

Sherley, Tami [PU]

From: McSorley, Mary [Mary.McSorley@amerigroup.com]
Sent: Wednesday, April 11, 2012 3:39 PM
To: McSorley, Mary; Sherley, Tami [PU]
Cc: Stredler, Jeffrey; Ford, Stephen; Carino, Joe; 'wsneed@polsinelli.com'
Subject: RE: Follow up to phone conversation re: Open Records Request - Financial Projections
Attachments: Amerigroup Objection to Release of Financial.pdf

Actually attached now....

From: McSorley, Mary
Sent: Wednesday, April 11, 2012 4:38 PM
To: McSorley, Mary; 'tami.sherley@da.ks.gov'
Cc: Stredler, Jeffrey; Ford, Stephen; Carino, Joe; 'wsneed@polsinelli.com'
Subject: RE: Follow up to phone conversation re: Open Records Request - Financial Projections

Dear Ms. Sherley,

As promised, attached is Amerigroup's objection to the release of financial records submitted to the Kansas Insurance Department today. Please let me know if you have additional questions or need further information.

Sincerely,

Mary T. McSorley
Amerigroup Corporation

From: McSorley, Mary
Sent: Wednesday, April 11, 2012 11:49 AM
To: 'tami.sherley@da.ks.gov'
Cc: Stredler, Jeffrey; Ford, Stephen; Carino, Joe
Subject: Follow up to phone conversation re: Open Records Request - Financial Projections
Importance: High

Dear Ms. Sherley:

As discussed during our phone conversation, Amerigroup received the Open Records Request (see email below) from the Kansas Insurance Department regarding our pending application for an HMO license. We believe that this request may also include a request for information from other bidders.

The release of this information could result in significant adverse consequences for Amerigroup and for the procurement. Our counsel is currently preparing a response to object to the release of this information and once it is filed, we will send you a copy. In the meantime, we wanted to inform you that this has occurred should KDHE, SRS, KDOA or other interested Departments wish to respond to the request concurrently.

Please let me know if you have questions or need additional information.

Sincerely,

Mary T. McSorley
VP, Proposal Management

Amerigroup Corporation
215-380-3890

From: Ken Abitz [<mailto:KAbitz@ksinsurance.org>]
Sent: Tuesday, April 10, 2012 5:58 PM
To: Ken Abitz
Subject: Open Records Request - Financial Projections

The Department has received a request to review your HMO's financial projections. Therefore, if you have any objections of the Department sharing the financial projects, which were a part of the HMO application, please let me know by 5 p.m. on Wednesday – April 11. Your objections must be specific and in writing.

If no response is received by the end of day tomorrow, we will, as expected, share the financial projections.

Thanks,

Kenneth G. Abitz
Director, Financial Surveillance
Kansas Insurance Department
420 SW 9th Street
Topeka, KS 66612-1678
(785) 296-7821
E-mail: kabitz@ksinsurance.org

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may include AMERIGROUP member(s) information that is legally privileged. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy copies of the original message.



William W. Sneed
wsneed@polsinelli.com

555 South Kansas Avenue,
Suite 101
Topeka, KS 66603
(785) 233-1446
Fax: (785) 233-1939
www.polsinelli.com

April 11, 2012

HAND DELIVERY

Mr. Kenneth G. Abitz
Director, Financial Surveillance
Kansas Insurance Department
420 SW 9th Street
Topeka, KS 66612

Re: *Amerigroup Kansas, Inc.*
Response to Open Records Request for Financial Projections

Dear Ken:

On behalf of Amerigroup Kansas, Inc. (the "Company"), we are in receipt of the enclosed email correspondence from the Kansas Insurance Department (the "Department") dated April 10, 2012, stating that an open records request has been made on the Company's financial projections submitted pursuant to its certificate of authority application as a health maintenance organization. Further, the Department's correspondence stated that if the Company desires to object to the release of such financial projections then the Company must object in writing by 5:00 p.m., April 11, 2012. Following is the Company's objection to the open records request.

Please be advised that the Company respectfully requests that the Department treat the Company's financial projections as proprietary trade secret, confidential privileged information that is not subject to public disclosure. This information consists of competitively-sensitive trade secret information exempt from public disclosure under K.S.A. 45-221(a)(2) and K.S.A. 60-432. Specifically, the Kansas Open Records Act at K.S.A. 45-221(a)(2) states that a public agency shall not be required to disclose records that are privileged under the rules of evidence unless the holder of the privilege consents to the disclosure. K.S.A. 60-432 creates a privilege for trade secrets in the rules of evidence. Trade secrets are defined by K.S.A. 60-3320(4) as:

...information including a formula, pattern, compilation, program, device, method, technique, or process, that: (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Topeka Kansas City St. Louis Chicago Denver Phoenix Washington, DC
New York

Polsjnnelli
Shughart.

Ken Abitz
April 11, 2012
Page 2

Further, "trade secrets" has been defined to mean "a plan or process . . . known only to its owner and those of his employees to whom it is necessary to confide it . . ." *City of Wichita v. Jennings*, 199 Kan. 621, 623, 433 P.2d 351 (1967). Additionally, a "trade secret" can "consist of any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it." *Southwestern Bell Telephone Co. v. State Corporation Commission*, 6 Kan. App. 2d 444, 457, 629 P.2d 1174 (1981).

The financial projections submitted by the Company to the Department are within the definition of "trade secret" and the Company took steps to mark the financial projections as "confidential and proprietary." Accordingly, the Company respectfully requests that the Department keep this competitively-sensitive trade secret and confidential privileged information from public disclosure.

Further, it is our understanding that if you take issue with our request for confidential treatment on the Company's financial projections, you will advise us of your decision five (5) days prior to the anticipated release of such material and afford the Company time to avail itself of all administrative and legal remedies.

If there is anything further required by the Department, please contact us at your earliest convenience.

Thank you for your assistance with this matter.

Sincerely,



William W. Sneed

WWS:kjb
Enc.



Amerigroup's Follow-up Questions to KanCare Vendor Conference regarding Request for Proposals (RFP) for Kansas KanCare Medicaid and CHIP Capitated Managed Care Services Care Management Services (Bid Event ID #EVT0001028)

Submission for April 5, 2012

Discussion Group 3: Quality and Outcomes

1.) Pay for Performance

Amerigroup shares the State's commitment to improving health outcomes for KanCare Members. In recognition of the unique make-up of KanCare membership, we believe it is appropriate to measure improvements compared to existing Kansas results, and not compared to national norms that have been derived from different mixes of eligibility categories. Comparison to national norms derived from a different mix of eligibility may understate program successes and not effectively incentivize managed care contractors when such benchmarks are not deemed obtainable for KanCare's population mix. Amerigroup further believes that it is critical to measure factors that are both important to the State and that can be improved by managed care companies' interventions.

We believe that pay for performance measures can best be addressed through a process that incentivizes improvement from benchmarks based on existing Kansas Medicaid data, as established by the State, as early as year one, and incorporates a review of the effectiveness of measures that have not been used previously in the managed care industry and adjust collaboratively

An approach to address these two areas would be to:

- In year one, continue with the six operational measures for Pay-for-Performance (P4P) specified in the RFP. From any withholds not returned to KanCare vendors, create a year one Quality Challenge incentive pool that would allow all or part of the withholds (from any plan) to be returned to plans that improve the five physical health outcome measures/composite measures, compared to a fee-for-service baseline for the year prior to program start.
- In year two, base P4P return of withholds to improvement of the five Physical Health measures/composite measures over year one. From any withholds not returned to KanCare vendors, create a year two Quality Challenge incentive pool that would allow all or part of the withholds (from any plan) to be returned to plans that improve the on the five behavioral health measures/composite measures and the five long term care measures over year one.



- Establish year three P4P measures collaboratively with the KanCare vendors based on an evaluation of the effective of the behavioral health and long term care measures after year two.

Would the State consider adjusting its P4P process in line with the approach above?

Discussion Group 4: Pharmacy

2.) Pharmacy Prior Authorizations and Formulary

Please clarify the following regarding pharmacy prior authorization and Formulary:

- Would the State clarify to all bidders its expectation that all KanCare vendors pay pharmacies at a rate of reimbursement at or above the FFS rate described in the Medicaid State Plan?
- If Managed Care Organizations (MCOs) are required to use the State's Formulary and Prescription Drug List (PDL), please clarify if MCOs are required to use the State's prior authorization criteria.
- Please confirm the particular drugs or drug classes exempt from Formulary, PDL, or other clinical edits.
- In addition to the State's edits, may KanCare MCOs implement Utilization Management (UM) edits?
- May MCOs collect supplemental rebates?
- Are there any restrictions on what types of edits and/or authorizations that can be required on any medication or class of medications?
- For automated Prior Authorizations (PA), RFP Section 2.2.14.7.1.3 mandates response times with 95 percent of electronic PA system transactions to be completed in less than one second. Can the State clarify that this measure is from the pharmacy to the Pharmacy Benefits Manager (PBM)? Or from the PBM to the third party vendor?



- Amerigroup is familiar with the National Council for Prescription Drug Program (NCPDP) P4 transaction standard for automated PA and we are prepared to comply with this standard. Would a response time guarantee of 99 percent in three seconds be acceptable? Since the complexity of the auto-authorization logic may vary depending on drug and volume of claims history to scan, we want to allow enough time for the full transaction.

Discussion Group 6: Claims Processing and Data

3.) Nursing Home Patient Pay Amount Collection

Please confirm that Kansas will revise the requirement regarding the patient liability for room and board patient pay amounts to continue to require Nursing Facilities (NFs) to collect it from KanCare Members for the following reasons:

- A very large percentage of Medicaid NF patients rely on the NF to be designated as the Representative Payee through SSA in order to facilitate the payment of the patient liability each month. At this time, MCOs are not listed as approved entities to serve as Representative Payees, and would require an exception for each applicable Member. Amerigroup is unaware of any MCO ever approved to be a Representative Payee. We are concerned about the length of time it may take to accomplish this, and the impact it will have on Amerigroup's ability to collect the patient pay amounts timely and the downstream impact to Member eligibility, compliance with applicable payment regulations, and assumptions related to under writing.
- The RFP requires payment to NFs within 14 days. However, it does not provide direction with regard to payment if the patient liability has not been collected for the period applicable to the Claims dates of service. This has the potential to create a conflict with CMS payment requirements, with downstream impact to encounters, medical expense, and eligibility as well as creating a potential for a CMS claw back.
- The requirement will interfere with the expectation for conflict free care management as their managed care plan is now both their advocate and their creditor. This dual role creates inherent conflicts.
- The MCO will likely not have Member enrollment data at implementation and for newly eligible Members, each month, the data may not be available more than a week in advance of the first day of the applicable month of NF charges. Given the potential effort required to collect the patient liability, including the time required to establish



Representative Payee status for many, MCO ability to effectively and timely collect the patient pay amounts will be seriously challenged.

- The data book represents NF expense data net of applicable patient liability and, therefore, understates the expense applicable to the MCO moving forward.
- Amerigroup's ability to collect patient pay amounts will not be as strong as that of the NF in which the Member is resident. In aggregate, the cost to the KanCare program has the potential to increase for collection services and an increase in the amount of write-offs for bad debt.

Discussion Group: N/A

4.) Network Adequacy Certification Plan

Please clarify the following regarding the Network Adequacy Certification Plan:

- Please confirm that a provider-signed contract is acceptable as an executed contract for purposes of demonstrating Network Adequacy?
- Please confirm the format of the Network Counts and Adequacy report as delivered by Amerigroup on March 30, 2012, meets the needs and standard for item d.1.1-2. If not, will the State please recommend modifications, or enhancements?
- Item d.ii.6 references non- Community Mental Health Centers (CMHC) outpatient and other Mental health services reported as identified by the State: Can the State provide/identify these services for reference?
- Item d.ii.7 references Substance Use Disorder (SUD) services reported by each modality identified by the State: Can the State provide/identify these modalities for reference?
- For any provider agreeing to enter into a contract payment methodology at less than Kansas Medicaid or willing to utilize a rate methodology different than Kansas Medicaid (For Example: Percent, CMS, Administrative Services only, Full Risk), what is the approval process for these arrangements?

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, March 29, 2012 2:07 PM
To: 'Carino, Joe'
Cc: McSorley, Mary
Subject: RE: Clarification on Question 78 - Financial Guarantee - do not encrypt
Attachments: Corporate GUARANTY.DOCX

Joe:

Attached is KDHE's proposed document.

Tami

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Carino, Joe [<mailto:Joseph.Carino@amerigroup.com>]
Sent: Wednesday, March 28, 2012 10:47 AM
To: Sherley, Tami [PU]
Cc: McSorley, Mary
Subject: Clarification on Question 78 - Financial Guarantee - do not encrypt

Tami,

Question #78 on the list of follow-up questions requests that Amerigroup Kansas, Inc. provide a "financial guarantee from [our] parent company." Is this required to be provided with our responses on Monday, April 2nd, or is it required by contract award? Additionally, does the State have specific language or provisions that must be included in the guarantee?

Thanks,
Joe Cariño
Director Proposal Management, Business Development

Amerigroup Corporation
4433 Corporation Lane
Virginia Beach, VA 23462
P. 757.769.7853
F. 757.233.1187

jcarino@amerigroupcorp.com
www.amerigroupcorp.com

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may include AMERIGROUP member(s) information that is legally privileged. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy copies of the original message.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, March 29, 2012 4:35 PM
To: 'Carino, Joe'
Subject: Please use this updated version
Attachments: KanCare Parent Guarantee (2).docx

Thanks,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Thursday, March 29, 2012 2:41 PM
To: Sherley, Tami [PU]
Subject: KanCare Parent Guarantee (2)
Attachments: KanCare Parent Guarantee (2).docx

Tami

Mike resent the Corporate Guarantee with some corrections he found. Can you replace the first mailing with this one?

