

State of Hawaii
Department of Health
Office of Planning, Policy and Program Development

Request for Proposals

HTH 595-07-01 Urgent & Extended Hours Medical Care in West Maui

July 18, 2006

Note: If this RFP was downloaded from the State Procurement Office RFP Website each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, you may download the [RFP Interest form](#), complete and e-mail or mail to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

July 18, 2006

REQUEST FOR PROPOSALS

Urgent and Extended Hours Medical Care in West Maui RFP No. HTH 595-07-01

The Department of Health, Office of Planning, Policy and Program Development (“OPPPD”) is requesting proposals from qualified applicants to provide urgent and extended hours medical care in West Maui. Services may include, but are not limited to, urgent and extended hours medical care, radiology, laboratory and pharmacy services. The contract term will be from the State’s Notice to Proceed through June 30, 2007. A single contract will be awarded under this request for proposals.

Proposals shall be mailed, postmarked by the United States Postal Service on or before August 1, 2006, and received no later than 10 days from the submittal deadline. Hand delivered proposals shall be received no later than 4:30 p.m., Hawaii Standard Time (HST), on August 1, 2006 at the drop-off site designated on the Proposal Mail-in and Delivery Information Sheet. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. There are no exceptions to this requirement.

The OPPPD will conduct an orientation on July 25, 2006 from 10 a.m. to 12 ‘noon HST, in Room 105 of the Kaa’ike Building at Maui Community College located at 310 Kaahumanu Avenue, Kahului, Maui. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions via email is 4:30 p.m., HST, on July 26, 2006. All written questions will receive a written response via email from the State on or about July 28, 2006.

Inquiries regarding this RFP should be directed to the RFP contact person, Valerie P. Yin, M.S., R.D., M.B.A. at P.O. Box 3378, Honolulu, Hawaii 96801-3378, telephone: (808) 586-4188, fax: (808) 586-4193, e-mail: valerie.yin@doh.hawaii.gov.

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

NUMBER OF COPIES TO BE SUBMITTED: 3

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN **August 1, 2006** and received by the state purchasing agency no later than **10 days from the submittal deadline**.

All Mail-ins

Department of Health

Office of Planning, Policy and
Program Development
P.O. Box 3378
Honolulu, Hawaii 96801-3378

DOH RFP COORDINATOR

Valerie P. Yin, M.S., R.D.,
M.B.A.
For further info. or inquiries

Phone: (808) 586-4188
Fax: (808) 586-4193

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL **4:30 P.M., Hawaii Standard Time (HST), August 1, 2006**. Deliveries by private mail services such as FEDEX shall be considered hand deliveries. Hand deliveries shall not be accepted if received after 4:30 p.m., August 1, 2006.

Drop-off Sites

Oahu:

Department of Health
Office of Planning, Policy and Program
Development
1250 Punchbowl Street, Room 340
Honolulu, Hawaii 96813

RFP Table of Contents

Section 1 Administrative Overview

I.	Procurement Timetable	1-1
II.	Website Reference	1-2
III.	Authority	1-2
IV.	RFP Organization.....	1-2
V.	Contracting Office	1-3
VI.	Orientation	1-3
VII.	Submission of Questions	1-4
VIII.	Submission of Proposals	1-4
IX.	Discussions with Applicants.....	1-6
X.	Opening of Proposals.....	1-7
XI.	Additional Materials and Documentation.....	1-7
XII.	RFP Amendments	1-7
XIII.	Final Revised Proposals.....	1-7
XIV.	Cancellation of Request for Proposals.....	1-7
XV.	Costs for Proposal Preparation.....	1-7
XVI.	Provider Participation in Planning.....	1-8
XVII.	Rejection of Proposals	1-8
XVIII.	Notice of Award.....	1-8
XIX.	Protests.....	1-9
XX.	Availability of Funds	1-9
XXI.	Monitoring and Evaluation	1-10
XXII.	General and Special Conditions of the Contract.....	1-10
XXIII.	Cost Principles	1-10

Section 2 - Service Specifications

I.	Introduction.....	2-1
	A. Overview, Purpose or Need	2-1
	B. Planning activities conducted in preparation for this RFP.....	2-1
	C. Description of the Goals of the Service	2-1
	D. Description of the Target Population to be Served.....	2-2
	E. Geographic Coverage of Service	2-2
	F. Probable Funding Amounts, Source, and Period of Availability.	2-2
II.	General Requirements.....	2-2
	A. Specific Qualifications or Requirements	2-2
	B. Secondary Purchaser Participation	2-2
	C. Multiple or Alternate Proposals.....	2-2
	D. Single or Multiple Contracts to be Awarded	2-2
	E. Single or Multi-Term Contracts to be Awarded	2-3
	F. RFP Contact Person	2-3
III.	Scope of Work	2-3
	A. Service Activities	2-3

