Or is NYSIF looking for general program SLAs?	General SLAs - see Q9

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
130	20	2.2.3 Category A and B Services to be provided, item 25	This item refers to a service acceptance plan that must be submitted with the proposal. Can NYSIF clarify what specific elements/items need to be included in the service acceptance plan? Will a sample Business Requirements Document (BRD) qualify as a service acceptance plan?	To be specified in project plan - BRD would qualify
131	23	3.1/Evaluation Criteria	This section refers to a 5% weight for MWBE certification, SBE status or SDVOB certification. Can NYSIF elaborate on what weight, if any, is assigned to meeting all or part of the 30% goal for MWBE participation mentioned in Section 1.9 on page 12 of the RFP?	No weight is assigned if a non-MWBE/SDVOB/SBE uses a subcontractor to meet MWBE/SDVOB goals.
132	23	3.1/Evaluation Criteria	Can NYSIF provide a list of all current MWBE or disabled-veteran organizations that it contracts with either directly or indirectly for any work related to the services covered under the scope of the RFP?	Bidders are encouraged to visit the links provided on Appendix M and Appendix S to view current MWBE or disabled-veteran organizations.
133	24	3.1.2/Financial Evaluation	Under New York State's Freedom of Information Law (FOIL), can NYSIF provide its pricing/fee schedule arrangement that is in place with its current medical bill review and repricing vendor?	See Exhibit B, Clause 15 for information on how to submit a FOIL Request.
134	26	4.1/Bid Preparation	This section says to prepare the proposal on the forms provided. Can NYSIF clarify specifically what forms this is referring to?	NYSIF Appendices (Administrative Forms) will need to be completed on the forms provided, it is the Bidders responsibility to submit a proposal addressing the Technical requirements in the RFP.
135	26	4.1/Bid Preparation	This section refers to Administrative, Technical and Cost Proposals. Can NYSIF clarify what constitutes the "Administrative" proposal and, if it's required, where the instructions are for completing it?	See RFP Section 4.2.5. for Administrative Forms required.
136	27	4.2.3/Statement of Competing Commitments	This section asks bidders to list any contractual obligations they have entered into which require effort on the part of key personnel during the period in which these personnel will be working on the contract resulting from the NYSIF RFP. In order for bidders to be best answer this question, can NYSIF provide an estimated contract award date and desired go-live date?	TBD.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
137	7 of 34	<p>1.1 Overview of the NYS Insurance Fund, paragraph 3</p> <p>2.1.2.2 Category B, Medical Bill Review and Repricing Mandatory Requirements</p>	<p>1.1 states, "In addition to workers' compensation insurance, NYSIF provides disability benefits coverage for off-the-job injuries to more than 65,000 New York employers."</p> <p>2.1.2 #2 states, "Bidder must be able to handle inpatient and outpatient facility billing using industry standard bill review software (currently 3M grouper)."</p> <p>Please confirm that disability benefit and paid family leave are not in scope. It is Bidder's understanding that HIPAA and promulgated regulations are not applicable to workers compensation.</p>	<p>NYSIF is utilizing the definition of PHI under the HIPAA statute listed below: The Privacy Rule protects all "individually identifiable health information" held or transmitted by a covered entity or its business associate, in any form or media, whether electronic, paper, or oral. The Privacy Rule calls this information "protected health information (PHI)."¹² "Individually identifiable health information" is information, including demographic data, that relates to:</p> <ul style="list-style-type: none"> •the individual's past, present or future physical or mental health or condition, •the provision of health care to the individual, or •the past, present, or future payment for the provision of health care to the individual, <p>and that identifies the individual or for which there is a reasonable basis to believe it can be used to identify the individual.¹³ Individually identifiable health information includes many common identifiers (e.g., name, address, birth date, Social Security Number). Any further discussion will be had if your firm is awarded.</p>
138	7 of 34	<p>1.1 Overview of the NYS Insurance Fund, paragraph 3</p> <p>2.1.2.2 Category B, Medical Bill Review and Repricing Mandatory Requirements</p>	<p>1.1 states, "In addition to workers' compensation insurance, NYSIF provides disability benefits coverage for off-the-job injuries to more than 65,000 New York employers."</p> <p>2.1.2 #2 states, "Bidder must be able to handle inpatient and outpatient facility billing using industry standard bill review software (currently 3M grouper)."</p> <p>Please confirm that HIPAA and its corresponding regulations are not applicable to the services to be performed.</p>	<p>See response above.</p>

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
139	8 of 34	1.4 Purpose of this RFP, paragraph 3, sentence 2	Sentence 2 states, "This RFP contemplates an all-around bill review solution to include bill intake, review, repricing, and payment, as well as nurse review, contract pricing, out-of-network review services and other PPO services." What are the current methods of receiving the different types of documentation?	By paper and electronically through ebilling vendors
140	8 of 34	1.4 Purpose of this RFP, paragraph 3, sentence 2	Sentence 2 states, "This RFP contemplates an all-around bill review solution to include bill intake, review, repricing, and payment, as well as nurse review, contract pricing, out-of-network review services and other PPO services." Please confirm the intake types - paper, electronic (SFTP, email)	Paper and electronic (not email)
141	8 of 34	1.4 Purpose of this RFP, paragraph 3, sentence 2	Sentence 2 states, "This RFP contemplates an all-around bill review solution to include bill intake, review, repricing, and payment, as well as nurse review, contract pricing, out-of-network review services and other PPO services." Are there additional output requirements?	Objection letters and other statutorily required filings as described in RFP.