Sorry for all the trouble.

Gary
KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, *et seq*, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

PARENT COMPANY GUARANTEE

THIS GUARANTEE is made as a Guarantee this ____ day of _____ 200__ BETWEEN

- (1) [*Parent Company of Contractor*] whose registered office is situated at [] (the "Parent"); and
- (2) Kansas Department of Health and Environment, Division of Health Care Finance (the "State").

WHEREAS:

(A) [*insert name of Contractor*] ("Subsidiary") has entered into contract number [*insert contract number*] dated [] 200__ (the "Contract") with the State to provide Services.

(B) Subsidiary is a subsidiary of the Parent.

(C) This Guarantee is entered into by the parties in reliance upon the undertakings of Parent to the State to guarantee the due performance by Subsidiary of its obligations under the Contract.

NOW IT IS HEREBY AGREED as follows:

1. Parent Guarantee. Parent unconditionally and irrevocably guarantees to the State that in the event of Subsidiary failing in any respect to perform any or all of its duties and obligations or discharge any or all of its liabilities under or pursuant to the Contract, Parent shall immediately upon first demand in writing by the State perform or take such steps as are necessary to achieve performance of such obligations and discharge of such liabilities and shall indemnify and hold harmless the State against any and all losses, damages, claims, costs, charges and expenses arising from such failure to the extent to which Subsidiary is liable under the terms of the Contract.

2. Liability Not Reduced. The liability of Parent hereunder shall not be reduced or discharged:

- (i) by any alteration in the relationship between the Parent and the Subsidiary;
- (ii) by any arrangement between the Subsidiary and the State;
- (iii) by any variation in or amendment to the Contract;
- (iv) by any alteration in the obligations of the Subsidiary which has been consented to by the State in writing (with or without the knowledge or consent of the Parent) under the Contract;
- (v) by any alteration in the extent or nature of the work to be performed under the Contract;
- (vi) by any forbearance or indulgence by the State toward the Subsidiary or the Parent whether as to payment, time, performance or otherwise;
- (vii) by any other act or omission which but for this provision might exonerate or discharge the Parent;
- (viii) by any exercise of any remedies against the Subsidiary, except to the extent that such actions cause the obligations guaranteed by the Parent to be satisfied, even though

any rights which the Parent may have against such Subsidiary or others may be extinguished, diminished or otherwise affected by such action; or
(ix) by any invalidity or unenforceability of the Contract or insolvency, bankruptcy, winding up or reorganization of the Subsidiary or any party.

3. No Exhaustion of Remedies Required. The Parent agrees to make any payment due hereunder upon first written demand without set-off or counterclaim and without any legal formality such as protest or notice being necessary and waives all privileges or rights which it may have as a guarantor, including any right to require the State to claim payment or to exhaust remedies against the Subsidiary or any other person.

4. Continuation of Guarantee After Contract Termination. The obligations of the Parent hereunder shall continue in full force and effect after expiration or other termination of the Contract until all duties, obligations and liabilities of the Subsidiary in connection with the Contract have been fully discharged.

5. Binding on Successors; No Assignment by Parent. The Guarantee and the undertakings herein contained shall be binding upon the successors and assignees of the Parent and shall extend to and inure for the benefit of the successors or permitted assignees of the State. Parent may not otherwise assign or otherwise transfer any of its rights or obligations hereunder without the express prior written consent of the State.

6. Defenses Available. Notwithstanding anything to the contrary above, in the event of any claim under this Guarantee, the Parent shall be entitled to assert any defense, set-off or counterclaim that the Subsidiary could assert had such claim been made directly against the Subsidiary under the Contract.

7. Parent Liability Not to Exceed Liability of Subsidiary Under Contract. The State hereby agrees that the total responsibilities and liabilities which the Parent shall assume to the State under this Guarantee shall in no event be beyond those for which the Subsidiary shall assume to the State under the Contract.

8. Suspension During Dispute Resolution. In the event that there is any dispute under the Contract that relates to a sum being claimed under this Guarantee, which dispute is submitted to dispute resolution under the terms of the Contract, the obligations under this Guarantee shall be suspended pending the outcome of such dispute resolution and the Parent further agrees that any award resulting from such dispute resolution shall be conclusive and binding on it for the purposes of determining its obligations under this Guarantee.

9. Cost of Enforcement. The Parent agrees to indemnify the State for all out-of-pocket third party costs and expenses, including, but not limited to, reasonable attorneys' fees, incurred or paid by the State in enforcing this Guarantee, whether or not litigation is commenced, if the Parent defaults in any payment owing by it hereunder.

10. Governing Law; Jurisdiction; Venue. This Guarantee shall be governed by and construed in accordance with the laws of the State of Kansas. The Parent agrees that the United States

District Court for the District of Kansas sitting in Topeka, Kansas shall have exclusive jurisdiction to hear and determine any claims or disputes pertaining directly or indirectly to this Guarantee or to any matter arising herefrom or related hereto. The Parent hereby expressly submits and consents in advance to such jurisdiction and venue in any action or proceeding either commenced by the State, or brought against the Parent in such court.

11. Amendments. This Guarantee may not be changed or amended, except by a writing signed by the party against whom enforcement of such change or amendment is sought, and no obligation of the Parent shall be released or waived except by a writing signed by the State.

12. Parent's Representations and Warranties. The Parent hereby represents and warrants to the State as follows:

a. The Parent is duly organized, validly existing and in good standing under the laws of the jurisdiction of its organization and has all requisite power and capacity to enter into this Guarantee and to perform its obligations hereunder. Parent's execution and delivery of this Guarantee and any related agreements or instruments and the consummation of the transactions contemplated hereby has been duly authorized by all requisite action, and no further action or approval required in order to constitute this Guarantee as a binding and enforceable obligation of Parent;

b. Parent's execution and delivery of this Guarantee does not violate any provision of law or regulation, or any order or any court or other agency or instrumentality or government (including, but not limited to, a supervisory agreement, memorandum of understanding, cease and desist order, capital directive, supervisory directive or consent decree);

c. The execution, delivery and performance of this Guarantee, and any related agreements or instruments by Parent, its compliance with the terms hereof and thereof, and consummation of the transactions contemplated hereby and thereby, will not violate, conflict with, result in any material breach of, constitute a material default under, be prohibited by, or require any additional approval under its by-laws, or any instrument or agreement to which it is a party or by which it is bound;

d. All consents, licenses, clearances, authorizations and approvals of, and registrations and declarations with, any governmental authority or regulatory body necessary for the due execution, delivery and performance of this Guarantee have been obtained and remain in full force and effect and all conditions thereof have been duly complied with, and no other action by, and no notice to or filing with, any governmental authority or regulatory body is required in connection with the execution, delivery or performance of this Guarantee; and

e. This Guarantee constitutes a legal, valid and binding obligation of Parent enforceable against the Parent in accordance with its terms, subject to bankruptcy, insolvency, reorganization, moratorium and other laws of general applicability relating to or affecting creditors' rights and to general equity principles.

EXECUTED this ____ day of May, 2012.

[INSERT SIGNATURE BLOCKS HERE FOR PARENT AND KDHE]

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Thursday, March 29, 2012 2:05 PM
To: Sherley, Tami [PU]
Cc: Endacott, Paul [KDHE]; Swanson, Effie [KDHE]
Subject: RE: Clarification on Question 78 - Financial Guarantee - do not encrypt
Attachments: Corporate GUARANTY.docx

Attached is the Corporate Guaranty approved by KDHE Legal.

Gary

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Wednesday, March 28, 2012 6:27 PM
To: Combs, Gary [KDHE]
Subject: Re: Clarification on Question 78 - Financial Guarantee - do not encrypt

Thank you.

Tami Sherley

On Mar 28, 2012, at 5:26 PM, "Combs, Gary [KDHE]" <GCombs@kdheks.gov> wrote:

Tami

We are talking with Mike Smith about this and hope to have an answer for you tomorrow.

Gary

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Wednesday, March 28, 2012 10:48 AM
To: Swanson, Effie [KDHE]
Cc: Combs, Gary [KDHE]
Subject: FW: Clarification on Question 78 - Financial Guarantee - do not encrypt

Please respond.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Carino, Joe [mailto:Joseph.Carino@amerigroup.com]
Sent: Wednesday, March 28, 2012 10:47 AM

To: Sherley, Tami [PU]
Cc: McSorley, Mary
Subject: Clarification on Question 78 - Financial Guarantee - do not encrypt

Tami,

Question #78 on the list of follow-up questions requests that Amerigroup Kansas, Inc. provide a "financial guarantee from [our] parent company." Is this required to be provided with our responses on Monday, April 2nd, or is it required by contract award? Additionally, does the State have specific language or provisions that must be included in the guarantee?

Thanks,
Joe Cariño
Director Proposal Management, Business Development

Amerigroup Corporation
4433 Corporation Lane
Virginia Beach, VA 23462
P. 757.769.7853
F. 757.233.1187

jcarino@amerigroupcorp.com
www.amerigroupcorp.com

<image001.jpg>

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may include AMERIGROUP member(s) information that is legally privileged. Any unauthorized review, use, disclosure or distribution is prohibited.
If you are not the intended recipient, please contact the sender by reply e-mail and destroy copies of the original message.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.
If you are not the intended recipient or an agent responsible for

delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

PARENT COMPANY GUARANTEE

THIS GUARANTEE is made as a Guarantee this ____ day of _____ 200_ BETWEEN

- (1) [*Parent Company of Contractor*] whose registered office is situated at [] (the "**Parent**"); and
- (2) Kansas Department of Health and Environment, Division of Health Care Finance (the "**State**").

WHEREAS:

(A) [*insert name of Contractor*] ("**Subsidiary**") has entered into contract number [*insert contract number*] dated [] 200_ (the "**Contract**") with the State to provide Services.

(B) Subsidiary is a subsidiary of the Parent.

(C) This Guarantee is entered into by the parties in reliance upon the undertakings of Parent to the State to guarantee the due performance by Subsidiary of its obligations under the Contract.

NOW IT IS HEREBY AGREED as follows:

1. Parent Guarantee. Parent unconditionally and irrevocably guarantees to the State that in the event of Subsidiary failing in any respect to perform any or all of its duties and obligations or discharge any or all of its liabilities under or pursuant to the Contract, Parent shall immediately upon first demand in writing by the State perform or take such steps as are necessary to achieve performance of such obligations and discharge of such liabilities and shall indemnify and keep indemnified the State against any and all losses, damages, claims, costs, charges and expenses howsoever arising from the said failure to the extent to which Subsidiary is liable under the terms of the Contract.

2. Liability Not Reduced. The liability of Parent hereunder shall not be reduced or discharged:

- (i) by any alteration in the relationship between the Parent and the Subsidiary;
- (ii) by any arrangement between the Subsidiary and the State;
- (iii) by any variation in or amendment to the Contract;
- (iv) by any alteration in the obligations of the Subsidiary which has been consented to by the State in writing (with or without the knowledge or consent of the Parent) under the Contract;
- (v) by any alteration in the extent or nature of the work to be performed under the Contract;
- (vi) by any forbearance or indulgence by the State toward the Subsidiary or the Parent whether as to payment, time, performance or otherwise;
- (vii) by any other act or omission which but for this provision might exonerate or discharge the Parent;
- (viii) by any exercise of any remedies against the Subsidiary, except to the extent that such actions cause the obligations guaranteed by the Parent to be satisfied, even though

any rights which the Parent may have against such Subsidiary or others may be extinguished, diminished or otherwise affected by such action; or
(ix) by any invalidity or unenforceability of the Contract or insolvency, bankruptcy, winding up or reorganization of the Subsidiary or any party.

3. No Exhaustion of Remedies Required. The Parent agrees to make any payment due hereunder upon first written demand without set-off or counterclaim and without any legal formality such as protest or notice being necessary and waives all privileges or rights which it may have as a guarantor, including any right to require the State to claim payment or to exhaust remedies against the Subsidiary or any other person.

4. Continuation of Guarantee After Contract Termination. The obligations of the Parent hereunder shall continue in full force and effect after expiration or other termination of the Contract until all duties, obligations and liabilities of the Subsidiary in connection with the Contract have been fully discharged.

5. Binding on Successors; No Assignment by Parent. The Guarantee and the undertakings herein contained shall be binding upon the successors and assignees of the Parent and shall extend to and inure for the benefit of the successors or permitted assignees of the State. Parent may not otherwise assign or otherwise transfer any of its rights or obligations hereunder without the express prior written consent of the State.

6. Defenses Available. Notwithstanding anything to the contrary above, in the event of any claim under this Guarantee, the Parent shall be entitled to assert any defense, set-off or counterclaim that the Subsidiary could assert had such claim been made directly against the Subsidiary under the Contract.

7. Parent Liability Not to Exceed Liability of Subsidiary Under Contract. The State hereby agrees that the total responsibilities and liabilities which the Parent shall assume to the State under this Guarantee shall in no event be beyond those for which the Subsidiary shall assume to the State under the Contract.

8. Suspension During Dispute Resolution. In the event that there is any dispute under the Contract that relates to a sum being claimed under this Guarantee, which dispute is submitted to dispute resolution under the terms of the Contract, the obligations under this Guarantee shall be suspended pending the outcome of such dispute resolution and the Parent further agrees that any award resulting from such dispute resolution shall be conclusive and binding on it for the purposes of determining its obligations under this Guarantee.

9. Cost of Enforcement. The Parent agrees to indemnify the State for all out-of-pocket third party costs and expenses, including, but not limited to, reasonable attorneys' fees, incurred or paid by the State in enforcing this Guarantee, whether or not litigation is commenced, if the Parent defaults in any payment owing by it hereunder.