	B.	Management Requirements	2-4
IV.		Facilities	2-7

Section 3 - Proposal Application Instructions

		General Instructions for Completing Applications	3-1
I.		Program Overview	3-1
II.		Experience and Capability	3-2
	A.	Necessary Skills	3-2
	B.	Experience.....	3-2
	C.	Quality Assurance and Evaluation.....	3-2
	D.	Coordination of Services.....	3-2
	E.	Facilities.....	3-2
III.		Project Organization and Staffing.....	3-2
	A.	Staffing.....	3-2
	B.	Project Organization	3-3
IV.		Service Delivery.....	3-3
V.		Financial.....	3-4
	A.	Pricing Structure	3-4
	B.	Other Financial Related Materials	3-5
VI.		Other	3-5
	A.	Litigation.....	3-5

Section 4 – Proposal Evaluation

I.		Introduction.....	4-1
II.		Evaluation Process	4-1
III.		Evaluation Criteria.....	4-2
	A.	Phase 1 – Evaluation of Proposal Requirements	4-2
	B.	Phase 2 – Evaluation of Proposal Application.....	4-2
	C.	Phase 3 – Recommendation for Award	4-5

Section 5 – Attachments

- Attachment A. Competitive Proposal Application Checklist
- Attachment B. Sample Proposal Table of Contents
- Attachment C. DOH Directive Number 04-01 dated May 3, 2004 related to Interpersonal Relationships Between Staff and Clients/Patients.

Section 1

Administrative Overview

Section 1

Administrative Overview

Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.

I. Procurement Timetable

Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.

Activity	Scheduled Date
Public notice announcing RFP	July 18, 2006
Distribution of RFP	July 18, 2006
RFP orientation session	July 25, 2006
Closing date for submission of written questions via email for written responses	July 26, 2006
State purchasing agency's response to applicants' written questions via email	July 28, 2006
Discussions with applicant prior to proposal submittal deadline (optional)	July 28, 2006
Proposal submittal deadline	August 1, 2006
Discussions with applicant after proposal submittal deadline (optional)	Early August, 2006
Final revised proposals (optional)	Early August 2006
Proposal evaluation period	August 2 – August 9, 2006
Provider selection	August 11, 2006
Notice of statement of findings and decision	August 11, 2006
Contract start date	State's Notice to Proceed

II. Website Reference

The State Procurement Office (SPO) website is www.spo.hawaii.gov

	For	Click
1	Procurement of Health and Human Services	“Health and Human Services, Chapter 103F, HRS...”
2	RFP website	“Health and Human Services, Ch. 103F...” and “RFPs”
3	Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services	“Statutes and Rules” and “Procurement of Health and Human Services”
4	Forms	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Forms”
5	Cost Principles	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Cost Principles”
6	Standard Contract -General Conditions	“Health and Human Services, Ch. 103F...” “For Private Providers” and “Contract Template – General Conditions”
7	Protest Forms/Procedures	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Protests”

Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at www.hawaii.gov)

	For	Go to
8	Tax Clearance Forms (Department of Taxation Website)	http://www.hawaii.gov/tax/ click “Forms”
9	Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website)	http://www.capitol.hawaii.gov/ click “Bill Status and Documents” and “Browse the HRS Sections.”
10	Department of Commerce and Consumer Affairs, Business Registration	http://www.hawaii.gov/dcca click “Business Registration”
11	Campaign Spending Commission	www.hawaii.gov/campaign

III. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

IV. RFP Organization

This RFP is organized into five sections:

Section 1, Administrative Overview--Provides applicants with an overview of the procurement process.

Section 2, Service Specifications--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

Section 3, Proposal Application Instructions--Describes the required format and content for the proposal application.

Section 4, Proposal Evaluation--Describes how proposals will be evaluated by the state purchasing agency.

Section 5, Attachments --Provides applicants with information and forms necessary to complete the application.

V. Contracting Office

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

Department of Health	Office of Planning, Policy and Program Development
P.O. Box 3378, Honolulu, Hawaii 96801-3378	
Phone (808) <u>586-4188</u>	Fax: (808) <u>586-4193</u>

VI. Orientation

An orientation for applicants in reference to the request for proposals will be held as follows:

Date: July 25, 2006 **Time:** 10 a.m. to 12 'noon
Location: Room 105 of the Kaaike Building at Maui Community College
located at 310 Kaahumanu Avenue, Kahului, Maui

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the

orientation, but no later than the submittal deadline for written questions indicated in the next paragraph (VII. Submission of Questions).

VII. Submission of Questions

Applicants may submit questions via email to the RFP Contact Person identified in Section 2 of this RFP. All written questions will receive via email a written response from the state purchasing agency.

Deadline for submission of written questions:

Date: July 26, 2006 **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by:

Date: July 28, 2006

VIII. Submission of Proposals

A. Forms/Formats - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website (See page 1-2, Websites Referred to in this RFP. Refer to the Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPO-H-200)** - Provides identification of the proposal.
2. **Proposal Application Checklist** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
3. **Table of Contents** - A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
4. **Proposal Application (Form SPO-H-200A)** - Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP.)
5. **Tax Clearance** – A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required either at the time of proposal submittal or upon notice of award at the discretion of the purchasing agency.