142	9 & 14 of 34	1.7 Method of Award Distribution of Work, paragraph 2 2.1.1.1 Category A, Clearinghouse Services Mandatory Requirements	1.7 states, "For Category A, Bidder must be an approved XML Submission Partner..." 2.1.1, #1 states, "Bidder must be an approved XXL Submission Partner..." Would NYSIF please explain the reason for the requirements for an XML submission partner?	This is a WCB requirement.
143	9 & 14 of 34	1.7 Method of Award Distribution of Work, paragraph 2 2.1.1.1 Category A, Clearinghouse Services Mandatory Requirements	1.7 states, "For Category A, Bidder must be an approved XML Submission Partner..." 2.1.1, #1 states, "Bidder must be an approved XXL Submission Partner..." May a Bidder satisfy the requirements related to XML Submission Partner by using a subcontractor?	Yes.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
144	14 of 34	2.1.2 Category B, Medical Bill Review and Repricing Mandatory Requirements	#2 states, "Bidder must be able to handle inpatient and outpatient facility billing using industry standrd bill review software (currently 2M grouper)." Is there an expectation that these bills will be processed in bill review?	Yes (3M Grouper)
145	14 of 34	2.1.2 Category B, Medical Bill Review and Repricing Mandatory Requirements	#2 states, "Bidder must be able to handle inpatient and outpatient facility billing using industry standrd bill review software (currently 2M grouper)." Will NYSIF be making payments to providers based on a payment file or is the expectation that a payment solution will also be implemented?	At this time a payment solution is expected.
146	14 of 34	2.1.2.3	#3 states, "Bidder must utilize qualified certified medical reviewers, for high-cost or complex bills for issues including..." Is use of LPN acceptable?	Bidder may used any qualified reviewer per the WCB rules and regulations.
147	14 of 34	2.1.2.3	#3 states, "Bidder must utilize qualified certified medical reviewers, for high-cost or complex bills for issues including..." What is NYSIF's definition of high-cost and complex?	This is a determination made by the bidder.
148	14 of 34	2.1.2.3	#3 states, "Bidder must utilize qualified certified medical reviewers, for high-cost or complex bills for issues including..." What percentage of your bills are classified as complex?	Not material to the RFP. The current vendor has their own definition within their internal process which may differ from Bidders.
149	6 & 27 of 34	RFP Calendar 4.2.3 Statement of Competing Commitments	The RFP Calendar lists "TBD" as the anticipated start date 4.2.3 of the RFP states, "Each Bidder must provide a Statement of Competing Commitments, a list of any contractual obligations they may have entered into which requires effort on the part of their key personnel during the period in which these personnel will be working on the contract resulting from this RFP." What timeframe should bidders use to comply with the Section 4.2.3 requirement to provide a list of contractual obligations of its key personnel?	Responses to 4.2.3. must be included in your proposal response.
150	16 of 34	2.2.1 Category A, Clearinghouse Services to be Provided	Provide an outline of how your firm will identify providers who submit high volumes of paper bills and narratives and work with provider to transition them to an electronic submission process. What is NYSIF's definition of high volume?	To be specified in Project Plan.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
151	16 of 34	2.2.1 Category A, Clearinghouse Services to be Provided	Provide an outline of how your firm will identify providers who submit high volumes of paper bills and narratives and work with provider to transition them to an electronic submission process. What is the current annual processing volume of paper medical bills, narratives, and other documentation?	NYSIF does not have the volume information of narratives and docs. See question 74 for Paper.