10. Governing Law; Jurisdiction; Venue. This Guarantee shall be governed by and construed in accordance with the laws of the State of Kansas. The Parent agrees that the United States

District Court for the District of Kansas sitting in Topeka, Kansas shall have exclusive jurisdiction to hear and determine any claims or disputes pertaining directly or indirectly to this Guarantee or to any matter arising herefrom or related hereto. The Parent hereby expressly submits and consents in advance to such jurisdiction and venue in any action or proceeding either commenced by the State, or brought against the Parent in such court.

11. Amendments. This Guarantee may not be changed or amended, except by a writing signed by the party against whom enforcement of such change or amendment is sought, and no obligation of the Parent shall be released or waived except by a writing signed by the State.

12. Parent's Representations and Warranties. The Parent hereby represents and warrants to the State as follows:

a. The Parent is duly organized, validly existing and in good standing under the laws of the jurisdiction of its organization and has all requisite power and capacity to enter into this Guarantee and to perform its obligations hereunder. Parent's execution and delivery of this Guarantee and any related agreements or instruments and the consummation of the transactions contemplated hereby has been duly authorized by all requisite action, and no further action or approval required in order to constitute this Guarantee as a binding and enforceable obligation of Parent;

b. Parent's execution and delivery of this Guarantee does not violate any provision of law or regulation, or any order or any court or other agency or instrumentality or government (including, but not limited to, a supervisory agreement, memorandum of understanding, cease and desist order, capital directive, supervisory directive or consent decree);

c. The execution, delivery and performance of this Guarantee, and any related agreements or instruments by Parent, its compliance with the terms hereof and thereof, and consummation of the transactions contemplated hereby and thereby, will not violate, conflict with, result in any material breach of, constitute a material default under, be prohibited by, or require any additional approval under its by-laws, or any instrument or agreement to which it is a party or by which it is bound;

d. All consents, licenses, clearances, authorizations and approvals of, and registrations and declarations with, any governmental authority or regulatory body necessary for the due execution, delivery and performance of this Guarantee have been obtained and remain in full force and effect and all conditions thereof have been duly complied with, and no other action by, and no notice to or filing with, any governmental authority or regulatory body is required in connection with the execution, delivery or performance of this Guarantee; and

e. This Guarantee constitutes a legal, valid and binding obligation of Parent enforceable against the Parent in accordance with its terms, subject to bankruptcy, insolvency, reorganization, moratorium and other laws of general applicability relating to or affecting creditors' rights and to general equity principles.

EXECUTED this ____ day of May, 2012.

[INSERT SIGNATURE BLOCKS HERE FOR PARENT AND KDHE]

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 13, 2012 1:13 PM
To: Sherley, Tami [PU]
Subject: Bid Event EVT0001028 KanCare - Sample Contract information
Bcc: 'Carino, Joe'; 'Brent Layton'; 'Harvey, Catherine'; 'Karen_L_verbeke@uhc.com'

Per KDHE:

Aging and KDHE encourages the contractors to meet provider network adequacy requirements by using template contracts that are subject to revision/approval prior to final execution with the provider/subcontractor. This is consistent with the Q&A response in Amendment 10 number 7. " If we are not able to conduct that review/response, then YES WE WILL allow you to use model subcontracts in advance of approval subject to subsequent amendment based upon our feedback after review."

Thank you,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, February 29, 2012 2:59 PM
To: 'Carino, Joe'
Subject: Sample Contracts

Joe:

I wanted to let you know that the State has not finalized their review of the sample contracts provided. Therefore, we request that you do not move forward with the contracts for Behavioral Health/HCBS at this time. I will follow up once I have additional information.

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Baier, Bryan [Bryan.Baier@wellcare.com]
Sent: Friday, June 01, 2012 11:01 AM
To: Sherley, Tami [PU]
Cc: Smith, Teressa
Subject: RE: Bid Event #0001028 June 1 Network Benchmarks for WellCare
Attachments: WellCare of Kansas Network Adequacy Reportable Benchmarks - June 1, 2012.pdf;
Attachments A, B, C - June 1 Network Adequacy Reportable Benchmarks.xlsx

Dear Ms. Sherley:

Enclosed for your review please find our June 1 reportable benchmarks demonstrating ongoing progress in achieving provider network adequacy for WellCare of Kansas, in response to Bid Event #0001028 – KanCare Medicaid and CHIP Capitated Managed Care Services, for the provision of services to the State of Kansas, administered by the Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF).

Please feel free to contact me if you have any questions or require additional information regarding this submission.

Sincerely,

Bryan Baier

813-464-1343 cell

813-865-5057 work

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, May 16, 2012 12:31 PM
To: 'Smith, Teresa'
Subject: Bid Event EVT000128 Electronic Version of Additional KanCare Questions

Follow Up Flag: Follow up
Due By: Wednesday, May 23, 2012 2:00 PM
Flag Status: Flagged

Teresa:

Below are additional questions that will be discussed during Tuesday's conference. Please note that responses to these questions and a Revised Offer, if applicable, are due **NO LATER** than 2:00PM, Tuesday, May 22nd.

1. The State intends to reserve the right to conduct a supplemental (come-behind) recovery program to ensure TPL contractual provisions are met by KanCare Contractors. For example, all TPL identified and recovered by the State more than six (6) months after the date of service (DOS) of a claim would be retained by the State. Please provide any feedback on this approach.
2. Your bid documents note the use of other contractors to perform work and services for you in completion of the TPL requirements. For each vendor, please note their name, duties to be performed, and the general means for compensation (contingency fee, fee per service, set amount, etc.) If the actual 3rd party contractor is not known at this time, please still identify the duties that you intend the unnamed contractor to perform.
3. Inherent in this contract is the receipt and use of personal health information and confidential data. Similarly inherent is the sharing of such information with a subsidiary contractor. Please note how you plan on protecting the PHI and other confidential information shared with a subsidiary vendor.
4. Will you provide to KDHE any reports generated by the subsidiary vendor concerning their TPL activities?
5. Please confirm that you will provide the Payment Integrity Report, including all the information listed in the categories displaying in Exhibit 2-8.
6. Please confirm your understanding that the fee-for-service payment floor (requirement 2.3.6.6) applies to the following eye codes: 92002, 92004, 92912, and 92014.
7. The State has heard from multiple sources that some bidders are reaching out aggressively to providers in the state and that some of what is being said is erroneous (for example, regarding SUD provider requirements). The State reminds KanCare bidders of the intention that credentialing be done -- especially with non-traditional providers -- in a coordinated manner. Further the State intends to partner with selected MCO contractors and ensure a uniform approach for these providers/systems of care. Please confirm your understanding of this approach.

If you have any questions, please contact me via email immediately.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N

Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Smith, Teresa [Teresa.Smith@wellcare.com]
Sent: Monday, May 14, 2012 12:06 PM
To: Sherley, Tami [PU]
Subject: Read: Updated LCE and a additional information for bidders.
Attachments: ATT00001; ATT00002..txt

Your message

To: Smith, Teresa
Subject: FW: Updated LCE and a additional information for bidders.
Sent: Monday, May 14, 2012 12:57:44 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, May 14, 2012 1:05:13 PM (UTC-05:00) Eastern Time (US & Canada).

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, April 26, 2012 1:32 PM
To: 'Smith, Teresa'
Cc: Baier, Bryan
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Teresa:

You can just send the information via email to me.

Tami

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Smith, Teresa [<mailto:Teresa.Smith@wellcare.com>]
Sent: Thursday, April 26, 2012 1:03 PM
To: Sherley, Tami [PU]
Cc: Baier, Bryan
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Hi Tami,

We are in the process of completing our 5/1/12 Network Adequacy Certification Plan update due 5/1/12 and wanted to confirm the following:

- Do you want 13 hard copies
- Do you want 13 thumb drives again or will accept 1-2 thumb drives instead?
- Please confirm the copy number for all subsequent follow-up submissions for this activity (June 1 – November 16th)

Thank you in advance for your follow-up on this.

Teresa

Teresa D. Smith, MBA
Vice President, Business Development
WellCare Health Plans, Inc.
8735 Henderson Road
Tampa, FL 33634

Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Thursday, April 12, 2012 2:00 PM
To: Smith, Teresa; Baier, Bryan
Subject: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Teresa and Bryan:

Please see the attached documents.

NOTE: That your responses are due by noon, April 19th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Thursday, April 26, 2012 1:27 PM
To: Sherley, Tami [PU]; Combs, Gary [KDHE]
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Nope. Email is fine. That is what all the other bidders have been doing, and it has worked.

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Thursday, April 26, 2012 1:04 PM
To: Swanson, Effie [KDHE]; Combs, Gary [KDHE]
Subject: FW: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Do you really need all the copies? Can they just send it via email?

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Smith, Teresa [<mailto:Teresa.Smith@wellcare.com>]
Sent: Thursday, April 26, 2012 1:03 PM
To: Sherley, Tami [PU]
Cc: Baier, Bryan
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Hi Tami,

We are in the process of completing our 5/1/12 Network Adequacy Certification Plan update due 5/1/12 and wanted to confirm the following:

- Do you want 13 hard copies
- Do you want 13 thumb drives again or will accept 1-2 thumb drives instead?
- Please confirm the copy number for all subsequent follow-up submissions for this activity (June 1 – November 16th)

Thank you in advance for your follow-up on this.

Teresa

Teresa D. Smith, MBA
Vice President, Business Development
WellCare Health Plans, Inc.

8735 Henderson Road
Tampa, FL 33634
Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Thursday, April 12, 2012 2:00 PM
To: Smith, Teresa; Baier, Bryan
Subject: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Teresa and Bryan:

Please see the attached documents.

NOTE: That your responses are due by noon, April 19th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.
KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message

and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, April 26, 2012 1:32 PM
To: 'Smith, Teresa'
Cc: Baier, Bryan
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Teresa:

You can just send the information via email to me.

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Smith, Teresa [<mailto:Teresa.Smith@wellcare.com>]
Sent: Thursday, April 26, 2012 1:03 PM
To: Sherley, Tami [PU]
Cc: Baier, Bryan
Subject: RE: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Hi Tami,

We are in the process of completing our 5/1/12 Network Adequacy Certification Plan update due 5/1/12 and wanted to confirm the following:

- Do you want 13 hard copies
- Do you want 13 thumb drives again or will accept 1-2 thumb drives instead?
- Please confirm the copy number for all subsequent follow-up submissions for this activity (June 1 – November 16th)

Thank you in advance for your follow-up on this.

Teresa

Teresa D. Smith, MBA

Vice President, Business Development

WellCare Health Plans, Inc.

8735 Henderson Road

Tampa, FL 33634

Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Thursday, April 12, 2012 2:00 PM
To: Smith, Teresa; Baier, Bryan
Subject: Bid Event EVT0001028 KanCare Capitated Medicaid Managed Care Services

Teresa and Bryan:

Please see the attached documents.

NOTE: That your responses are due by noon, April 19th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, April 25, 2012 8:17 AM
To: 'Smith, Teresa'
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Teresa:

Please accept this as notification that WellCare is invited to Vendor Negotiations on May 16th from 1:00 – 5:00PM. I will provide additional information such as an agenda and topics of discussion no later than May 9th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, April 10, 2012 1:14 PM
To: 'Combs, Gary [KDHE]'; 'Swanson, Effie [KDHE]'
Subject: FW: Follow-up Question from Friday

Importance: High

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Smith, Teresa [<mailto:Teresa.Smith@wellcare.com>]
Sent: Tuesday, April 10, 2012 1:13 PM
To: Sherley, Tami [PU]
Subject: Follow-up Question from Friday

Hi Tami,

I hope this message finds you well. We had two questions that we wanted run by you so that we fully complete the follow-up responses due April 18th. Please take a look and advise if KDHE can respond to the following:

1. Can KDHE provide its MAC pricing so that we can use it to compare against WellCare's for any potential gaps/differences?
2. In your 3/13 email regarding the provider contract templates, the following response was given regarding contract templates for HCBS, mental health and substance use disorder services:

"SRS will not be able to approve the contract templates, in final, for use with providers of HCBS, mental health or substance use disorder services, until there are discussions with the contractors during the implementation process."

Does this continue to hold true and mean that we should refrain from re-sending our amended contract templates for these providers (for agency approval), as SRS will not even begin to discuss the required content for these agreements until after 5/18 when initial award negotiations commence thus implementation planning?

Thanks in advance for your assistance.

Teressa

Teressa D. Smith, MBA
Vice President, Business Development

WellCare Health Plans, Inc.
8735 Henderson Road
Tampa, FL 33634
Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Smith, Teresa [Teresa.Smith@wellcare.com]
Sent: Tuesday, April 10, 2012 1:13 PM
To: Sherley, Tami [PU]
Subject: Follow-up Question from Friday

Hi Tami,

I hope this message finds you well. We had two questions that we wanted run by you so that we fully complete the follow-up responses due April 18th. Please take a look and advise if KDHE can respond to the following:

1. Can KDHE provide its MAC pricing so that we can use it to compare against WellCare's for any potential gaps/differences?
2. In your 3/13 email regarding the provider contract templates, the following response was given regarding contract templates for HCBS, mental health and substance use disorder services:

"SRS will not be able to approve the contract templates, in final, for use with providers of HCBS, mental health or substance use disorder services, until there are discussions with the contractors during the implementation process."

Does this continue to hold true and mean that we should refrain from re-sending our amended contract templates for these providers (for agency approval), as SRS will not even begin to discuss the required content for these agreements until after 5/18 when initial award negotiations commence thus implementation planning?

Thanks in advance for your assistance.

Teresa

Teresa D. Smith, MBA
Vice President, Business Development
WellCare Health Plans, Inc.
8735 Henderson Road
Tampa, FL 33634
Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this

message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Smith, Teresa [Teresa.Smith@wellcare.com]
Sent: Wednesday, April 25, 2012 8:31 AM
To: Sherley, Tami [PU]
Subject: RE: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Tami:

Thank you for the notification. We look forward to seeing you again on May 16th.