Refer to Section 4, subparagraph III.A.1, Administrative Requirements, and the Proposal Application Checklist (located in Section 5) to determine whether the tax clearance is required at time of proposal submittal for this RFP. Tax clearance application may be obtained from the Department of Taxation website. (See paragraph II, Website Reference.)

- B. Program Specific Requirements** - Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Application Instructions, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist located in Section 5.
- C. Multiple or Alternate Proposals** - Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55, HRS may be obtained from the Hawaii State Legislature website. (See paragraph II, Website Reference.)
- E. Compliance with all Applicable State Business and Employment Laws.** All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations unincorporated associations and foreign insurance companies be register and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See paragraph II, Website Reference.)
- F. Campaign Contributions by State and County Contractors.** Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, Act 203/2005 FAQs are available at the Campaign Spending Commission webpage. (See paragraph II, Website Reference.)

- G. Confidential Information** – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note that price is not considered confidential and will not be withheld.

- H. Proposal Submittal** – All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the State purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the State purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. Proposals shall be rejected when:

- Postmarked after the designated date; or
- Postmarked by the designated date but not received within 10 days from the submittal deadline; or
- If hand delivered, received after the designated date and time.

The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks.

Faxed proposals and/or submission of proposals on diskette/CD or transmission by e-mail, website or other electronic means is not permitted.

IX. Discussions with Applicants

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. After Proposal Submittal Deadline -** Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

X. Opening of Proposals

Upon receipt of proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

XI. Additional Materials and Documentation

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

XII. RFP Amendments

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

XIII. Final Revised Proposals

If requested, final revised proposals shall be submitted in the manner, and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

XIV. Cancellation of Request for Proposal

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

XV. Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

XVI. Provider Participation in Planning

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202 and 3-142-203 of the Hawaii Administrative Rules for Chapter 103F, HRS.

XVII. Rejection of Proposals

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS, are parenthesized)

- (1) Rejection for failure to cooperate or deal in good faith. (Section 3-141-201, HAR)
- (2) Rejection for inadequate accounting system. (Section 3-141-202, HAR)
- (3) Late proposals (Section 3-143-603, HAR)
- (4) Inadequate response to request for proposals (Section 3-143-609, HAR)
- (5) Proposal not responsive (Section 3-143-610(a)(1), HAR)
- (6) Applicant not responsible (Section 3-143-610(a)(2), HAR)

XVIII. Notice of Award

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

XIX. Protests

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website. (See paragraph II, Website Reference.) Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

Head of State Purchasing Agency	Procurement Officer
Name: Chiyome Leinaala Fukino, M.D.	Name: Ann H. Kinningham
Title: Director of Health	Title: Chief, Administrative Services Office
Mailing Address: P.O. Box 3378, Honolulu, Hawaii 96801-3378	Mailing Address: P.O. Box 3378, Honolulu, Hawaii 96801-3378
Business Address: 1250 Punchbowl St., Honolulu, Hawaii 96813	Business Address: 1250 Punchbowl St., Honolulu, Hawaii 96813

XX. Availability of Funds

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, HRS, and subject to the availability of State and/or Federal funds.

XXI. Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:

- (1) Performance/Outcome Measures (not applicable for the purposes of this RFP)
- (2) Output Measures
- (3) Quality of Care/Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

XXII. General and Special Conditions of Contract

The general conditions that will be imposed contractually are on the SPO website. (See paragraph II, Website Reference). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

XXIII. Cost Principles

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website (see paragraph II, Website Reference). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

Section 2

Service Specifications

Section 2

Service Specifications

I. Introduction

A. Overview, purpose or need

In accordance with Act 242, SLH 2006, West Maui has a resident and visitor population of 40,000 to 50,000. The area lacks twenty-four hour, seven days-a-week, and urgent and extended hours medical care. Urgent care is required for any episode of illness or injury that is not immediately life threatening and not elective but is brought on unexpectedly. Extended care services refer to the provision of appropriate medical care after normal physician work hours or clinic hours, on weekdays and whole or partial days on weekends and holidays.

West Maui patients who need urgent care after hours must drive over twenty-five miles one way to central Maui for care. The provision of urgent and extended hours medical care in West Maui could reduce the costs of health care and provide needed medical services to residents in the area.

Act 242, SLH 2006, appropriates \$300,000 for the period July 1, 2006 to June 30, 2007. According to the legislation, funds shall be used for expenditures related to the delivery of direct services, including staff salaries for medical and administrative personnel, and operating expenses, including equipment purchases. Since Act 242, SLH 2006 appropriates funding for only a one-year period, the selected provider of services will need to seek other means of financing as may be necessary for the continuation of the program.