152	16 of 34	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	#1 states, "Describe your firm's capability of processing non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services)." Please clarify the types of non-medical bills. Are they expense bills or claim documents like liens, checks, attorney letters, etc.?	See Q5
153	16 of 34	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	#1 states, "Describe your firm's capability of processing non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services)." What is the percentage of non-medical bills that would be processed through Medical Bill Review program?	See Q15
154	16 of 34	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	#1 states, "Describe your firm's capability of processing non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services)." Do you have contracted rates with the non-medical vendors for which bills will be processed through the Medical Bill Review program?	Yes.
155	16 of 34	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	#1 states, "Describe your firm's capability of processing non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services)." What is the average number of pages per doc type?	Unknown, this data is not available.
156	16 of 34	2.2.2 Category B, Medical Bill Review and Repricing Services to be Provided	#1 states, "Describe your firm's capability of processing non-medical billing, including but not limited to billing from other firms that NYSIF does business with (example: utilization review services or stenography services)." Will the Medical Review Program include bills for claim types other than workers' comp?	No.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
157	16 of 34	2.2.2.4	#4 states, "Describe how your firm will handle bill payments on claims where liability is apportioned." Does NYSIF have just one of the claims that would be apportioned or could you have more than on of the claims that share the apportionment?	Could have more than one.
158	16 of 34	2.2.2.4	#4 states, "Describe how your firm will handle bill payments on claims where liability is apportioned." How will apportioned claims be identified in your claim file?	Data file or API to be specified in project plan.
159	17 of 34	2.2.2.11	#11 states, "Describe how your firm would be able to make payments to lienholders or beneficiaries as required." How will NYSIF communicate the need to pay someone other than the medical provider in these situations?	Data file or API to be specified in project plan.
160	17 of 34	2.2.2.13	#13 states, "Describe the normal turnaround time for new bills and recommendations." What are your current service level agreements related to turnaround time?	Not material - turnaround times to be specified in project plan
161	17 of 34	2.2.2.14	#14 states, "Describe firm's capabilities for repricing bills for treatment rendered outside United States territory?" What is the estimated annual volume of bills falling in this category?	See Q4.
162	17 of 34	2.2.2.14	#14 states, "Describe firm's capabilities for repricing bills for treatment rendered outside United States territory?" Which territories specifically?	See Q4.
163	17 of 20	2.2.2.20	#20 states, "Describe any client portal that would be available. Describe the firm's ability to implement single-sign-on capability for any system to be integrated with NYSIF processes." What identity provider are you using for SSO?	To be specified in project plan.
164	17 of 20	2.2.2.20	#20 states, "Describe any client portal that would be available. Describe the firm's ability to implement single-sign-on capability for any system to be integrated with NYSIF processes." What are your expectations in terms of portal capabilities for other types of users in addition to adjusters?	To be specified in project plan.
165	17 of 20	2.2.2.20	#20 states, "Describe any client portal that would be available. Describe the firm's ability to implement single-sign-on capability for any system to be integrated with NYSIF processes." What are your expectations in terms of adjuster portal activities?	To be specified in project plan.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
166	20 of 34	2.3 Term	2.3 states, "NYSIF anticipates awarding a seven (7) year contract covering the services detailed in this RFP. Note: This contract may be terminated at any time by NYSIF for convenience upon sixty (60) days written notice or other specific period without penalty or other early termination charges due." Does the seven year term include the implementation phase?	Yes.
167	20 of 34	2.3 Term	2.3 states, "NYSIF anticipates awarding a seven (7) year contract covering the services detailed in this RFP. Note: This contract may be terminated at any time by NYSIF for convenience upon sixty (60) days written notice or other specific period without penalty or other early termination charges due." Should NYSIF terminate the contract for convenience, would you allow for unamortized costs and winddown expenses?	If the Contract is terminated pursuant to this subdivision, NYSIF shall remain liable for all accrued but unpaid charges incurred through the date of the termination. Contractor shall use due diligence and provide any outstanding deliverables.
168	21 of 34	2.5 Subcontracting	Is it acceptable to use offshore staff, specifically the Phillipines?	No data can be transmitted outside or accessed from outside the US.
169	N/A	General RFP	Do we need to provide interactive voice response (IVR) as part of the solution?	This determination should be made by the bidder.
