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**March 30, 2012**

**RFA 3402**

**Addendum #3**

1. This is Addendum # 3 to Request for Application (RFA) 3402, Coordinated Care Organizations (CCOs).
2. RFA #3402 is hereby amended as follows:
  - a. The first page of the RFA is amended to change the following paragraph as follows, new language will be bold and underlined and deleted language will be stricken through:

~~The CCO Letter of Intent to Apply and Application~~ must be received through OHA's Web Portal located at: <http://cco.health.oregon.gov>. **The CCO Letter of Intent to Apply may be submitted through the Web Portal or emailed to the RFA Sole Point of Contact at: [RFA.FormalQuestions@state.or.us](mailto:RFA.FormalQuestions@state.or.us)** in accordance with Section 4.2.

- b. Section 4.1.3 is amended as follows, new language will be bold and underlined and deleted language will be stricken through:

**4.1.3 Account Registration**

Announcement of this RFA will be posted on "ORPIN," the Oregon Procurement Information Network. This is a web site hosted by the state's Department of Administrative Services (DAS) for the purpose of posting and updating RFP information. ORPIN can be accessed with the following web address: <http://orpin.oregon.gov/open.dll/welcome> and view and view Agency Opportunity number OHA-~~0~~3402-12. Possession of an ORPIN registration number is necessary for subsequent account registration on OHA's web portal.

Official communications regarding this RFA will be on OHA's web portal, not ORPIN. In order to use OHA's web portal, all potential Applicants must register on OHA's web portal. Potential Applicants are

encouraged to register as soon as possible after the publication of this RFA. FAQs, Applicant conference announcements, addenda, and other communications for Applicants may be sent only to registered Applicants. Only registered Applicants will be able to submit documents through the OHA web portal. The OHA web portal is the exclusive method for submitting written questions and requests for clarification (Section 4.4); ~~the Letter of Intent to Apply (Section 4.2.3)~~; and the Application itself. The following fields will be included in account registration:

- Name: first and last
- Email address
- Mailing address
- Phone
- Company or organization name

OHA web portal registration, may be in the name of a sponsoring organization which need not be the Applicant itself. By addendum to this RFA, OHA ~~has expects to published~~ published terms and conditions for use of the web portal, which potential Applicants will have to accept as a condition of continued use of the web portal.

- c. The terms and conditions for use of the web portal, referred to in Section 4.1.3, are adopted in the form of Appendix 1 to this Addendum.
- d. Section 4.2 is amended to change the time of the due dates to 5:00 P.M. local Pacific Time.
- e. The first paragraph only to Section 4.2.3 is amended as follows, new language will be bold and underlined and deleted language will be stricken through:

#### **4.2.3 CCO Letter of Intent to Apply**

Organizations interested in becoming CCOs must complete and submit a CCO Letter of Intent to Apply by the due date in Attachment 3. The due date for the CCO Letter of Intent to Apply is the same for all Applicants Application Dates. The CCO Letter of Intent to Apply must be submitted electronically in text-readable pdf form (as specified in Section 5.1.1) to OHA's web portal or by email to the RFA SPC. When the web portal is open for submitting the CCO Letter of Intent to Apply, OHA will send a notice to all potential Applicants registered on the portal.

- f. 4.2.4 is amended as follows, new language will be bold and underlined and deleted language will be stricken through:

#### **4.2.4 Medicare Notice of Intent to Apply**

For organizations that are interested in participating in the Medicare/Medicaid Alignment Demonstration, Applicant must submit a Medicare Notice of Intent to Apply to CMS using the CMS forms and by the date required by CMS. The Medicare Notice of Intent to Apply submitted to CMS differs from the CCO Letter of Intent to Apply submitted to OHA. For Medicare Three-Way Contracts with a January 1, 2013 effective date, the Medicare Notice of Intent to Apply is due on April 2, 2012. If Applicant chooses to submit a Medicare Notice of Intent to Apply, Applicant must provide a copy of its Medicare Notice of Intent to Apply to OHA at the same time it submits the CCO Letter of Intent to Apply. **If Applicant is unable to submit a copy of its Medicare Notice of Intent to Apply, Applicant must indicate if one was submitted, and if it was, provide OHA with its answers to questions 5, 7, 9 and 11 from its Medicare Notice of Intent to Apply.** OHA will post, on its web site, copies of all Medicare Notices of Intent to Apply **or Applicants' answers to the questions 5, 7, 9 and 11 as** received through this RFA process.

- g. Attachment 3, Part 1 "Medicaid Application Schedule" is amended to change the date for the even "Registration on OHA Web Portal" to April 2, 2012 for all 4 Application Dates.
- h. Attachment 5, Question 9 is amended as follows, new language will be bold and underlined and deleted language will be stricken through:

9. Does the Applicant intend to submit a Medicare Notice of Intent to Apply to CMS? If so, please provide a copy to OHA. **If Applicant is unable to submit a copy of its Medicare Notice of Intent to Apply, Applicant must indicate if one was submitted, and if it was, provide OHA with its answers to questions 5, 7, 9 and 11 from its Medicare Notice of Intent to Apply.**

3. All other terms, provisions, and conditions of this RFA remain unchanged.

## **Appendix 1**

### **Terms of Use for OHA RFA Web Portal**

The Oregon Health Authority (“OHA”) provides a secure web portal site (the “Portal”) for persons interested in submitting an application (“Applicants”) under OHA’s Request for Applications #3402 for Coordinated Care Organizations (the “RFA”). The Portal is the exclusive method for Applicant to submit its Application under the RFA. Applicant may also use the Portal submit its CCO Letter of Intent to Apply and to receive or submit official information relating to the RFA, including access to data related to the health services within the scope of the RFA and the Applicant’s Letter of Intent.