Teresa

Teresa D. Smith, MBA
Vice President, Business Development
WellCare Health Plans, Inc.
8735 Henderson Road
Tampa, FL 33634
Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Wednesday, April 25, 2012 9:17 AM
To: Smith, Teresa
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Teresa:

Please accept this as notification that WellCare is invited to Vendor Negotiations on May 16th from 1:00 – 5:00PM. I will provide additional information such as an agenda and topics of discussion no later than May 9th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Smith, Teresa [Teresa.Smith@wellcare.com]
Sent: Friday, March 23, 2012 4:19 PM
To: Sherley, Tami [PU]
Subject: RE: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Conferences

Tami,

Thank you for the notification. We look forward to attending the Vendor Conference and will follow-up with you should we have any questions on the agenda (topics) once received. Have a good weekend.

Teresa

Teresa D. Smith, MBA
Vice President, Business Development
WellCare Health Plans, Inc.
8735 Henderson Road
Tampa, FL 33634
Office: (813)206-1040
Blackberry: (813)523-6750
Email: teressa.smith@wellcare.com

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Friday, March 23, 2012 5:08 PM
To: Smith, Teresa
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Conferences

Teresa:

Please accept this as notification that WellCare of Kansas is invited to an all-day Vendor Conference on April 6th. I will provide additional information such as an agenda and topics of discussion by Friday, March 30th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Privacy Notice: This electronic mail message, and any attachments, are confidential and are intended for the exclusive use of the addressee(s) and may contain information that is proprietary and that may be Individually Identifiable or Protected Health Information under HIPAA. If you are not the intended recipient, please immediately contact the sender by telephone, or by email, and destroy all copies of this message. If you are a regular recipient of our electronic mail, please notify us promptly if you change your email address.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 13, 2012 12:42 PM
To: 'teressa.smith@wellcare.com'
Subject: Bid Event EVT0001028 KanCare - Sample Contract Response

Teresa:

Attached is SRS's response to the WellCare's inquiry on subcontractors contracts from last week:

"SRS will not be able to approve the contract templates, in final, for use with providers of HCBS, mental health or substance use disorder services, until there are discussions with the contractors during the implementation process. Issues related to those specialized health care programs that SRS administers, some of which will be converting to a managed care structure for the first time, include: How the contractor will incorporate existing statutory/regulatory role of the provider/subcontractor? How the contractor will actively attend to provider qualification issues – not a passive requirement that they maintain compliance, but the contractor's role in ensuring both initial and ongoing qualifications? How the contractor will specifically describe the services which the provider/subcontractor is responsible for (especially around issues of Health Home/service integration/care management), and how those services will be compensated? There are many "blank" attachments in WellCare's templates, which would potentially provide these type of details – or at least be a vehicle for them – but we cannot substantive address them in the blank format.

There are some more technical provisions of WellCare's contract templates which we would want to discuss during implementation, including conforming the terms/practices to the RFP, such as those related to provider complaints; time-limited vs. evergreen approach; and termination provisions. These issues are only effectively addressed during conversations that are part of implementation readiness.

However, SRS again reiterates that it would consider a contractor to have met its provider network adequacy requirements - with regard to providers of HCBS, mental health or substance use disorder services - by use of letters of intent and/or by use of template contracts that are subject to revision/approval prior to final execution with the provider/subcontractor."

Aging and KDHE also encourage the contractors to meet provider network adequacy requirements by using template contracts that are subject to revision/approval prior to final execution with the provider/subcontractor. This is consistent with the Q&A response in Amendment 10 number 7. "If we are not able to conduct that review/response, then YES WE WILL allow you to use model subcontracts in advance of approval subject to subsequent amendment based upon our feedback after review."

Thank you,

tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, February 29, 2012 2:59 PM
To: 'teressa.smith@wellcare.com'
Subject: Sample Contracts

Teresa:

I wanted to let you know that the State has not finalized their review of the sample contracts provided. Therefore, we request that you do not move forward with the contracts for Behavioral Health/HCBS at this time. I will follow up once I have additional information.

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, February 29, 2012 2:59 PM
To: 'teressa.smith@wellcare.com'
Subject: Sample Contracts

Teresa:

I wanted to let you know that the State has not finalized their review of the sample contracts provided. Therefore, we request that you do not move forward with the contracts for Behavioral Health/HCBS at this time. I will follow up once I have additional information.

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 17, 2012 12:57 PM
To: 'Harvey, Catherine'
Subject: FW: Emailing: Coventry Qs and our Ans after 2nd negotiations
Attachments: Coventry Qs and our Ans after 2nd negotiations.docx

Catherine:

Attached are responses to the questions that you submitted.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Thursday, May 17, 2012 12:54 PM
To: Sherley, Tami [PU]
Cc: Kari Bruffett; Swartz, Christiane [KDHE]; Endacott, Paul [KDHE]; Phelps, Elizabeth M [SRS]; Ridley, Bradlee D [AGING]; Ross, Rebecca [KDHE]; Swanson, Effie [KDHE]; Brown, Kimberly L [SRS]
Subject: Emailing: Coventry Qs and our Ans after 2nd negotiations
Attachments: Coventry Qs and our Ans after 2nd negotiations.docx

<<Coventry Qs and our Ans after 2nd negotiations.docx>> Tami

Attached is the response to Coventry's questions from the May 15th negotiations meeting.

Gary Combs, Sr. Manager
Contracts& Fiscal Operations
gcombs@kdheks.gov
785-296-0149

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

1. Please confirm as discussed in our meeting on May 15 related to question #3 that the definition of clean claims for purposes of this performance guarantee will include only claims received in-house by Coventry that are automatically adjudicated through our claims systems.

The State confirms that a clean claim will be defined consistently with the CMS definition of a clean claim.

2. Please confirm the State's willingness to negotiate a sliding scale for measuring operational metrics in year 1 and pay for performance metrics in years 2 and 3. Please also confirm that the sub-measures will be weighted in the same manner within each category.

The State does not intend to negotiate a sliding scale for pay for performance metrics. Each of the Year 2 and 3, 15 P4P measures will be weighted equally at 1/15th of the 5% PMPM withhold. The sub measures within the NOMS and the Diabetic HEDIS measures must all meet the specified benchmarks or the full 1/15th for that respective measure will be forfeited. For example, if a Contractor met only 3 of the 5 submeasure standards for the SUD NOMs, the Contractor would lose the full 1/15th of their withhold.

3. Please confirm the State's willingness to include the risk share corridor in Years 2 and 3 as a result of the delayed implementation of the developmentally disabled waiver services.

The State is willing to discuss the continuation of the risk share corridor in Years 2 and 3 or other options with each of the successful bidders.

4. Please confirm the State's willingness to allow negotiation for mutually agreeable rates in Years 2 and 3. If agreement cannot be reached, please confirm the State's willingness to allow a termination of the contract.

The State will apply the successful bidders' year 2 and 3 discount to the LCE as determined by the State's actuaries in years 2 and 3. For contract terms related to termination, please see the RFP Cover Sheet under Period of Contract, which specifies the period of contract is January 1, 2013, through December 31, 2015.

5. As referenced in the meeting on May 15th, there are certain LCE adjustments where we would request clarification. Please see the attached file.

a. On tab "Rate Update Impact", please review the calculations in columns G-I, and confirm that the initial dollar figures are correct and not the percentage change. If the percentages are correct, we believe the financial impact has been understated by \$4M.

The previous percentage change for the row labeled "Final" in cell F14 was correct but the individual pieces in rows F8-F13 were slightly off. The percentages that you provided are correct and match our internal calculations.

b. On tab "Rate Update Ranges", please review the calculations in columns M-R. It appears when we exclude the impact of the DD rate change, the rates changed in total 1.54%. This is nearly double the expected amount from the first tab of 0.82%. This discrepancy is worth \$16M. Please confirm the appropriate adjustment.

The adjustment as represented in the materials you received is correct; we have provided the six program changes that impacted the LCE. The LCE continues to be in the actuarially sound range.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, May 16, 2012 12:20 PM
To: 'Harvey, Catherine'
Subject: Bid Event EVT000128 Electronic Version of Additional KanCare Questions

Catherine:

Below are the additional questions asked during Monday's conference. Please note that responses to these questions and a Revised Offer, if applicable, are due **NO LATER** than noon, Monday, May 21st

1. The State intends to reserve the right to conduct a supplemental (come-behind) recovery program to ensure TPL contractual provisions are met by KanCare Contractors. For example, all TPL identified and recovered by the State more than six (6) months after the date of service (DOS) of a claim would be retained by the State. Please provide any feedback on this approach.
2. Your bid documents note the use of other contractors to perform work and services for you in completion of the TPL requirements. For each vendor, please note their name, duties to be performed, and the general means for compensation (contingency fee, fee per service, set amount, etc.) If the actual 3rd party contractor is not known at this time, please still identify the duties that you intend the unnamed contractor to perform.
3. Inherent in this contract is the receipt and use of personal health information and confidential data. Similarly inherent is the sharing of such information with a subsidiary contractor. Please note how you plan on protecting the PHI and other confidential information shared with a subsidiary vendor.
4. Will you provide to KDHE any reports generated by the subsidiary vendor concerning their TPL activities?
5. Please confirm that you will provide the Payment Integrity Report, including all the information listed in the categories displaying in Exhibit 2-8.
6. Please confirm your understanding that the fee-for-service payment floor (requirement 2.3.6.6) applies to the following eye codes: 92002, 92004, 92912, and 92014.
7. The State has heard from multiple sources that some bidders are reaching out aggressively to providers in the state and that some of what is being said is erroneous (for example, regarding SUD provider requirements). The State reminds KanCare bidders of the intention that credentialing be done -- especially with non-traditional providers -- in a coordinated manner. Further the State intends to partner with selected MCO contractors and ensure a uniform approach for these providers/systems of care. Please confirm your understanding of this approach.

If you have any questions, please contact me via email immediately.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, May 15, 2012 10:38 AM
To: 'Harvey, Catherine'
Subject: FW: Answers to Coventry questions.

Catherine:

Below are responses to your questions. I am sorry that I did not get these to you sooner.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Hi Tami-

Our actuaries have some questions on the revised data. I know we have time to ask questions next week, but in the interest of getting to our best cost proposal on a timely basis, it would be helpful to get answers prior to our meeting if possible. If not, we will be prepared to discuss these at the meeting.

1. For the KU inpatient and outpatient adjustments related to the proposed fee schedule change, could you please provide more detail on how you derived the adjustment amounts? Specifically, how were the amounts allocated to each rate cell?

The KU adjustment brought the KU dollars down from the UPL to the FFS level based on a DRG plus outlier methodology. The calculation was done at the rate cohort level using only dollars associated with KU hospital. We will provide an attachment that shows the percentage impact in CY13 dollars at the broad rating cohort level.

2. For the Critical Access Hospitals, please provide the adjustments by rate cell.

We will provide an attachment that shows the percentage impact in CY13 dollars at the broad rating cohort level.

3. The developmentally disabled rate cells now have a lower revenue level but require a greater level of coordination with the State FFS program. Will the state re-evaluate the administrative percent on these rate cells? We believe it is currently set in the 3% - 5% range but should be set at a higher percentage based on the reduced revenue. For example, the TANF population has a similar PMPM with administration in the 7% - 9% range.

We had re-evaluated the administrative load for the DD rating cohort and the updated databook reflects an administrative load in the 6%-8% range.

4. For the developmentally disabled populations, will the state re-consider the managed care savings applied since we will no longer be fully coordinating their care, making it more difficult to manage costs particularly for the dual population where we are secondary payor?

The managed care savings were considered and the databook reflects a managed care savings factor consistent with the benefits covered for the DD rating cohorts.

5. The ICF/MR rate cell was not adjusted. We understood this cell contained LTC services for the developmentally disabled population. Could the state please confirm that there are no costs included in this rate cell for the developmentally disabled? If they are included, what policies are in place to prevent the growth of this population?

The databook assumes private ICF-MR services are included in KanCare for all members, including the DD population.

6. There are several changes in the databook beyond the developmentally disabled change. Accordingly, we believe our initial bid would not be adequate for Years 2 and 3. Could the State please confirm it is appropriate to provide a new LCE for years 2 and 3?

We have confirmed that the only difference between the new databook and the Phase III Update databook released around 1/22/12 is the removal of long term supports and services for the DD rating cohorts. Therefore the initial bid would be appropriate for years 2 and 3.

7. It is our understanding there was a \$5 million increase included in the State budget to reduce the waiting list for the Physically Disabled and Developmentally Disabled populations. Could you please describe how the reduction in the waiting lists was accounted for in this version of the LCE?

As of the morning of May 14, the Legislature has not agreed on the 2013 budget, so no additional funding for the waiting lists has been added.

Thanks for your help-
Cathy

Catherine Harvey
Vice President, Medicaid Program Development & Dual Eligible Products
csharvey@cvtv.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

KDHE Disclaimer

Gary A Combs
Sr. Mgr. Contracts & Fiscal Agent Operations
Kansas Department of Health and Environment
Division of Health Care Finance
Landon State Office Building
900 SW Jackson, Suite 900N
Topeka, Kansas 66612
785-296-0149
gcombs@kdheks.gov

KHPA is now part of the Kansas Department of Health and Environment (KDHE) as the Division of Health Care Finance (DHCF). Visit our website at <http://www.kdheks.gov/hcf/>

Sherley, Tami [PU]

From: Harvey, Catherine [csharvey@cvty.com]
To: Sherley, Tami [PU]
Sent: Monday, May 14, 2012 11:59 AM
Subject: Read: FW: Updated LCE and a additional information for bidders.

Your message was read on Monday, May 14, 2012 11:58:43 AM (GMT-06:00) Central Time (US & Canada).