170	N/A	General RFP	What is NYSIF's requirement for call storage?	Bidder must store data to the extent required to answer future inquiries.
171	N/A	General RFP	Do we need to provide a training environment?	If a client portal is provided yes we need a training environment.
172	N/A	General RFP	Are all claims within NYS jurisdiction?	We have a small portion of extraterritorial claims.
173	N/A	General RFP	Is NY surcharge reporting required	HCRA surcharge reporting not required.
174	N/A	General RFP	Will bidders need to perform any Office ID Claim Number matching?	Yes.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
175	1 of 8 NDA	Non Disclosure Agreement 2b and 2c	<p>Clause (b) states, "Notwithstanding anything to the contrary in this Agreement, including without limitation the exceptions in Section 3 hereof, AGENCY Confidential Information includes "Confidential Personal Information ('CPI')."</p> <p>Clause (c) states, "CONTRACTOR shall, and shall cause its and its affiliates' and subsidiaries' employees, agents, advisors, subcontractors, and all Receiving Party Personnel (collectively, "Contractors") to keep CPI confidential and use and disclose CPI only as necessary to carry out the Purpose, GLBA, HIPAA and any other applicable law, rule or regulation of any jurisdiction relating to disclosure or use of personal information."</p> <p>Please confirm that disability benefit and paid family leave are not in scope. It is Bidder's understanding that HIPAA and promulgated regulations are not applicable to workers compensation. Please confirm that HIPAA and its corresponding regulations.</p>	<p>NYSIF is utilizing the definition of PHI under the HIPAA statute listed below: The Privacy Rule protects all "individually identifiable health information" held or transmitted by a covered entity or its business associate, in any form or media, whether electronic, paper, or oral. The Privacy Rule calls this information "protected health information (PHI)."¹² "Individually identifiable health information" is information, including demographic data, that relates to:</p> <ul style="list-style-type: none"> •the individual's past, present or future physical or mental health or condition, •the provision of health care to the individual, or •the past, present, or future payment for the provision of health care to the individual, <p>and that identifies the individual or for which there is a reasonable basis to believe it can be used to identify the individual.¹³ Individually identifiable health information includes many common identifiers (e.g., name, address, birth date, Social Security Number). Any further discussion will be had if your firm is awarded.</p>

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
176	4 of 8 NDA	5a Right to Audit	<p><i>Clause (a) states, "CONTRACTOR shall maintain commercially reasonable Disaster Recovery and Business Continuity Plans. If CONTRACTOR utilizes a Statement on Audit Standards No. 70 (SAS 70), or a Statement on Standards for Attestation Engagements (SSAE) No. 16, as developed by the American Institute of Certified Public Accountants (AICPA), within the past twenty-four months prior to the Agreement, CONTRACTOR shall provide NYSIF with a copy of CONTRACTOR's Service Auditor's Report(s) for either Type I or Type II (Reports), or Service Organization Control (SOC) Report types 1, 2, or 3, on an annual basis."</i></p> <p><i>Will a multi-user data center SOC report meet this requirement?</i></p>	No.
177	5 of 10 of Exhibit B1	Appendix B1.2, Product Acceptance, paragraph 1	<p>Paragraph 1 states, "Unless otherwise provided by mutual agreement of the Authorized User and the Contractor, Authorized User(s) shall have thirty (30) days from the date of delivery to accept hardware products and sixty (60) days from the date of delivery to accept all other Product."</p> <p>In line with industry practice, would NYSIF be willing to remove refund of the monies requirement as a remedy or limit the monies to be refunded to the monies related to the specific failure?</p>	Please include any change requests to Appendix B.1. in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.
178	11 of 14 of Exhibit C	Exhibit C, Section 31, Confidentiality Clause	<p>Please confirm that disability benefit and paid family leave are not in scope. It is Bidder's understanding that HIPAA and promulgated regulations are not applicable to workers compensation. Please confirm that HIPAA and its corresponding regulations are not applicable to the services to be performed.</p>	Please see response to Question 175. NYSIF utilizes the definitions of CPI under the HIPPA statute and NPI under the GLBA. Any further discussions will be had if your firm is awarded.