B. Planning activities conducted in preparation for this RFP

On July 11, 2006, the Department of Health, Office of Planning, Policy and Program Development (“OPPPD”) held a Request for Information (“RFI”) teleconference to assist in its planning activities for urgent and extended hours medical care for West Maui. Minutes of the teleconference may be obtained from the RFP Contact Person named in this RFP.

C. Description of the goals of the service

The goals of the program are to provide needed urgent and extended hours medical care to residents in West Maui and to reduce the costs of health care.

Patients who need urgent care will no longer have to drive to the Maui Memorial Hospital for high cost emergency room care.

D. Description of the target population to be served

Resident and non-resident patients alike in the West Maui region on the island of Maui will be offered urgent and extended hours medical care.

E. Geographic coverage of service

West Maui region.

F. Probable funding amounts, source, and period of availability

Act 242, SLH 2006, appropriates \$300,000 of State funds for urgent and extended hours medical care in West Maui. The funds were appropriated for the period July 1, 2006 to June 30, 2007 and will be contracted upon the State's Notice to Proceed to June 30, 2007.

II. General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

Not applicable for the purposes of this RFP.

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

Planned secondary purchases - None.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

Allowed Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

Single Multiple Single & Multiple

Criteria for multiple awards:

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

 Single term (\leq 2 yrs) Multi-term ($>$ 2 yrs.)

Contract terms:

Initial term of contract: State's Notice to Proceed to June 30, 2007

Length of each extension: up to 12 months.

Number of possible extensions: 1

Maximum length of contract: June 30, 2008

The initial period shall commence upon the State's Notice to Proceed.

Conditions of extension: Execution of a contract modification.

F. RFP contact person

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider or providers. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section 1, paragraph I (Procurement Timetable) of this RFP.

Valerie P. Yin, M.S., R.D., M.B.A

Phone: (808) 586-4188

E-mail: valerie.yin@doh.hawaii.gov

III. Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities

(Minimum and/or mandatory tasks and responsibilities)

According to the National Urgent Care Association of America, urgent care is defined as the delivery of ambulatory medical care outside of a hospital emergency department on a walk-in-basis without a scheduled appointment. Urgent care is appropriate for injuries of an acuity higher than generally seen in a primary care physician office but yet of lower acuity than requiring care in a hospital emergency department. Extended care services refer to the provision of appropriate medical care after normal physician work hours or clinic hours, on weekdays and whole or partial days on weekends and holidays.

The awardee shall provide urgent and after hours medical care to the West Maui community which may include, but is not limited to, the following services:

- Extended hours medical care
- Urgent care
- Radiology
- Laboratory
- Pharmacy

Services shall be delivered by licensed physicians and other licensed and certified health professionals.

Urgent and extended hours medical care shall be available after normal physician work hours or clinic hours on weekdays, and whole or partial days on weekend and holidays.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

The awardee shall utilize appropriate personnel to provide urgent and extended hours medical care. All direct care staff shall possess an unencumbered license and/or certification, as appropriate, to practice in the State of Hawaii.

2. Administrative

The awardee shall:

- Insure that all medical practitioners shall have current professional liability insurance coverage whether the scope of work is performed by the awardee themselves or by any subcontractor or by anyone directly or indirectly employed by them. The awardee shall provide evidence of professional liability insurance prior to the commencement of the contract.
- Provide the STATE with a current certificate of general liability insurance with a minimum coverage of at least \$1,000,000 whether the scope of work is performed by the awardee themselves or by any subcontractor or by anyone directly or indirectly employed by them. The certificate shall reflect coverage from the effective date of the contract and shall name the State of Hawaii, Department of Health as additional insured.
- Be responsible for its own determination and compliance efforts in regards to the federal Health Insurance Portability and Accountability Act of 1996. (“HIPAA”) This provision shall also apply to any subcontractors hired by the awardee.

- Acknowledge the Department of Health as the awardees' program sponsor. This acknowledgment shall appear on all printed materials for which the Department of Health is a program sponsor.
- Obtain prior written consent from the State before subcontracting any of the awardees' duties, obligations, or interests under the contract. The awardees' subcontractor shall submit to the State a tax clearance certificate from the Director of Taxation, State of Hawaii, showing that all delinquent taxes, if any, levied or accrued under state law against the awardees' subcontractor have been paid. A written agreement between the awardee and the subcontractor outlining the duties, obligations, or interests between the parties shall be provided and approved by the State prior to the commencement of services.
- Comply with all applicable policies and procedures of the Department of Health.
- Comply with the Department of Health's Directive Number 04-01 dated May 3, 2004 related to Interpersonal Relationships Between Staff and Clients/Patients. Please refer to Section 5, Attachment C. of this RFP.
- Comply with Section 11-205.5, H.R.S., which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body.
- Comply with the following policy regarding all equipment, unused supplies and materials leased or purchased with funds paid to the awardee under the contract:

If the contract is terminated with cause or without cause or at the scheduled expiration of the time of performance specified in the contract, all equipment and unused supplies and materials leased or purchased with funds paid to the awardee under the contract shall become the property of the State as it so specifies and shall be disposed of as directed by the State.