### **Applicant’s Acceptance**

By clicking the “I agree” button or acknowledging acceptance of an email copy, Applicant accepts these Terms of Use (the “Agreement”). Acceptance of these Terms of Use by any person using Applicant’s Portal registration binds all of Applicant’s users. Failure to comply with this Agreement may result in suspension or termination of Applicant’s privileges to use the Portal.

### **Use**

Applicant may use the Portal for the purposes set forth above. To register for the Portal, the Applicant will provide certain information required by the website (“Registration Information”). Applicant shall maintain and properly update Registration Information to keep it true, accurate, current, and complete. Applicant shall not provide any Registration Information or any other information to the Portal that is false or misleading. Applicant is responsible for all content uploaded, posted, emailed, transmitted, or otherwise made available to the Portal by the Applicant or through the Applicant's account. Applicant grants to OHA the right to use all content Applicant provides for the RFA. Any information provided to the Portal is subject to the provisions of the RFA.

### **Mis-Use**

Applicant warrants that no content Applicant submits through the Portal:

- Is subject to ownership rights of another person, unless Applicant has a license for Applicant and OHA to use the content for purposes of the RFA.
- Will contain any malware including but not limited to computer viruses, computer worms, Trojan horses, rootkits, spyware, dishonest adware and any other malicious or unwanted software.
- Will contain Personal Health Information (PHI) within the meaning of HIPAA, social security numbers, or other information subject to personal privacy laws.

## Use of OHA Data

Applicant is responsible for maintaining the security and privacy of data obtained through the Portal (whether directly or by other file access via the Portal) using the Applicant's account ("Data"). "Data" includes all copies of the Data and any document that uses or is derived from any part of the Data. Applicant understands that the OHA will provide access to Data through the Portal, and that these Data are provided to Applicant solely for purposes of the administration of the medical assistance program and implementation of state laws establishing the Oregon Integrated and Coordinated Health Care Delivery System by the use of coordinated care organizations.

Applicant warrants that:

- The confidentiality of all Data will be protected as mandated by state and federal laws and regulations, including HIPAA Privacy and Security Rules;
- The Data will not be used for any other purposes than those related to this RFA and Application unless prior written authorization is obtained from an authorized OHA representative;
- No findings, listing or information derived from the Data will be released or disclosed to other parties with or without identifiers, if such findings, listings, reports or information contain any combination of Data elements that might allow the deduction of a patient's identification;
- Access to the Data will be limited to those individuals directly involved in the Applicant's Application to the extent necessary to achieve the purposes of the RFA response, and that access will be limited to the minimum amount of Data necessary to achieve the purposes stated above;
- Applicant will report to OHA any breach of security or violations of this Agreement as soon as the Applicant becomes aware of the violation;
- Applicant will apply appropriate administrative, technical and physical safeguards so that the Data will be protected to prevent unauthorized use;
- Applicant will grant OHA authorized representatives access upon request to review Applicant's security arrangements;
- If the Applicant ceases to participate in the RFA for any reason (including but not limited to the withdrawal of its Application, OHA's denial of certification, or OHA's not awarding a Contract to Applicant), Applicant will return to OHA or destroy all of the Data and not later than 60 days after the participation ceases will provide to OHA an attestation that all the Data have been returned to OHA or destroyed, unless written agreement between OHA and the Applicant establishes another method for the Data to be handled;
- Applicant will enter into written agreements with any other persons who assist Applicant with the Data or otherwise obtain or use the Data obtained by Applicant, binding such person to all of the terms in this Agreement. Applicant will disclose such written agreements to OHA upon request; and
- Applicant will be responsible for any use by any person of the Data.

## **Password Security**

Upon successful registration, Applicant will receive user identification and password information. Applicant is responsible to maintain the confidentiality of the user identification and password information and for restricting access to Applicant's computers. Applicant accepts responsibility for all activities that occur under its user identification and password. Applicant agrees to immediately notify OHA if it becomes aware of any unauthorized use of Applicant's user identification or password or any other breach of security regarding the use of the Portal.

## **Operations**

OHA makes no warranties that the Portal will be error-free or that the operation of the Portal will be uninterrupted. Applicant should report to [cco.portal@state.or.us](mailto:cco.portal@state.or.us) any technical problems with the operations of the Portal; this OHA staff member must be contacted only about technical problems with the Portal, not substantive or procedural questions about the RFA.

## **Adoption by Addendum**

These Terms of Use have been adopted by OHA as an addendum to the RFA and may be altered only by a further addendum to the RFA. OHA reserves the right to change these Terms of Use at any time, by addendum to the RFA; Applicant's continued use of the Portal means that Applicant accepts those changes. In addition to any other legal remedies, OHA may deny certification as a CCO or award of a CCO Contract to an Applicant who violates this Agreement.