179	9 of 34	Section 1, Section 1.8, Insurance Requirements	<p>Would NYSIF allow the selected vendor to make certain minor administrative changes to the insurance requirements, such as the following: (I) allow Contractor, rather than Contractor's insurance provider, to transmit any notice of cancellation, non-renewal, or material alteration; (II) allow Contractor to purchase Commercial Auto Insurance instead of Comprehensive; (III) allow Contractor to purchase per claim professional liability insurance instead of per occurrence professional liability insurance; (IV) allow reasonable precautions for the review of Contractor's insurance policies in a secure and confidential manner?</p>	Please include any change requests to the Insurance Requirements in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
180	20 of 34	Section 2, Section 2.3, Term	In line with prevailing industry practice, will NYSIF allow the Contractor to recover unamortized costs and reasonable wind down expenses in the case of a termination for convenience?	If the Contract is terminated pursuant to this subdivision, NYSIF shall remain liable for all accrued but unpaid charges incurred through the date of the termination. Contractor shall use due diligence and provide any outstanding deliverables. Anything further would have to be negotiated should your firm be awarded, no determination can be made at this time.
181	3 of 14 of Exhibit C	Exhibit C, Section 3 (b), For Convenience	In line with prevailing industry practice, will NYSIF allow the Contractor to recover unamortized costs and reasonable wind down expenses in the case of a termination for convenience?	If the Contract is terminated pursuant to this subdivision, NYSIF shall remain liable for all accrued but unpaid charges incurred through the date of the termination. Contractor shall use due diligence and provide any outstanding deliverables. Anything further would have to be negotiated should your firm be awarded, no determination can be made at this time.
182	5 of 8 of NDA	NDA, Section 8, The Agency Policies	Can NYSIF confirm that the term "Policies and Procedures" refers to specific policies and procedures that have been promulgated by the agency through formal channels and that have been published by the agency as final documents?	Yes, policies and procedures of both NYSIF and NYS. Any further discussion will be had if your firm is awarded.
183	7 of 8 of NDA	NDA, Section 19, Construction	Can NYSIF confirm that the term "Policies and Procedures" refers to specific policies and procedures that have been promulgated by the agency through formal channels and that have been published by the agency as final documents?	See answer above. Any further discussions will be had if your firm is awarded.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
184	7 of 23 of Exhibit B	Exhibit B, Section 17, Taxes (b)	Will NYSIF consider adding the following language to the end of this Section? "If a taxing authority determines Contractor did not collect all Transaction Taxes, NYSIF shall remain liable to Contractor for such additional Transaction Taxes including penalty and interest. Contractor and NYSIF each agree to take commercially reasonable steps to cooperate with each other in order to minimize Transaction Taxes imposed with respect to the transactions contemplated by this Agreement to the extent permissible under applicable law."	Please include any change requests to the Exhibit B in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.
185	8 of 23 of Exhibit B	Exhibit B, Section 22, Warranties	The specialized services to be provided under this RFP are not generally offered on a standardized or "commodity" basis. Would NYSIF consider removing the following language? "Where Contractor, product manufacturer or service provider generally offers additional or more advantageous warranties than set forth below, Contractor shall offer or pass through any such warranties to NYSIF."	Please include any change requests to the Exhibit B in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.
186	8 of 23 of Exhibit B	Exhibit B, Section 22 (b), Title and Ownership Warranty	Please clarify that this term only applies to software embedded in Products that are transferred to NYSIF.	This clause outlines that the Contractor owns outright without any liens, or that Contractor has the right to deliver licenses that are being contracted for in the Agreement.
187	10 of 23 of Exhibit B	Exhibit B, Section 24 (e), Best Pricing Offer	Please confirm that the "Most Favored Customer" pricing provisions under this section apply only to "product" delivered under the contract and not to the Contractor's services. If not, would NYSIF be willing to remove the most favored customer provisions for this particular procurement?	This clause applies to a product. Any further discussions will be had if your firm is awarded.
188	18 of 23 of Exhibit B	Exhibit B, Section 39, Bidder Certification Requirements, (n)	In line with industry practice, would NYSIF be willing to limit the scope of the Contractor's general indemnity to losses resulting from third-party claims that arise due to the Contractor's own negligence or fault or that of its employees or agents?	Please include any change requests to the Exhibit B in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
189	3 of 10 of Appendix B1	Appendix B1, Section 1 (a), License Scope	Does NYSIF expect this same perpetual license for SaaS that would typically only be licensed during the Term of Services.	To be specified in project plan.
190	7 of 10 of Appendix B1	Appendix B1, Section 4 (b) (i) (2), Software	Does NYSIF expect this same perpetual license for SaaS that would typically only be licensed during the Term of Services.	To be specified in project plan.