3. Quality assurance and evaluation specifications

The awardee and subcontractor(s), if any, shall conform to established community standards of care and practice, and best practices, and shall have a quality assurance plan in place to evaluate its adherence to these standards.

4. Output and performance/outcome measurements

Not applicable for purposes of this RFP.

5. Experience

Experience in the delivery of urgent and extended hours medical care.

6. Coordination of services

The awardee shall coordinate services with other agencies and resources in the community as necessary.

7. Reporting requirements for program and fiscal data

Program Reporting Requirements: A Final Project report is due within 30 days after the expiration of the time of performance. The report shall document the awardees' overall efforts in meeting the goals of the contract, including program sustainability. The report shall also provide client encounter data, in a format that will be provided upon award of the contract, that shall include the number of urgent care visits by diagnosis and the unduplicated number of urgent care clients, as well as the number of non-urgent care visits by diagnosis and the unduplicated number of non-urgent care visits. Additional data further describing clients (i.e. ethnicity, insured status, income level) may assist in future planning for continued access to health care in West Maui. The applicant shall discuss and propose additional types of data on clients that would be collected and reported to this end (Refer to Section 3, Item IV).

Fiscal Reporting Requirements: The awardee and/or its subcontractors shall submit monthly Report of Expenditures documenting actual expenditures incurred. The format will be provided upon contract award.

8. Pricing structure or pricing methodology to be used

Cost reimbursement pricing structure.

9. Units of service and unit rate

Not applicable.

10. Method of compensation and payment

Payments shall be made on a monthly basis upon the submission of an invoice and a Report of Expenditures in the format prescribed by the State.

IV. Facilities

Facilities must be adequate in relation to the proposed services.

Section 3

Proposal Application Instructions

Section 3

Proposal Application Instructions

General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. See sample table of contents in Section 5.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*
- *This form (SPO-H-200A) is available on the SPO website (see Section 1, paragraph II, Website Reference). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

I. Program Overview

Applicant shall give a brief overview to orient evaluators as to the program/services being offered.

II. Experience and Capability

A. Necessary Skills

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge relating to the delivery of the proposed services.

B. Experience

The applicant shall provide a description of projects/contracts pertinent to the proposed services. Applicant shall include points of contact, addresses, e-mail address and telephone numbers. The State reserves the right to contact references to verify experience.

C. Quality Assurance and Evaluation

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology.

D. Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

E. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

III. Project Organization and Staffing

A. Staffing

1. Proposed Staffing

The applicant and its subcontractor(s), if any, shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

2. Staff Qualifications

The applicant and its subcontractor(s), if any, shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable)

B. Project Organization

1. Supervision

The applicant and its subcontractor(s), if any, shall describe its ability to provide administrative and fiscal supervision relative to the delivery of the proposed services.

2. Organization Chart

The applicant and its subcontractors(s), if any, shall reflect the position of each staff and line of responsibility/supervision in delivering proposed services. Include position title, name and full time equivalency.

IV. Service Delivery

The applicant and its subcontractors(s), if any, shall include a detailed discussion of the applicant's approach in delivering the proposed services, including responsibilities of the applicant and any subcontractor(s), as applicable. Services may include, but are not limited to, the following:

- Extended hours medical care
- Urgent care
- Radiology
- Laboratory
- Pharmacy

The applicant shall also include a detailed discussion of the following:

- Plans for sustaining urgent and extended hours medical care in West Maui after the termination of the State contract on June 30, 2007.
- Rationale used in determining the days and hours of provision of urgent and extended hours medical care.
- Types of data on clients that would be collected and reported to describe users of proposed services in West Maui (see Section 2, Item III. B7, Program Reporting Requirements.)

V. Financial

A. Pricing Structure

Applicant shall submit a cost proposal utilizing the cost reimbursement pricing structure. The cost proposal shall be attached to the Proposal Application. Direct and Indirect costs for any proposed subcontractors shall be included.

All budget forms, instructions and samples are located on the SPO website (see Section 1, paragraph II Websites referred to in this RFP). The following budget form(s) shall be submitted with the Proposal Application:

- SPO-H-205 - Proposal Budget (The budget for “State Funds” should be reflected in Column (a) and the budget for “Other Funds” should be reflected in Column (b) on Form SPO-H-205.