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 10, 2012 5:15 PM
To: Effie Swanson; Gary Combs
Subject: Fwd: Questions on the revised databook

Please respond.

Tami Sherley

Begin forwarded message:

From: "Harvey, Catherine" <csharvey@cvty.com>
Date: May 10, 2012 3:36:38 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Cc: "Molitor, Aaron" <asmolitor@cvty.com>, "Covert, Kim" <KCovert@cvty.com>, "Burgoyne, Mike" <Mburgoyne@cvty.com>, "Brown, James" <jwbrown@cvty.com>
Subject: Questions on the revised databook

Hi Tami-

Our actuaries have some questions on the revised data. I know we have time to ask questions next week, but in the interest of getting to our best cost proposal on a timely basis, it would be helpful to get answers prior to our meeting if possible. If not, we will be prepared to discuss these at the meeting.

1. For the KU inpatient and outpatient adjustments related to the proposed fee schedule change, could you please provide more detail on how you derived the adjustment amounts? Specifically, how were the amounts allocated to each rate cell?
2. For the Critical Access Hospitals, please provide the adjustments by ratecell.
3. The developmentally disabled rate cells now have a lower revenue level but require a greater level of coordination with the State FFS program. Will the state re-evaluate the administrative percent on these ratecells? We believe it is currently set in the 3% - 5% range but should be set at a higher percentage based on the reduced revenue. For example, the TANF population has a similar PMPM with administration in the 7% - 9% range.
4. For the developmentally disabled populations, will the state re-consider the managed care savings applied since we will no longer be fully coordinating their care, making it more difficult to manage costs particularly for the dual population where we are secondary payor?
5. The ICF/MR ratecell was not adjusted. We understood this cell contained LTC services for the developmentally disabled population. Could the state please confirm that there are no costs included in this rate cell for the developmentally disabled? If they are included, what policies are in place to prevent the growth of this population?

6. There are several changes in the databook beyond the developmentally disabled change. Accordingly, we believe our initial bid would not be adequate for Years 2 and 3. Could the State please confirm it is appropriate to provide a new LCE for years 2 and 3?

7. It is our understanding there was a \$5 million increase included in the State budget to reduce the waiting list for the Physically Disabled and Developmentally Disabled populations. Could you please describe how the reduction in the waiting lists was accounted for in this version of the LCE?

Thanks for your help-
Cathy

Catherine Harvey
Vice President, Medicaid Program Development & Dual Eligible Products
csharvey@cvtty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Friday, May 04, 2012 9:00 AM
To: Sherley, Tami [PU]
Subject: FW: KanCare delay for developmentally disabled waiver services

Tami-

Please see below for Optumas' responses to Coventry's questions. Just FYI, this information is also being folded into what we plan to send out to all bidders next week. It's your call whether or not Coventry gets these answers before hand or not. I guess it probably does not give them much of an advantage, though, since they do not have the new data book to start working yet.

Thanks.
-Effie

From: Doyle, Tim [tim.doyle@optumas.com]
Sent: Wednesday, May 02, 2012 6:50 PM
To: Kari Bruffett; Schramm, Steve; Aters, Zachary
Subject: RE: KanCare delay for developmentally disabled waiver services

Kari,

Comments to the Coventry questions below in red font.

Let us know if you think there are other exhibits that you'd like as well. Thanks.

Tim

From: Kari Bruffett [mailto:KariBruffett@kdheks.gov]
Sent: Wednesday, May 02, 2012 1:38 PM
To: Schramm, Steve; Doyle, Tim; Aters, Zachary
Subject: Fw: KanCare delay for developmentally disabled waiver services

FYI, questions from Coventry:

From: Effie Swanson
Sent: Wednesday, May 02, 2012 03:35 PM
To: Paul Endacott
Cc: Kari Bruffett; Christiane Swartz; Phelps, Elizabeth M [SRS] <Elizabeth.Phelps@srs.ks.gov>
Subject: FW: KanCare delay for developmentally disabled waiver services

I assume Optumas will address all the necessary questions, but we received the inquiry below from Coventry related to rate adjustments based on the DD budget proviso.

-Effie

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Tuesday, May 01, 2012 4:03 PM

To: Combs, Gary [KDHE]; Swanson, Effie [KDHE]
Subject: FW: KanCare delay for developmentally disabled waiver services

FYI

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Tuesday, May 01, 2012 3:54 PM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Covert, Kim; Brown, James; Burgoyne, Mike; Goecke, Robyn (Aronberg)
Subject: KanCare delay for developmentally disabled waiver services

Hi Tami-

Given the Governor's announcement of the state's intent to defer the inclusion of developmentally disabled waiver services in the KanCare program, can you please answer the following questions:

1. Please identify the databook cells and final revenue rate cells affected by this announcement.
The cohorts impacted include Developmentally Disabled Dual < 45, Developmentally Disabled Dual 45+, and Developmentally Disabled Non Dual.
2. The press release issued by the Governor's office seems to indicate that the acute care services for these members would still be included in the KanCare program while only the waiver services would be deferred. Can you clarify the state's intent? We have concerns around confusion for the member if they are receiving care from the State for waiver services along with Medicare and a 3rd party MCO, as well as the impact on the administration to coordinate these benefits in the event that all services for these members are not carved out from the KanCare program.
Acute care services for the Developmentally Disabled population will be covered by KanCare. The circumstance described above with Medicare will only be an issue in the Dual cohorts and consideration will be made for the administration.
3. If Acute and Behavioral Health services for the affected members would remain as part of the MCO responsibility:
 - a. Will a new databook be necessary for these populations? If not, can the State confirm in writing the categories of service that are considered acute, and also confirm that no acute care services are contained in any other category?
Yes, a new databook will be provided to reflect the removal of the Developmentally Disabled cohorts.
 - b. Will area factors be adjusted to reflect the removal of the waiver services?
Yes.
 - c. Will the State be re-evaluating the managed care savings factors applied to these populations, given the MCO will no longer be coordinating the full care?
Yes.
 - d. Will the State be re-evaluating the admin % for these populations, given a lower revenue level and a greater level of required coordination with the State FFS program that will remain in place?
Yes, we will re-evaluate the administrative load given the reduced benefit package.

Thanks,
Cathy
Catherine Harvey
Vice President, Medicaid Program Development & Dual Eligible Products
csharvey@cvty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by repl

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, *et seq*, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Friday, May 04, 2012 9:57 AM
To: 'Harvey, Catherine'
Cc: Molitor, Aaron; Covert, Kim; Brown, James; Burgoyne, Mike; Goecke, Robyn (Aronberg)
Subject: RE: KanCare delay for developmentally disabled waiver services

Catherine:

This information will be provided next week.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Tuesday, May 01, 2012 3:54 PM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Covert, Kim; Brown, James; Burgoyne, Mike; Goecke, Robyn (Aronberg)
Subject: KanCare delay for developmentally disabled waiver services

Hi Tami-

Given the Governor's announcement of the state's intent to defer the inclusion of developmentally disabled waiver services in the KanCare program, can you please answer the following questions:

1. Please identify the databook cells and final revenue rate cells affected by this announcement.
2. The press release issued by the Governor's office seems to indicate that the acute care services for these members would still be included in the KanCare program while only the waiver services would be deferred. Can you clarify the state's intent? We have concerns around confusion for the member if they are receiving care from the State for waiver services along with Medicare and a 3rd party MCO, as well as the impact on the administration to coordinate these benefits in the event that all services for these members are not carved out from the KanCare program.
3. If Acute and Behavioral Health services for the affected members would remain as part of the MCO responsibility:
 - a. Will a new databook be necessary for these populations? If not, can the State confirm in writing the categories of service that are considered acute, and also confirm that no acute care services are contained in any other category?
 - b. Will area factors be adjusted to reflect the removal of the waiver services?
 - c. Will the State be re-evaluating the managed care savings factors applied to these populations, given the MCO will no longer be coordinating the full care?
 - d. Will the State be re-evaluating the admin % for these populations, given a lower revenue level and a greater level of required coordination with the State FFS program that will remain in place?

Thanks,
Cathy

Catherine Harvey
Vice President, Medicaid Program Development & Dual Eligible Products
csharvey@cvty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Harvey, Catherine [csharvey@cvty.com]
Sent: Tuesday, May 01, 2012 3:54 PM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Covert, Kim; Brown, James; Burgoyne, Mike; Goecke, Robyn (Aronberg)
Subject: KanCare delay for developmentally disabled waiver services

Hi Tami-

Given the Governor's announcement of the state's intent to defer the inclusion of developmentally disabled waiver services in the KanCare program, can you please answer the following questions:

1. Please identify the databook cells and final revenue rate cells affected by this announcement.
2. The press release issued by the Governor's office seems to indicate that the acute care services for these members would still be included in the KanCare program while only the waiver services would be deferred. Can you clarify the state's intent? We have concerns around confusion for the member if they are receiving care from the State for waiver services along with Medicare and a 3rd party MCO, as well as the impact on the administration to coordinate these benefits in the event that all services for these members are not carved out from the KanCare program.
3. If Acute and Behavioral Health services for the affected members would remain as part of the MCO responsibility:
 - a. Will a new databook be necessary for these populations? If not, can the State confirm in writing the categories of service that are considered acute, and also confirm that no acute care services are contained in any other category?
 - b. Will area factors be adjusted to reflect the removal of the waiver services?
 - c. Will the State be re-evaluating the managed care savings factors applied to these populations, given the MCO will no longer be coordinating the full care?
 - d. Will the State be re-evaluating the admin % for these populations, given a lower revenue level and a greater level of required coordination with the State FFS program that will remain in place?

Thanks,
Cathy

Catherine Harvey
Vice President, Medicaid Program Development & Dual Eligible Products
csharvey@cvty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, April 25, 2012 8:17 AM
To: 'Harvey, Catherine'
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Cathy:

Please accept this as notification that Coventry, Inc. is invited to Vendor Negotiations on May 15th from 8:00AM – 12:00. I will provide additional information such as an agenda and topics of discussion no later than May 8th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, April 17, 2012 2:34 PM
To: 'Swanson, Effie [KDHE]'; Combs, Gary [KDHE]
Subject: FW: ILS Draft Contracts
Attachments: ILS Master Contract 04172012 State Distribution_use.doc; ILS Kansas Statement of Work 4172012_State_Distribution_Use.doc

Importance: High

FYI

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Tuesday, April 17, 2012 2:26 PM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Covert, Kim; Pennington, Debra; Van Blaricum, Mark
Subject: FW: ILS Draft Contracts
Importance: High

Hi Tami-

Please review the attached contract template for our new proposed subcontractor, ILS. We will also be forwarding the required subcontractor information upon execution.

Thanks,
Cathy

From: Burgoyne, Mike
Sent: Tuesday, April 17, 2012 2:08 PM
To: Harvey, Catherine
Cc: Goecke, Robyn (Aronberg)
Subject: ILS Draft Contracts
Importance: High

Cathy,

The drafts of the ILS master contract and statement of work. These can be forwarded to state for their review. Please call me with any questions.

Mike

<<ILS Master Contract 04172012 State Distribution_use.doc>> <<ILS Kansas Statement of Work
4172012_State_Distribution_Use.doc>>

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Harvey, Catherine [csharvey@cvty.com]
Sent: Tuesday, April 17, 2012 2:26 PM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Covert, Kim; Pennington, Debra; Van Blaricum, Mark
Subject: FW: ILS Draft Contracts
Attachments: ILS Master Contract 04172012 State Distribution_use.doc; ILS Kansas Statement of Work 4172012_State_Distribution_Use.doc

Importance: High

Hi Tami-

Please review the attached contract template for our new proposed subcontractor, ILS. We will also be forwarding the required subcontractor information upon execution.

Thanks,
Cathy

From: Burgoyne, Mike
Sent: Tuesday, April 17, 2012 2:08 PM
To: Harvey, Catherine
Cc: Goecke, Robyn (Aronberg)
Subject: ILS Draft Contracts
Importance: High

Cathy,

The drafts of the ILS master contract and statement of work. These can be forwarded to state for their review. Please call me with any questions.

Mike

<<ILS Master Contract 04172012 State Distribution_use.doc>> <<ILS Kansas Statement of Work 4172012_State_Distribution_Use.doc>>

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.



Sam Brownback, Governor
Nick Jordan, Secretary

www.ksrevenue.org

CERTIFICATE OF TAX CLEARANCE

Coventry Health Care of Kansas, Inc.

ISSUE DATE
04/04/2012

TRANSACTION ID
TCEC-CA67-25HU

CONFIRMATION NUMBER
CVED-ECE9-929H

TAX CLEARANCE VALID THROUGH 07/03/2012

*Verification of this certificate can be obtained on our website, www.ksrevenue.org,
or by calling the Kansas Department of Revenue at 785-296-3199*



Kansas Insurance Department

Sandy Praeger, Commissioner of Insurance

April 2, 2012

Ms. Michelle Carter-Gouge
Coventry Health Care of Kansas, Inc.
8535 E. 21st Street N
Wichita, KS 67206

Re: Form D Filing of the Guarantor Agreement between Coventry Health Care of Kansas, Inc. and Coventry Health Care, Inc.

Dear Ms. Carter-Gouge:

This will acknowledge receipt of your Form D, dated March 2, 2012 and received by this Department on March 5, 2012, regarding the captioned agreement filed in accordance with K.S.A. 40-3306(b)(4) and K.A.R. 40-1-28.

Please be advised that we hereby approve the proposed Guarantor Agreement between Coventry Health Care of Kansas, Inc. and Coventry Health Care, Inc., to be effective on January 1, 2013.

Please submit a signed and dated copy of the agreement once it has been executed. Our approval of transactions submitted pursuant to K.S.A. 40-3306 will be considered null and void if we have not received a fully executed copy of the draft document(s) within 30 days following our approval.