191	12 of 14 of Exhibit C	Exhibit C, Section 34, Limitation of Liability	Is NYSIF willing to consider a lower cap on direct damages in line with prevailing industry practice? Perhaps something like two (2) times the annual recurring revenue?	Please include any change requests to the Exhibit C in your comments & limitations as outlined in Section 4.2.4. These will be reviewed should your firm be awarded a contract.
192	9 of 34	Section 1, Section 1.7	Can NYSIF describe the circumstances under which it would be more likely to "split" the award rather than award to a single vendor?	Unknown at this time.
193	9 of 34	Section 1, Section 1.7	Does NYSIF have particular areas that it would like to see addressed in the proposed SLAs?	Refer to requirements in RFP/Q9.
194	9 of 34	Section 1, Section 1.7	What items does NYSIF expect to see covered in the proposed "Service Acceptance Plan"?	To be specified in project plan.
195	15	2.1.2	Making payments (both electronic and paper) is often a separate function within organizations. Will it be permitted and consideration given to allow bids for the payment function on a stand alone basis?	No.
196	26	1	Prepare your proposal on the forms provided. The forms provided are forms in the Appendix. Is there a required format or form for technical specifications and Method of Evaluation questions in sections two and three (ie., excel, word)?	Bidder should provide a proposal response to the Technical requirements as they see fit. See Section 4 for additional details.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
197	11	1.8-1.	Currently, <i>vendor name redacted</i> has no employees in the State of New York. Based upon this, we currently do not have any WC insurance in the State of New York. However, we are compliant with various State Workers' Compensation Insurance requirements in all States where Jopari has employees. Do we need to complete the Form C-105.2(9/17) referenced in the RFP or C-105.2(9/07) referenced in the link in the RFP since we are currently not an NY State employer?	Firms who have no employees in NYS should complete Form CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities as outlined in Section 1.8.
198	11	1.8-1.	Currently, <i>vendor name redacted</i> has no employees in the State of New York. Based upon this, we currently do not have any Disability insurance in the State of New York. However, we are compliant with various other State disability insurance requirements where Jopari has employees. Do we need to complete the Form DB-120.1(10/17) referenced in the RFP since we are currently not an NY State employer?	Firms who have no employees in NYS should complete Form CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities as outlined in Section 1.8.
199	10 and 11	MWBE (Form M or Form 104(M))	1. When completing Form 104(M), please define the difference between a partial and full waiver for both WBE and MBE. 2. If <i>vendor name redacted</i> is not majority-owned by woman or minorities, but our staffing serving the NYSIF account will definitely be mostly women and/or minority classified personnel. Do we need to seek a waiver for our own entity? 3. If we use a sub-vendor to provide services who is not minority or woman owned (although staffing may be majority woman/minority), would <i>vendor name redacted</i> also need to seek a waiver for such sub-vendor? We are seeking greater clarification between ownership and staffing requirements. 4. Would we/could we complete Forms 101, 103 and 105 even if we seek a partial and full waiver via Form 104? Again staffing will be diverse; ownership can be the issue.	1. A full waiver is requested the goal to be 0%, a partial waiver is if a vendor wants to reduce the goal to a number less than 30% but above 0%. 2. If your firm is not a certified MWBE as outlined in Appendix M and you are not using certified MWBE subcontractors you will need to complete Form 104. 3. Yes 4. Appendix M requires Bidders to submit (i) form 101; (ii) form 103 or a copy of bidders current NYSDED MWBE certification; and (iii) form 106 or a copy of bidders EEO policy
200	18	2.1.2.	What are the statutory requirements for timely payments to NYSIF medical providers? Are there other statutory timelines for any other payments envisioned to be part of this RFP? Also, what is the banking or treasury management configuration that NYSIF utilizes to make payments presently? Who performs the reconciliation and other administrative functions like voids, escheat, and dealing with B Notices?	1. Statutory requirements are defined in the WCL and NYCRR 2. Defined in WCL and NYCRR 3. Current banking is not material 4. Not material
201	18	2.2.2.	Please describe how NYSIF validates payee identify presently?	Not material to the RFP.

Clearinghouse and Medical Bill Review and Repricing Services

RFP # 2021-38-INS

Amendment 2

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
202	18	2.2.2.	Please describe how NYSIF makes payments to lienholders or beneficiaries presently?	Not material to the RFP.
203	18	2.2.2.	Please describe NYSIF's present W-9 management process, and who/how performs the 1099 process today?	Not material to the RFP.