In addition to SPO-H-205, the awardee shall submit the following Budget Justification forms, as applicable:

- SPO-H-206A – Budget Justification – Personnel: Salaries & Wages
- SPO-H-206B – Budget Justification – Personnel: Payroll Taxes and Assessments, and Fringe Benefits
- SPO-H-206C – Budget Justification – Travel: Interisland
- SPO-H-206E – Budget Justification – Contractual Services – Administrative
- SPO-H-206F – Budget Justification – Contractual Services - Subcontracts
- SPO-H-206G – Budget Justification – Depreciation
- SPO-H-206H – Budget Justification – Program Activities
- SPO-H-206I – Budget Justification – Equipment Purchases

Subcontracts

If the awardee is planning to subcontract any of its duties, obligations, or interests under the contract as reflected on Form SPO-H-206F above, the following budget form must be completed for the subcontracted services:

- SPO-H-205 - Proposal Budget (The budget for “State Funds” should be reflected in Column (a) and the budget for “Other Funds” should be reflected in Column (b) on Form SPO-H-205.

In addition to SPO-H-205, the awardee shall submit the following Budget Justification forms for the subcontracted services, as applicable:

- SPO-H-206A – Budget Justification – Personnel: Salaries & Wages

- SPO-H-206B – Budget Justification – Personnel: Payroll Taxes and Assessments, and Fringe Benefits
- SPO-H-206C – Budget Justification – Travel: Interisland
- SPO-H-206E – Budget Justification – Contractual Services – Administrative
- SPO-H-206F – Budget Justification – Contractual Services – Subcontracts
- SPO-H-206G – Budget Justification - Depreciation
- SPO-H-206H – Budget Justification – Program Activities
- SPO-H-206I – Budget Justification – Equipment Purchases

B. Other Financial Related Materials

1. Accounting System

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the Proposal Application (may be attached):

- Most recent financial audit

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain.

Section 4

Proposal Evaluation

Section 4 Proposal Evaluation

I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal Application
- Phase 3 - Recommendation for Award

Evaluation Categories and Thresholds

<u>Evaluation Categories</u>	<u>Possible Points</u>
<i>Administrative Requirements</i>	
 <i>Proposal Application</i>	
Program Overview	0 points
Experience and Capability	30 points
Project Organization and Staffing	15 points
Service Delivery	45 points
Financial	10 Points
 TOTAL POSSIBLE POINTS	 100 Points

III. Evaluation Criteria

A. Phase 1 - Evaluation of Proposal Requirements

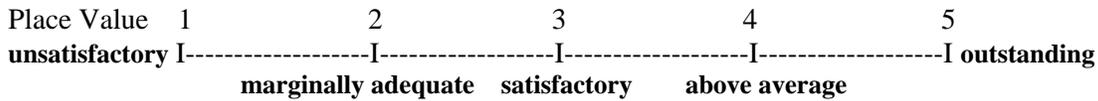
1. Administrative Requirements

2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

B. Phase 2 - Evaluation of Proposal Application (100 Points)

A 5-point rating scale will be used to rate the proposal content. Only whole numbers will be assigned (1, 2, 3, 4, or 5), half numbers are not utilized in this 5-point rating scale.



5 - Outstanding	<ul style="list-style-type: none"> ▪ Each bullet identified and addressed clearly. ▪ Consistently exceeded required elements by clearly proposing additional services or strategies for implementation to achieve the RFP requirements.
4 – Above Average	<ul style="list-style-type: none"> ▪ Bullets addressed clearly in subheading under the appropriate numbered heading. ▪ .More than met expectations by providing additional details or specific examples of the services or strategies for implementation.
3 - Satisfactory	<ul style="list-style-type: none"> ▪ Competent; general description of “what we do” for all required elements. ▪ No additional details, specific examples, or additional services or strategies to achieve RFP.
2 – Marginally Adequate	<ul style="list-style-type: none"> ▪ Not all bullets or all components of a bullet were evident under the appropriate numbered heading of the RFP. ▪ Did not answer the question completely in terms of approach, strategies, services, or descriptions.

1 - Unsatisfactory	<ul style="list-style-type: none"> ▪ <i>Not all bullets or components of a bullet were addressed or evident in the proposal.</i> ▪ <i>Only reiterated the wording of RFP or other attached DOH materials.</i>
---------------------------	---

Program Overview: No points are assigned to Program Overview. The intent is to give the applicant an opportunity orient evaluators as to the service(s) being offered.

1. Experience and Capability (30 Points)

The State will evaluate the applicant’s experience and capability relevant to the proposal contract, which shall include:

- | | | |
|-----------|---|---|
| A. | Necessary Skills | 10 |
| | <ul style="list-style-type: none"> • Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services. | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/> |
| B. | Experience | 10 |
| | <ul style="list-style-type: none"> • Demonstrated experience in proposed services. | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/> |
| C. | Quality Assurance and Evaluation | 5 |
| | <ul style="list-style-type: none"> • Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology. | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/> |
| D. | Coordination of Services | 3 |
| | <ul style="list-style-type: none"> • Demonstrated capability to coordinate services with other agencies and resources in the community. | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/> |
| E. | Facilities | 2 |
| | <ul style="list-style-type: none"> • Adequacy of facilities relative to the proposed services. | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/> |

2. Project Organization and Staffing (15 Points)

The State will evaluate the applicant’s overall staffing approach to the service that shall include:

A. Staffing	<u>10</u>
<ul style="list-style-type: none"> • <u>Proposed Staffing:</u> That the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services. 	<u>5</u>
<ul style="list-style-type: none"> • <u>Staff Qualifications:</u> Minimum qualifications (including experience) for staff assigned to the program. 	<u>5</u>
<hr/>	
B. Project Organization	<u>5</u>
<ul style="list-style-type: none"> • Supervision: Demonstrated ability to provide administrative and fiscal supervision relative to the delivery of the proposed services. 	<u>3</u>
<ul style="list-style-type: none"> • Organization Chart: Approach and rationale for the structure, functions, and staffing for the overall service activity and tasks. 	<u>2</u>
<hr/>	

3. Service Delivery (45 Points)

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.

<ul style="list-style-type: none"> • The applicant's approach in delivering the proposed services, including responsibilities of the applicant and any subcontractor(s), as applicable. 	<u>25</u>
<hr/>	
<ul style="list-style-type: none"> • Viability of plan for sustaining urgent and extended hours medical care in West Maui after the termination of the State contract on June 30, 2007. 	<u>15</u>
<hr/>	
<ul style="list-style-type: none"> • Rationale used in determining the days and hours of provision of urgent and extended hours medical care. 	<u>5</u>
<hr/>	
<hr/>	
<hr/>	

4. Financial (10 Points)

Pricing structure based on cost reimbursement

- Personnel costs are reasonable and comparable to positions in the community.
- Non-personnel costs are reasonable and adequately justified.
- The budget fully supports the scope of service and requirements of the Request for Proposal.
- Adequacy of accounting system.

C. Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Section 5

Attachments

- A. Competitive Proposal Application Checklist
- B. Sample Proposal Table of Contents
- C. DOH Directive Number 04-01 dated May 3, 2004 related to Interpersonal Relationships Between Staff and Clients/Patients

Proposal Application Checklist

Applicant: _____

RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. **This checklist must be signed, dated and returned to the purchasing agency as part of the Proposal Application.** SPOH forms are on the SPO website. See Section 1, paragraph II Website Reference.*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
General:				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	X	
Proposal Application Checklist	Section 5, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Attachment B	X	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*		
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 5		
SPO-H-205B	Section 3, RFP,	SPO Website* Special Instructions are in Section 5		
SPO-H-206A	Section 3, RFP	SPO Website*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*	X	
SPO-H-206D	Section 3, RFP	SPO Website*		
SPO-H-206E	Section 3, RFP	SPO Website*	X	
SPO-H-206F	Section 3, RFP	SPO Website*	X	
SPO-H-206G	Section 3, RFP	SPO Website*	X	
SPO-H-206H	Section 3, RFP	SPO Website*	X	
SPO-H-206I	Section 3, RFP	SPO Website*	X	
SPO-H-206J	Section 3, RFP	SPO Website*		
Certifications:				
Federal Certifications				
Debarment & Suspension		Section 5, RFP		
Drug Free Workplace		Section 5, RFP		
Lobbying		Section 5, RFP		
Program Fraud Civil Remedies Act		Section 5, RFP		
Environmental Tobacco Smoke		Section 5, RFP		
Program Specific Requirements:				

Authorized Signature

Date

Sample Proposal Application Table of Contents

I.	Program Overview.....	1
II.	Experience and Capability	1
	A. Necessary Skills	2
	B. Experience.....	4
	C. Quality Assurance and Evaluation.....	5
	D. Coordination of Services.....	6
	E. Facilities.....	6
III.	Project Organization and Staffing	7
	A. Staffing.....	7
	1. Proposed Staffing.....	7
	2. Staff Qualifications	9
	B. Project Organization	10
	1. Supervision	10
	2. Organization Chart (Program) (See Attachments for Organization Chart (Program))	
IV.	Service Delivery.....	12
V.	Financial.....	20
	See Attachments for Cost Proposal	
VI.	Litigation.....	20
VII.	Attachments	
	A. Cost Proposal (Applicant and/or Subcontractor, as applicable)	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
	SPO-H-206F Budget Justification – Contractual Services –Subcontracts	
	SPO-H-206G Budget Justification - Depreciation	
	SPO-H-206H Budget Justification – Program Activities	
	SPO-H-206I Budget Justification - Equipment	
	B. Other Financial Related Materials	
	Financial Audit	
	C. Organization Chart Program	

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

INTRA-DEPARTMENTAL DIRECTIVE 04-01
May 3, 2004 Page 1 of 5

TO: All Deputies, Division and Branch Chiefs, Staff Officers, District Health Officers, and Administrators of Attached Agencies

FROM: Chiyome Leinaala Fukino, M.D.
Director of Health *Chiyome Leinaala Fukino*

SUBJECT: INTERPERSONAL RELATIONSHIPS BETWEEN STAFF AND CLIENTS/PATIENTS

04-1.1

PURPOSE

This directive provides the policy for the State of Hawaii, Department of Health on interpersonal relationships between staff and clients/patients.