Additionally, if any changes whatsoever are made to the draft transaction and/or draft document(s) approved by our Department, such changes are required to be submitted for our approval prior to execution.

The Department has previously determined that it is not necessary for companies to file an amended Form B following approval of transactions as set forth under K.S.A. 40-3306(b). However, please note the applicable information regarding such transactions must continue to be submitted for our review and prior approval. Additionally, the appropriate reference should be included in the Company's Annual Holding Company Registration Statements due May 1 of each year.

Please feel free to contact me if you have any questions regarding this matter at 785-296-4692.

Sincerely,


Sherry L. Behzadi
Senior Financial Analyst

cc: Michael G. Murphy, President

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, March 28, 2012 4:03 PM
To: 'Harvey, Catherine'
Subject: RE: clarification on network adequacy

Cathy:

KDHE's response to your question:

At this time, the due date for providing attestation of 50% of a bidders provider network is March 30, 2012. 90% is due on October 12, 2012 and 100% on November 16, 2012.

Thanks,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [mailto:csharvey@cvty.com]
Sent: Wednesday, March 28, 2012 12:21 PM
To: Sherley, Tami [PU]
Cc: Goecke, Robyn (Aronberg); Van Blaricum, Mark; Covert, Kim; Molitor, Aaron
Subject: RE: clarification on network adequacy
Importance: High

Hi Tami-

I just want to confirm the due date. Originally, it was March 30. In the follow up questions, it implies May 1 is the first network adequacy submission. Question 9 states:

Please confirm that you understand and agree that the network adequacy certification plan must include several elements which the State will discuss further with the Proposer. Specific reportable benchmarks will be certified to the state on May 1, June 1, July 2, August 1, September 4, October 1, and November 16, 2012, to demonstrate ongoing progress in achieving provider network adequacy.

Thanks,

Cathy

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Tuesday, March 27, 2012 8:31 AM
To: Harvey, Catherine
Subject: RE: clarification on network adequacy

Cathy:

KDHE's response follows:

From Amendment eight Q & A 222 "In reference to the submission of 50% of the provider network, are the contractors required to submit LOIs or executed contracts as evidence of the establishment of a provider network?"

"It is expected that MCOs will submit reports showing the number of LOIs or signed contracts by unique providers by provider specialty and county. It is not necessary to submit the actual LOIs or signed contracts."

Thanks,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [mailto:csharvey@cvty.com]

Sent: Thursday, March 22, 2012 1:38 PM

To: Sherley, Tami [PU]

Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim

Subject: RE: clarification on network adequacy

Tami-

We would prefer to submit a summary of providers by specialty, with contracts available upon request, as this would be easier for you to review.

Thanks,

Cathy

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]

Sent: Thursday, March 22, 2012 10:14 AM

To: Harvey, Catherine

Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim

Subject: RE: clarification on network adequacy

Cathy:

I will need to verify with KDHE. I will get back to you via email.

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [mailto:csharvey@cvty.com]

Sent: Thursday, March 22, 2012 10:10 AM

To: Sherley, Tami [PU]

Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim

Subject: clarification on network adequacy

Hi Tami-

For the March 30th deadline do we need to physically produce copies of contracts or LOAs? Will a list suffice?

Thanks,

Cathy

Catherine Harvey

Vice President, Medicaid Strategic Program Development

csharvey@cvty.com

773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

GUARANTOR AGREEMENT
between
Coventry Health Care of Kansas, Inc.
and
Coventry Health Care, Inc.

THIS AGREEMENT is made and entered into as of this 4 day of April, 2012 by and between Coventry Health Care of Kansas, Inc., a corporation organized under the laws of Kansas (hereinafter referred to as "HMO"), and Coventry Health Care, Inc., a corporation organized and existing under the laws of Delaware (hereinafter referred to as "CHC").

WHEREAS, HMO operates a Kansas licensed health maintenance organization to arrange and pay for medical and hospital benefits; and

WHEREAS, HMO arranges for the payment of medical and hospital benefits to Members and with providers to deliver these services; and

WHEREAS, CHC is desirous of assisting in the development of HMO by entering into a guarantor agreement which will protect Members in the event of insolvency so as to constitute an insolvency protection plan as required by applicable Kansas law.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and benefits hereinafter described, the parties hereto agree as follows:

1. Definitions

- a) "Group" means the collective membership enrolled in HMO through HMO's contract with the state of Kansas (the "Agency Contract") for its Medicaid managed care program which offers the medical, and hospital services arranged by HMO as a health benefits plan for its enrollees.
- b) "Insolvency" means a determination by the Kansas Department of Insurance that HMO is an Insolvent Insurer as defined by KSA 40-3601 et seq.
- c) "Member" means an individual who is an enrollee in HMO's Medicaid managed care product.

2. Obligations of CHC

In the event of HMO's inability to pay any amounts payable by HMO including any Insolvency, CHC agrees to pay all expenses and claims incurred by HMO prior to such inability, and all expenses and claims incurred by HMO subsequent to such inability pursuant to the obligations under its Agency Contract, until the end of the contract period for which payment has been made in accordance with such agreement. Such expenses and claims shall include, but not be limited to, all hospital charges and any other fee-for-service bills for services and/or benefits covered under a Member's plan for which HMO is liable, capitation payments to health care providers who have contracted with HMO, and payments to health

care providers not under contract with HMO for covered services rendered to a Member.

CHC represents and warrants to the other that it has full power and authority to enter into this Agreement and perform its obligations hereunder and that its execution of this Agreement and performance of its obligations hereunder does not and will not violate any law or result in a breach of or default under the terms of any contract or agreement by this it is bound.

3. Compliance with Regulatory Requirements Regarding Insolvency Protection

Without diminishing any of the foregoing, CHC agrees in its capacity as guarantor to HMO to provide HMO with whatever guarantee or coverage is necessary to meet all the applicable requirements of the laws of the State of Kansas, as amended and all regulations promulgated thereunder, regarding insolvency protection. This guarantee is perpetual and will not expire, unless and until HMO no longer holds a Certificate of Authority from the Kansas Insurance Department. The source of funds for this guarantee shall be from the general assets of CHC.

4. Miscellaneous

- (a) This Agreement shall become effective on the date first set forth above and shall continue thereafter until mutually rescinded by the parties. Such rescission shall not be effective until notice has been given to and approval has been received from the Kansas Department of Insurance.
- (b) Any notice required to be given pursuant to the terms and provisions hereof shall be in writing and shall be sent by certified mail return receipt requested postage prepaid to:

Coventry Health Care of Kansas, Inc. at:
8320 Ward Parkway
Kansas City, MO 64114
Attn: Chief Executive Officer

Coventry Health Care, Inc. at:
6705 Rockledge Drive
Suite 900
Bethesda, MD 20817-1850
Attn: Legal Department

- (c) This Agreement constitutes the entire understanding between the parties hereto, and no changes, amendments or alterations shall be effective unless agreed to in writing by all parties to this Agreement and approved by the Kansas Department of Insurance. Notice to or consent of Members shall not be required to effect any modifications to this Agreement.

- (d) This Agreement, being intended to secure the services of CHC, shall not be assigned, sublet or transferred by CHC without the written consent of HMO and the Kansas Insurance Department.
- (e) The invalidity or unenforceability of any terms or provisions hereof shall in no way affect the validity or enforceability of any other term or provision.
- (f) This Agreement shall be governed by the substantive laws of the state of Kansas. Jurisdiction over all legal proceedings arising out of this Agreement shall be in the Courts of the State of Kansas or the United States Federal District Courts for Kansas, and venue shall be vested in the District Court of Shawnee County, Kansas in the case of state actions, and the United States District Court for the District of Kansas, in the case of federal actions.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the day and year first above written.

COVENTRY HEALTH CARE
OF KANSAS, INC.

By: 

Title: E.V.P.

Date: 4/4/2012

COVENTRY HEALTH CARE, INC.

By: 

Title: Senior Vice President

Date: April 4, 2012

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 27, 2012 8:31 AM
To: 'Harvey, Catherine'
Subject: RE: clarification on network adequacy

Cathy:

KDHE's response follows:

From Amendment eight Q & A 222 "In reference to the submission of 50% of the provider network, are the contractors required to submit LOIs or executed contracts as evidence of the establishment of a provider network?"

"It is expected that MCOs will submit reports showing the number of LOIs or signed contracts by unique providers by provider specialty and county. It is not necessary to submit the actual LOIs or signed contracts."

Thanks,

Tami

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Thursday, March 22, 2012 1:38 PM
To: Sherley, Tami [PU]
Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim
Subject: RE: clarification on network adequacy

Tami-

We would prefer to submit a summary of providers by specialty, with contracts available upon request, as this would be easier for you to review.

Thanks,
Cathy

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Thursday, March 22, 2012 10:14 AM
To: Harvey, Catherine
Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim
Subject: RE: clarification on network adequacy

Cathy:

I will need to verify with KDHE. I will get back to you via email.

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]

Sent: Thursday, March 22, 2012 10:10 AM

To: Sherley, Tami [PU]

Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim

Subject: clarification on network adequacy

Hi Tami-

For the March 30th deadline do we need to physically produce copies of contracts or LOAs? Will a list suffice?

Thanks,

Cathy

Catherine Harvey

Vice President, Medicaid Strategic Program Development

csharvey@cvty.com

773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 27, 2012 8:30 AM
To: 'Harvey, Catherine'
Subject: RE: need some guidance on provider contracting

Cathy:

Coventry can talk to the subcontractors as long as you understand the contract cannot be executed until the State receives answers to the questions below.

- Please confirm that under this subcontracting arrangement mental health/SUD providers would be credentialed by ValueOptions (VO) only; that is, not be required to be credentialed by both VO and Coventry.
- Please describe how providers will be paid under this subcontracting arrangements; that is, will they be submitting claims to VO only, or Coventry only, or will they be required to submit claims to both VO and Coventry?
- Related to page 6, and specifically section 4.2(b), please confirm that Coventry will be responsible for inpatient services, and what if any role VO will have in those services.
- Related to page 17 and the statement as to VO not be licensed as an insurer, HMO etc. by KID. Please explain that further, and the considerations related to that conclusion.
- On Exhibit G, the embedded description of performance measures for which VO would be responsible includes those measures related to nursing facility services (i.e., measures beyond the behavioral health-related measures). Please explain what if any responsibility VO would have for those services and the related performance measures.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Monday, March 26, 2012 9:44 AM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Goecke, Robyn (Aronberg); Kitson, Bonnie; Dawe, Barbara
Subject: need some guidance on provider contracting

Hi Tami-
The RFP says:

"2.2.8.13

Behavioral Health, Disabilities and LTC Provider Contracts

2.2.8.13.1

The CONTRACTOR shall establish written provider subcontracts. The State shall approve all standard subcontract provisions required of network providers prior to the CONTRACTOR's offering subcontract terms to the provider network."

We submitted the contract template last week for approval for behavioral health services. We want to know if we can begin negotiations prior to approval of the template. We would not execute the contract until we have approval of the template. We are trying to get the network as complete as possible prior to our network adequacy attestation. Please let me know if we may proceed.

Thanks,
Cathy

Catherine Harvey
Vice President, Medicaid Strategic Program Development
csharvey@cvty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Monday, March 26, 2012 4:47 PM
To: Sherley, Tami [PU]
Subject: FW: need some guidance on provider contracting

Tami

Coventry can talk to the subcontractors as long as they understand the contract cannot be executed until the State receives answers to the questions Lizz submitted and I forwarded to you this morning.

Gary

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Monday, March 26, 2012 12:31 PM
To: Combs, Gary [KDHE]
Subject: FW: need some guidance on provider contracting

Feedback?

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Monday, March 26, 2012 9:44 AM
To: Sherley, Tami [PU]
Cc: Molitor, Aaron; Goecke, Robyn (Aronberg); Kitson, Bonnie; Dawe, Barbara
Subject: need some guidance on provider contracting

Hi Tami-
The RFP says:

"2.2.8.13

Behavioral Health, Disabilities and LTC Provider Contracts

2.2.8.13.1

The CONTRACTOR shall establish written provider subcontracts. The State shall approve all standard subcontract provisions required of network providers prior to the CONTRACTOR's offering subcontract terms to the provider network."

We submitted the contract template last week for approval for behavioral health services. We want to know if we can begin negotiations prior to approval of the template. We would not execute the contract until we have approval of the

template. We are trying to get the network as complete as possible prior to our network adequacy attestation. Please let me know if we may proceed.

Thanks,
Cathy

Catherine Harvey
Vice President, Medicaid Strategic Program Development
csharvey@cvty.com
773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message

and accompanying documents are covered by the Electronic

Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health

Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d,

et seq., and contain information intended for the specified

individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for

delivering it to the intended recipient, you are hereby notified that

you have received this document in error and that any review,

dissemination, copying, or the taking of any action based on the

contents of this information is strictly prohibited. If you have

received this communication in error, please notify us immediately

by E-mail, and delete the original message.

=====

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, and contain information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message

Sherley, Tami [PU]

From: Harvey, Catherine [csharvey@cvty.com]
Sent: Friday, March 23, 2012 4:20 PM
To: Sherley, Tami [PU]
Cc: Bjerre, Claudia; Covert, Kim; Molitor, Aaron; Nolan, Timothy
Subject: RE: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Conferences

Thanks Tami. Does this mean we have been designated as a finalist, or is the conference open to all bidders? Will the state be making a public announcement on finalists?
Thank you so much!
Cathy

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Friday, March 23, 2012 4:08 PM
To: Harvey, Catherine
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Conferences

Cathy:

Please accept this as notification that Coventry Health Care of Kansas is invited to an all-day Vendor Conference on April 3rd. I will provide additional information such as an agenda and topics of discussion by Tuesday, March 27th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, March 22, 2012 10:14 AM
To: 'Harvey, Catherine'
Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim
Subject: RE: clarification on network adequacy

Cathy:

I will need to verify with KDHE. I will get back to you via email.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Harvey, Catherine [<mailto:csharvey@cvty.com>]
Sent: Thursday, March 22, 2012 10:10 AM
To: Sherley, Tami [PU]
Cc: Van Blaricum, Mark; Molitor, Aaron; Covert, Kim
Subject: clarification on network adequacy

Hi Tami-

For the March 30th deadline do we need to physically produce copies of contracts or LOAs? Will a list suffice?

