

SCOPE OF SERVICES

The contractor shall provide legal and consulting services to the State of Hawaii for completion of implementation of the 1115 demonstration waiver for the managed health care program reform and expansion, and development and implementation of the expanded QUEST managed care program for the aged, blind, and disabled population, and to incorporate long-term care programs into the waiver. The services to be provided include but are not limited to the following:

- A. Completion of implementation of QUEST Expanded managed care program for the non-aged, blind and disabled population.
 1. Provide strategic advice, consultation, project management and technical assistance on issues and policy decisions as needed.
- B. Development and implementation of QUEST Expanded Access managed care program for the aged, blind and disabled (ABD) population:
 1. Legal and consulting services relating to the drafting and issuance of the RFP.
 2. Developing an evaluation guide and tool for the technical evaluation, including training materials, and providing technical assistance throughout this phase.
 3. Facilitate the evaluation of the proposals in response to the RFP in Hawaii, including coordination with Med-QUEST personnel, subject matter experts, Attorney General's Office and the procurement office.
 4. Assist Med-QUEST personnel with a gap analysis and training plan to assist the division in developing a project management structure for outreach and education planning, open enrollment, readiness, and an Operations Plan with a phased-in training schedule to assist Med-QUEST in managing and monitoring the health plans throughout the term of the contract once the contracts are awarded. Development of a Project Implementation Plan with defined project tasks and discrete action items to guide project implementation and an Operation Plan. Assist with development of revised management strategies to meet operational challenges.
 5. Assist Med-QUEST Division with developing answers to questions submitted by bidders in response to the Business Section of the RFP.
 6. Assist with drafting necessary amendments to the RFP.
 7. If requested, provide on-site assistance in conducting readiness reviews, developing corrective action plans if the plans need to do remedial work in order to handle delivery of services pursuant to the contract, and finalization of Readiness Review documents to support the health plans' abilities to deliver services to enrollees.
 8. Prepare an Outreach Plan on Positive Enrollment which requires the development of education/briefing materials for targeted audiences, i.e. advocacy groups, enrollees, legislators, etc.
 9. Assist Med-QUEST in negotiating with health plans and preparing any contract amendments necessary after negotiation.

10. Provide strategic advice, consultation, project management and technical assistance on issues and policy decision as needed.

Provide outreach/operational plan for the uninsured adult coverage expansion as outlined in Hawaii's 1115 waiver. Work with CMS and the State in securing approval of the plan.

- C. Completion of work on appeal of the Provider Tax Disallowance.

Covington and Burling, LLC
SPO-07 B Request – 11/14/08

6. Scope of work for the contract is revised as follows:

With the approval of Request 08-001-J, an extensive amount of legal consulting and Medicaid expertise services have been utilized for the Quest Expanded Access (QeXA) program which will include the aged, blind and disabled (ABD) population into managed care health plans. Due to the complexity of the design and procurement of this new program, numerous question and answer sessions, 11 RFP amendments, and weekly and sometimes daily conference calls required the firm's expertise. Extensive evaluation, coordination and subject matter expertise, including securing federal approval and working on all aspects of the readiness and implementation efforts, has been provided by the firm to MQD administrators and staff evaluators. Contracts have been in place effective February 4, 2008 with the commencement of services to the ABD population originally set to start on November 1, 2008. An RFP protest has delayed the implementation of the QExA program and the program's start date has moved from November 1, 2008 to February 1, 2009. Also, after the SPO Protest was resolved in the State's favor, two lawsuits were filed in court, as well as adverse filings with the State's Insurance Commissioner in continued protest over the selection of the two contracted health plans. All of these adverse actions have required the expertise of these consultants to assist the state's administration and attorneys to defend the DHS and the QExA program implementation. This delay, coupled with the State's declining financial condition, will require a heavier reliance on the contractor to maximize efficiencies in increasing federal funding for ongoing program activities, including pursuing state plan amendments, and extending the State's Disproportionate State Hospital (DSH) authority. The State is also preparing to reprocure the QUEST Managed Care Program RFP and the contractor shall provide legal services relating to drafting and issuing the RFP.

Due to these needs, the State is requesting to extend the contract with the contractor for another 12-month period to December 31, 2009, and an additional \$1.25 million is required to fund the on-going services.

7. Reason: This/These amendment(s) are necessary because:

See Item 6. above.