04-1.2

POLICY

- A. Staff shall not use their professional position to exploit others for any reason.
- B. Staff shall avoid engaging in dual/multiple relationships with clients/patients or former clients/patients. When dual/multiple relationships are unavoidable, staff shall take steps ensure that the nature of the dual/multiple relationship shall neither harm nor exploit the client/patient.
- C. Sexual relationships with any client/patient or former client/patient are prohibited. Staff shall not have financial relationships with clients/patients or former clients/patients.

- D. Staff are prohibited from engaging in sexual relationships with clients/patients' relatives or other individuals with whom clients/patients maintain close personal relationships, or to whom clients/patients are reliant upon. Staff are required to set clear, appropriate and culturally sensitive boundaries.
- E. Staff shall neither initiate, assume, nor maintain a treatment relationship to individuals with whom they have had prior sexual relationships. Staff shall inform their supervisor if there have been past relationships with potential clients/patients and arrange to have the care of such patients/clients provided by another qualified staff person.
- F. Staff shall not engage in physical contact with clients/patients when there is a possibility of psychological harm to the clients/patients as a result of the contact (such as cradling or caressing clients/patients). In providing services, staff who are required to have physical contact with clients/patients are responsible for setting clear, appropriate and culturally sensitive boundaries that govern such physical contact.
- G. Staff who anticipate the potential for sexual relationships with former clients/patients shall consult in depth with their supervisors, exploring the various risks and concerns.

04-1.3

SCOPE

This directive applies to all Department of Health employees, including volunteers, who provide treatment and/or services and individuals or agencies that are contracted to provide treatment and/or services on behalf of the Department of Health.

04-1.4

DEFINITIONS

- Clients/Patients: Persons under observation, care, treatment, or receiving services.
- Department: Department of Health
- Director: Director of Health

- Dual/multiple relationships: When an employee has, or has had, more than one relationship with a patient or client, either presently or in the past. These may include professional, business, social, or personal relationships. Dual/multiple relationships can occur simultaneously or consecutively.
- Staff: Department employees, including volunteers, and individuals or agencies that are contracted to provide services on behalf of the Department.
- Health: Includes physical and mental health.
- Providers: Any persons, public or private vendors, agencies, or business concerns authorized by the department to provide health care, services, or activities.
- Services: Appropriate assistance provided to a person with a medical illness, developmental disability, mental illness, substance abuse or dependency disorder, or mental retardation. These services include, but are not restricted to assessment, case management, care coordination, treatment, training, vocational support, testing, day treatment, dental treatment, residential treatment, hospital treatment, developmental support, respite care, domestic assistance, attendant care, habilitation, rehabilitation, speech therapy, physical therapy, occupational therapy, nursing counseling, family therapy or counseling, interpretation, transportation, psychotherapy, and counseling to the person and/or to the person's family, guardian or other appropriate representative.
- Treatment: The broad range of services and care, including diagnostic valuation, medical, psychiatric, psychological, and social service care, vocational rehabilitation, career counseling, and other special services which may be extended to a person in need or with a disabling condition.

04-1.5 **RESPONSIBILITIES**

- A. **Director:** Insure this policy is maintained, interpreted, updated, and communicated to all program managers.

- B. **Deputy Directors:** Insure this policy is communicated to, understood and implemented by program managers within their administrations, and insure needed revisions of this policy are communicated to the Director.

- C. **Program Managers:**
 - (1) Insure this policy is communicated to and understood by all vendors, providers, or contractors, and insert a reference to this policy in appropriate contracts.

 - (2) Insure this policy is enforced.

 - (3) Investigate alleged or reported infractions of this policy and take corrective actions as may be indicated.

 - (4) Recommend needed changes to this policy to their Deputy Directors.

- D. **Employees:** Comply with this policy and report alleged infractions of this policy to their supervisors or superiors.

- E. **Providers:** Insure this policy is communicated, understood, and implemented.

04-1.6 **PROVISO**

If there is a conflict between this policy and a collective bargaining agreement, the collective bargaining agreement shall prevail.

04-1.7

REFERENCES

- A. Discrimination in Public Accommodations, Chapter 489, Hawaii Revised Statutes, as amended.
- B. Fair treatment, Section 84-13, Hawaii Revised Statutes, as amended.
- C. Rights of persons with developmental or mental retardation, Section 333F-8, Hawaii Revised Statutes, as amended.
- D. Rights of recipients of mental health services, Chapter 334E, Hawaii Revised Statutes, as amended.
- E. Sex Discrimination, Title 12, Chapter 46, Subchapter 4, Hawaii Administrative Rules, as amended.
- F. Disability Discrimination, Chapter 46, Subchapter 9, Hawaii Administrative Rules.

This document should be placed in the Personnel Manual of Policies and Procedures under Section 11, SUBJECT: EMPLOYEE RELATIONS.