Thanks,

Cathy

Catherine Harvey

Vice President, Medicaid Strategic Program Development

csharvey@cvty.com

773-348-0136

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 13, 2012 8:04 AM
To: Sherley, Tami [PU]
Subject: EVT0001028 KanCare Capitated Managed Care

Bcc: 'Carino, Joe'; 'teressa.smith@wellcare.com'; 'Harvey, Catherine';
'Karen_L_verbeke@uhc.com'; 'Brent Layton'

Good Morning:

KDHE wanted me to share the following with you:

The following was announced late Monday afternoon:

On Monday, Governor Sam Brownback offered a Governor's Budget Amendment asking the Kansas Legislature to fund a robust communication and education program about changes taking place with KanCare. The package also includes funding to streamline billing procedures to ensure a smooth transition for Kansas Medicaid providers to the new KanCare system.

The GBA, if adopted, would provide funding to allow providers to use the Medicaid Management Information System (MMIS) as a uniform, single billing front door for the selected KanCare companies.

Details of implementation will be subject to negotiation and provider feedback.

Please hold your questions until vendor negotiations.

Thank you,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Brent Layton [BLAYTON@CENTENE.COM]
Sent: Friday, June 01, 2012 9:20 AM
To: Hoobler, Angela [PU]
Cc: Zane Yates; GCombs@kdheks.gov; Sherley, Tami [PU]
Subject: Re: Sunflower EVT0001028 KanCare Capitated Managed Care

Ms. Hoobler:

Yes, we did receive the notification of the award yesterday. We are extremely excited about the award and looking forward to the contract phase and of course implementation. Sunflower State Health Plan is ready to provide the highest quality health care for the State of Kansas.

Additionally, we are fully aware of the confidentiality of this award and that the State of Kansas has the sole right for notification and announcement of the award.

Sincerely,

Brent Layton

Sent from my iPhone

On Jun 1, 2012, at 9:11 AM, "Hoobler, Angela [PU]"
<Angela.Hoobler@da.ks.gov<mailto:Angela.Hoobler@da.ks.gov>> wrote:

Mr. Layton:

The below e-mail was sent to you late yesterday. Please confirm receipt of the letter to all parties listed on this e-mail.

Also, I'd like to direct you to the third paragraph in the letter sent yesterday. To clarify, this confidentiality requirement means that neither you nor anyone within your organization may discuss this notice except with those individuals within your organization that need to know. It also means that neither you nor anyone within your organization may confirm or deny the status of the award publicly. Any public announcement of this award is the sole right of the State.

Thank you.

From: Hoobler, Angela [PU]
Sent: Thursday, May 31, 2012 3:59 PM
To: 'blayton@centene.com<mailto:blayton@centene.com>';
'zyates@centene.com<mailto:zyates@centene.com>'
Cc: 'GCombs@kdheks.gov<mailto:GCombs@kdheks.gov>'; Sherley, Tami [PU]
Subject: Sunflower EVT0001028 KanCare Capitated Managed Care

The attached letter is being sent to you on behalf of Tami Sherley.

Angela Hoobler, Deputy Director
Department of Administration
Procurement and Contracts
900 SW Jackson, Room 102N

Topeka, KS 66612

785-296-3029

785-296-7240 fax

angela.hoobler@da.ks.gov<<mailto:angela.hoobler@da.ks.gov>>

<<http://da.ks.gov/purch/>><http://da.ks.gov/purch/>

P Please do not print this e-mail unless absolutely necessary!

This e-mail message, including attachments, if any, is intended for the person or entity to which it is addressed and may contain confidential or privileged information. Any unauthorized review, use, or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy the original message, including all copies. Thank you.

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited.

If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Hoobler, Angela [PU]
Sent: Thursday, May 31, 2012 3:59 PM
To: 'blayton@centene.com'; 'zyates@centene.com'
Cc: 'GCombs@kdheks.gov'; Sherley, Tami [PU]
Subject: Sunflower EVT0001028 KanCare Capitated Managed Care
Attachments: Sunflower Intent to Award EVT1028.doc

The attached letter is being sent to you on behalf of Tami Sherley.

Angela Hoobler, Deputy Director
Department of Administration
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
785-296-3029
785-296-7240 fax
angela.hoobler@da.ks.gov
<http://da.ks.gov/purch/>

 Please do not print this e-mail unless absolutely necessary!

This e-mail message, including attachments, if any, is intended for the person or entity to which it is addressed and may contain confidential or privileged information. Any unauthorized review, use, or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy the original message, including all copies. Thank you.

Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612-1286



Phone: (785) 296-2376
Fax: (785) 296-7240
chris.howe@da.ks.gov
www.da.ks.gov/purch

Dennis R. Taylor, Secretary
Chris Howe, Director

Sam Brownback, Governor

May 31, 2012

Brent Layton
Sunflower State Health Plan

Via e-mail: blayton@centene.com
zyates@centene.com

SUBJECT: KanCare Capitated Managed Care
Bid Event EVT0001028

Dear Mr. Layton:

This letter will confirm that the State of Kansas intends to award Bid Event EVT0001028 to your firm for KanCare Capitated Managed Care.

Your company's selection is conditioned upon execution of a final written contract. A contract is being prepared by the State of Kansas, and will be presented for your review in the near future. In the event a contract is not achieved, please be on notice that the State of Kansas cannot reimburse you for any expenditures made.

We are still in the confidentiality phase of this transaction and thus, all information related to this offering is to be kept confidential until all parties have signed the contract.

All parties involved wish to thank you for your assistance and discretion during this process, and we look forward to a mutually beneficial contract. If you have any questions, please feel free to contact me at 785-296-3122.

Sincerely,

Tami Sherley, Procurement Officer
on behalf of the Procurement Negotiating Committee

cc: Gary Combs, KDHE

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 17, 2012 4:00 PM
To: 'Zane Yates'; 'Brent Layton'
Subject: Bid Event EVT0001028

Zane and Brent:

In reviewing the LCE submitted this week, KDHE noticed that the form did not have a cell for Final CY13 Premium. This cell for some reason was not on the LCE template sent out for this last request. Will you please resubmit the document you provided with that cell included?

Thanks,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, May 16, 2012 12:29 PM
To: 'Brent Layton'; 'Zane Yates'
Subject: Bid Event EVT000128 Electronic Version of Additional KanCare Questions

Follow Up Flag: Follow up
Due By: Tuesday, May 22, 2012 12:00 PM
Flag Status: Flagged

Brent and Zane:

Below are the additional questions asked during Tuesday's conference. Please note that responses to these questions and a Revised Offer, if applicable, are due **NO LATER** than noon, Tuesday, May 22nd.

1. The State intends to reserve the right to conduct a supplemental (come-behind) recovery program to ensure TPL contractual provisions are met by KanCare Contractors. For example, all TPL identified and recovered by the State more than six (6) months after the date of service (DOS) of a claim would be retained by the State. Please provide any feedback on this approach.
2. Your bid documents note the use of other contractors to perform work and services for you in completion of the TPL requirements. For each vendor, please note their name, duties to be performed, and the general means for compensation (contingency fee, fee per service, set amount, etc.) If the actual 3rd party contractor is not known at this time, please still identify the duties that you intend the unnamed contractor to perform.
3. Inherent in this contract is the receipt and use of personal health information and confidential data. Similarly inherent is the sharing of such information with a subsidiary contractor. Please note how you plan on protecting the PHI and other confidential information shared with a subsidiary vendor.
4. Will you provide to KDHE any reports generated by the subsidiary vendor concerning their TPL activities?
5. Please confirm that you will provide the Payment Integrity Report, including all the information listed in the categories displaying in Exhibit 2-8.
6. Please confirm your understanding that the fee-for-service payment floor (requirement 2.3.6.6) applies to the following eye codes: 92002, 92004, 92912, and 92014.
7. The State has heard from multiple sources that some bidders are reaching out aggressively to providers in the state and that some of what is being said is erroneous (for example, regarding SUD provider requirements). The State reminds KanCare bidders of the intention that credentialing be done -- especially with non-traditional providers -- in a coordinated manner. Further the State intends to partner with selected MCO contractors and ensure a uniform approach for these providers/systems of care. Please confirm your understanding of this approach.

If you have any questions, please contact me via email immediately.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N

Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Tuesday, May 15, 2012 6:03 PM
To: Sherley, Tami [PU]
Subject: RE: Sunflower Health Questions
Attachments: KS Rate Update Ranges 2012.05.12.xlsx

I think this is what he is asking about.

*Gary Combs, Sr. Manager
Contracts & Fiscal Operations
gcombs@kdheks.gov
785-296-0149*

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 12:37 PM
To: Combs, Gary [KDHE]
Subject: FW: Sunflower Health Questions

FYI

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Zane Yates [<mailto:ZYATES@CENTENE.COM>]
Sent: Tuesday, May 15, 2012 12:36 PM
To: Sherley, Tami [PU]
Subject: Re: Sunflower Health Questions

Thanks. There is an attachment mentioned in one of the answers as an exhibit that is not included.

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 10:39 AM
To: Zane Yates
Subject: FW: Sunflower Health Questions

Zane:

I found what you were talking about.

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message

and accompanying documents are covered by the Electronic

Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health

Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d,

et seq, and contain information intended for the specified

individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for

delivering it to the intended recipient, you are hereby notified that

you have received this document in error and that any review,

dissemination, copying, or the taking of any action based on the

contents of this information is strictly prohibited. If you have

received this communication in error, please notify us immediately

by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, May 15, 2012 10:40 AM
To: 'Zane Yates'
Subject: FW: Sunflower Health Questions
Attachments: Sunflower Health Questions.doc

Zane:

I found what you were talking about.

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

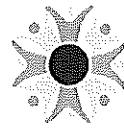
Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>



SUNFLOWER STATE
HEALTH PLAN

To: Tami Sherley
From: Zane Yates
Re: Questions related to Bid Event 1028; 2nd Negotiation
Date: May 11, 2012

A response to the following question would be greatly appreciated by close of business on Monday, May 14 to facilitate final preparation of written responses prior to required travel to appear for negotiations.

- Regarding Question #9; can you please confirm our interpretation that by “authorization procedures for services” you meant the procedure by which a provider can submit an authorization request and that “claims billing processes” means the process used by the provider to submit a claim? The answer to both is Yes.

Also, per our request to submit questions related to the cost proposal related to data/interpretations and actuarial assumptions, please find the following:

1. The overall experience for the Heart, Lung, and Heart/Lung transplants seems low. Please provide the number of transplants and total paid by the following:
 - a. Experience period;
 - b. Product (TANF, SSI Non-Dual, etc.);
 - c. Region;
 - d. Transplant type (heart/lung/heart-lung) Rate Cell;
 - e. Rate Cell;
 - f. Category of Service;

Answer: Optumas developed the utilization and unit cost for this benefit through a review of Kansas data, data from other states in which Optumas consults, and input from our clinician. See attached exhibit for the CY13 percentage impact at the broad rating cohort level.

2. Was there any reinsurance applied to the transplants?

Answer: No.

3. The overall experience for Bariatric seems low. Please provide the number of surgeries and total paid by the following:
 - a. Experience Period;
 - b. Product (TANF, SSI Non-Dual, etc);
 - c. Region;
 - d. Rate Cell;
 - e. Category of Service;

Answer: Optumas developed the utilization and unit cost for this benefit through a review of data from other states in which Optumas consults, and input from our clinician. See attached exhibit for the CY13 percentage impact at the broad rating cohort level.



4. Please provide detail around the CAH adjustment by the following;
 - a. Experience Period;
 - b. Product (TANF, SSI Non-Dual, etc.);
 - c. Region;
 - d. Rate Cell;
 - e. Category of Service;

Answer: See attached exhibit for the CY13 percentage impact.

5. Please describe the Cost Adjustment Factor.
 - a. How it is calculated;
 - b. How often is it re-set;
 - c. What is it currently;
 - d. Who decides if it is tiered or hospital specific;

Answer: The Cost Adjustment Factor (CAF) relates to the adjustment for Critical Access Hospitals and the methodology is not yet finalized. The bidders should be prepared to discuss alternative methodologies other than the one already presented.

6. Please describe how KanCare will use the CAF in original discount to apply to the LTSS services in year two and three.

Answer: We do not understand this question. The CAF relates to the adjustment for CAHs so we are unsure how that relates to LTSS. Please further clarify the question.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Monday, May 14, 2012 12:08 PM
To: Sherley, Tami [PU]; Combs, Gary [KDHE]
Subject: RE: Event Bid 1028; Questions related to 2nd negotiation.

In response to their question regarding Question #9-- Yes - they have interpreted the question correctly.

-Effie

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Friday, May 11, 2012 4:06 PM
To: Swanson, Effie [KDHE]; Combs, Gary [KDHE]
Subject: Fwd: Event Bid 1028; Questions related to 2nd negotiation.

FYI

Tami Sherley

Begin forwarded message:

From: "Zane Yates" <ZYATES@CENTENE.COM>
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Cc: "Brent Layton" <BLAYTON@CENTENE.COM>, "Lisa Joseph" <LJoseph@CENTENE.COM>
Subject: Event Bid 1028; Questions related to 2nd negotiation.

Tami:

Per our electronic communication yesterday please find the attached actuarial questions. In addition, one question has arisen related to our attempt to respond to the State's questions posed; I have included it in the attachment.
Your consideration and response is appreciated.

Thank you,

Zane Yates
VP Compliance, Regulatory and Government Affairs
Sunflower State Health Plan

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, *et seq*, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Zane Yates [ZYATES@CENTENE.COM]
Sent: Thursday, May 10, 2012 6:24 PM
To: Sherley, Tami [PU]
Cc: Brent Layton; Lisa Joseph
Subject: Sunflower State Health Plan attendees; Bid Event 1028/2nd Negotiation
Attachments: Sunflower State list of attendees bid event 1028 2nd negotiation.doc

Tami:

Please accept this as our formal acceptance of the invitation to appear and participate in the 2nd negotiation with the State in Bid Event 1028. As requested, you will find attached the list of attendees that will appear on Wednesday, May 16, 2012 on behalf of Sunflower State Health Plan. Per instructions and as indicated on the list, legal counsel will not be present.

Thank you for your courtesies.

Zane Yates
VP Compliance, Regulatory and Government Affairs
Sunflower State Health Plan

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.



To: Tami Sherley

From: Zane Yates

Re: Attendees for Bid Event 1028; 2nd Negotiation scheduled 5/16/12

Date: May 10, 2012

1. Jesse Hunter-Executive Vice President-Corporate Development/Operations;
2. Karen Bedell-Senior Vice President-New Business Integration/Implementation;
3. Rick Fredrickson-President Sunflower State Health Plan;
4. Brent Layton-Senior Vice President-Business Development;
5. Glen Schuester-Senior Vice President-Chief Technology Officer;
6. Don Killian-Vice-President/Actuary;
7. Lisa Joseph-Vice-President Product Solutions;
8. Kent Cerneka-Sr. Director-Network and Contracting;
9. Zane Yates-VP Sunflower State Health Plan/Compliance-Regulatory;
10. Debra Burnham-Manager Networking/Contracting-Cenpatico;

Sunflower State Health Plan will not have legal counsel present at this negotiation/meeting.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Thursday, May 10, 2012 3:05 PM
To: Sherley, Tami [PU]; Combs, Gary [KDHE]
Subject: RE: Bid Event EVT0001028 - 2nd Vendor Conference

Correct. This question will not require a written response, but the bidder should be prepared to discuss any specific concerns and ideas regarding P4P measures that were articulated in the previous round of written responses.

Thanks.
-Effie

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Thursday, May 10, 2012 3:01 PM
To: Swanson, Effie [KDHE]; Combs, Gary [KDHE]
Subject: Fwd: Bid Event EVT0001028 - 2nd Vendor Conference

Please respond.

Tami Sherley

Begin forwarded message:

From: Lisa Joseph <LJoseph@CENTENE.COM>
Date: May 10, 2012 2:08:20 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Cc: Brent Layton <BLAYTON@CENTENE.COM>
Subject: RE: Bid Event EVT0001028 - 2nd Vendor Conference

Tami, can you please confirm that questions #2 does not require a written response?

Thanks in advance,
Lisa

From: Brent Layton
Sent: Tuesday, May 08, 2012 5:49 PM
To: Zane Yates; Lisa Joseph; Jesse Hunter; Rick Fredrickson; Kellie Vahey
Subject: Fwd: Bid Event EVT0001028 - 2nd Vendor Conference

Sent from my iPhone

Begin forwarded message:

From: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
To: "Brent Layton" <BLAYTON@CENTENE.COM>
Cc: "eswanson@kdhe.ks.gov" <eswanson@kdhe.ks.gov>, "Combs, Gary A

[KHPA]" <gary.combs@khpas.gov>

Subject: Bid Event EVT0001028 - 2nd Vendor Conference

Please see the attached.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@das.gov<<mailto:tami.sherley@das.gov>>
Website: www.das.gov/purch<<http://www.das.gov/purch>>

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message

and accompanying documents are covered by the Electronic

Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health

Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d,

et seq, and contain information intended for the specified

individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for

delivering it to the intended recipient, you are hereby notified that

you have received this document in error and that any review,

dissemination, copying, or the taking of any action based on the
contents of this information is strictly prohibited. If you have
received this communication in error, please notify us immediately
by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Kellie Vahey [KVAHEY@CENTENE.COM]
Sent: Tuesday, May 01, 2012 5:16 PM
To: Sherley, Tami [PU]
Subject: Sunflower State Health Plan Network Adequacy Submission - May 1
Attachments: Sunflower Provider Summary Report 5.1.12.xlsx; Sunflower Geographic Coverage Status Report 5.1.12.xlsx

Dear Ms. Sherley:

Please see the attached Geographic Coverage Status Report and the Provider Summary Report, certifying Sunflower State Health Plan's network adequacy and progress for the May 1st benchmark.

Sunflower State Health Plan is continuing efforts to obtain Letters of Intent and Full agreements from Providers.

Please contact Brent Layton if you have any questions at the following:

*Brent Layton,
Senior Vice President, Business Development
(770) 241-9066
blayton@centene.com*

Sincerely,

Kellie Vahey
Manager, Proposal Development
Centene Corporation

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Zane Yates [ZYATES@CENTENE.COM]
Sent: Wednesday, April 25, 2012 9:17 AM
To: Sherley, Tami [PU]
Cc: Jesse Hunter; Brent Layton; Rick Fredrickson; Lisa Joseph
Subject: RE: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Dear Tami:

Thank you for the notification and invitation to Sunflower State Health Plan to participate in the Vendor Negotiations scheduled on May 16th from 8:00am-12:00. We accept the invitation and will appear as scheduled. We look forward to receiving the additional information and agenda and remain available for any additional requests you may have prior to that date.

Regards,

Zane Yates
VP Compliance and Regulatory
Sunflower State Health Plan
(314) 750-5201

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Wednesday, April 25, 2012 8:17 AM
To: Brent Layton; Zane Yates
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Brent and Zane:

Please accept this as notification that Sunflower is invited to Vendor Negotiations on May 16th from 8:00AM – 12:00. I will provide additional information such as an agenda and topics of discussion no later than May 9th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or

exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, April 25, 2012 8:17 AM
To: 'Brent Layton'; 'Zane Yates'
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Brent and Zane:

Please accept this as notification that Sunflower is invited to Vendor Negotiations on May 16th from 8:00AM – 12:00. I will provide additional information such as an agenda and topics of discussion no later than May 9th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, April 19, 2012 12:59 PM
To: 'Combs, Gary [KDHE]'; Swanson, Effie [KDHE]
Subject: FW: Sunflower State Health Plan - Network Adequacy Certification Plan
Attachments: Sunflower Network Adequacy Cert Plan.docx

FYI

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Kellie Vahey [<mailto:KVAHEY@CENTENE.COM>]
Sent: Thursday, April 19, 2012 12:59 PM
To: Sherley, Tami [PU]
Subject: Sunflower State Health Plan - Network Adequacy Certification Plan

Dear Ms. Sherley:

Please see the attached **Sunflower State Health Plan Network Adequacy Certification Plan**, outlining a comprehensive provider network adequacy plan to ensure 100% network adequacy by November 16, 2012.

Feel free to contact Brent Layton at the contact information below if you have any questions:

Brent Layton,
Senior Vice President, Business Development
(770) 241-9066
blayton@centene.com

Sincerely,

Kellie Vahey
Manager, Proposal Development
Centene Corporation
314.505.6198 office | 314.277.6730 cell

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure,

printing, copying, distribution or use of the contents is prohibited.
If you have received this in error, please notify the sender
immediately by telephone or by returning it by return mail and then
permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Kellie Vahey [KVAHEY@CENTENE.COM]
Sent: Thursday, April 19, 2012 12:59 PM
To: Sherley, Tami [PU]
Subject: Sunflower State Health Plan - Network Adequacy Certification Plan
Attachments: Sunflower Network Adequacy Cert Plan.docx

Dear Ms. Sherley:

Please see the attached **Sunflower State Health Plan Network Adequacy Certification Plan**, outlining a comprehensive provider network adequacy plan to ensure 100% network adequacy by November 16, 2012.

Feel free to contact Brent Layton at the contact information below if you have any questions:

*Brent Layton,
Senior Vice President, Business Development
(770) 241-9066
blayton@centene.com*

Sincerely,

Kellie Vahey
Manager, Proposal Development
Centene Corporation
314.505.6198 office | 314.277.6730 cell

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.



Part A: How many providers, by provider type, service type, number of licensed practitioner members, and geographical coverage area, with which you have executed Letters of Intent or contracts as of March 30, 2012

Sunflower State Health Plan's (Sunflower) Network Adequacy report was provided on 3/30/12 per the requirements of Amendments 8 and 10. The Excel file included the County, Facility and Specialty in Column A and the Unique Provider count in Column B. At that point in time, we had obtained 648 Letters of Intent that represented 9,284 Providers, which positions Sunflower to be over the 50% network adequacy requirement.

The Sunflower provider network includes local medical doctors, physician extenders, FQHCs, RHCs, PPO networks, hospitals, diagnostic providers, a variety of clinical facilities, and customized specialty sub-networks, including CMHCs, CDDOs, Home Health Agencies, Nursing Homes (NH), Independent Living Centers (ILCs), and Assisted Living Centers/Homes (ALC/ALH), targeted specifically to serve DD, SMI and LTC Members. We are using a layered approach in developing our provider network in Kansas that:

1. addresses the physical and mental health care needs of the community as a whole;
2. enhances access to acute care and dental care services for DD, SMI and LTC populations; and
3. integrates care management across the spectrum of services Members need to live independently in the community.

Understanding the needs of the KanCare members, Sunflower's network composition will achieve an urban and rural balance throughout the state, consisting of providers who have the right qualifications, who are motivated to serve Medicaid beneficiaries, and who have the right administrative tools to succeed in a Medicaid managed care environment.

Part B: Your action plan to achieve 90% network adequacy, as defined and required by the state, by October 12, 2012.

We have actively deployed our network development plan and are in the process of converting letters of intent (LOIs) to executed agreements with providers to ensure compliance with the 90% network adequacy requirement by October 12, 2012. In Review of our March 30th network submission, our network adequacy is well over the 50% network adequacy measurement at this time. We will continue to establish fully executed provider agreements in order to achieve and exceed the 90% targeted benchmark by October 12. This will be accomplished through the following activities that will continue through start up and implementation in 2013:

- Sunflower will continue to have approximately 6 Network Development Managers visiting Hospitals, Providers, Long Term Care, HCBS and Ancillary providers. The team will continue to recruit, educate and promote the benefits of contracting with Sunflower.
- Sunflower will continue to have our internal team of contracting call center specialists to field incoming calls and follow up with specifically targeted providers to remind



them of contracting paperwork needed and to complete the credentialing and contracting processes. Call center specialists will also coordinate recruiting activities with our field team of Network Development Managers to expedite completion of the contracting process.

- Sunflower is continuing to work with our physical services network development partner, ProviDRs Care Network, to secure amendments to their existing provider agreements. Sunflower will also be delegating provider credentialing to ProviDRs Care Network (only for those providers associated with ProviDRs Care Network) but will retain complete oversight and authority over the process to ensure we are maintaining NCQA standards.
- Sunflower will also provide oversight and approval of the network development activities conducted by subcontracted vendors: OptiCare, Avesis, Cenpatico, US Script and MTM, to ensure complete compliance with State access standards.
- As we continue to receive applications and agreements, we will track our contract completion progress and review and run gap analysis reports at least monthly to focus our contracting efforts on any identified provider gaps.

Sunflower will be submitting our specific network benchmark reports as described in section D below. These reports will systematically track our network performance and demonstrate to the State Sunflower's network development progress across the state of Kansas.

Part C: Your action plan to obtain approval of subcontracts related to behavioral health, disabilities and long term care services.

Sunflower and Cenpatico, our behavioral health care program manager, have developed provider agreement documents for all provider types to be included in our provider networks for the KanCare program. Our intent is to gather the subcontracts for behavioral health providers from Cenpatico and submit their provider agreements along with the provider agreements Sunflower proposes to use for all long term care, disability services and home and community based services (HCBS) provider types. Upon request, Sunflower will submit all agreement documents to the State for review and approval.

Part D: Reportable Benchmarks

Sunflower will submit two monthly reports to the State in accordance with submission due dates noted herein or as requested by the State – and in accordance with submission format standards (i.e. FTP file, Excel, hardcopy, etc.). The first report, which we reference as the ***"Provider Summary Report"*** is the same report we submitted to the state on March 30, 2012 and which we address in part A herein. This progress report will be updated and submitted monthly to the State on May 1, June 1, July 2, August 1, September 4, October 12 and November 16, 2012.



The second report, which we have named ***“Geographic Coverage Status Report,”*** will be provided in Excel format, unless another format is requested by the state. A template sample of this report is provided below:

GEOGRAPHIC COVERAGE STATUS REPORT			
	Contracted Providers	# of Available Providers	% Overlap (Goal is ≥ 80%)*
Physical Health Care - IP			
Physical Health - OP			
Mental Health Care - IP			
Mental Health Care – CMHC OP			
Mental Health Care – non-CMHC OP			
Mental Health Care - Other			
Substance Use Disorders by Modality			
Nursing Facilities			
HCBS Waiver 1			
HCBS Waiver 2			
HCBS Waiver 3			
HCBS Waiver 4			
HCBS Waiver 5			
HCBS Waiver 6			
HCBS Waiver 7			

*This is a common benchmark – it can be altered per State’s request.

Each row in the table above will be depicted as a separate tab within the Excel file. For example, the first tab would be the summary tab of the entire table shown above. The second tab would be named “Physical Health – IP” and would include the inpatient physical health providers sorted by provider type (i.e. hospital, tertiary care facility, CAH). The third tab would be named “Physical Health – OP” and so forth. As a benchmark, we can apply the State’s geographic access standards for time and distance, or we could calculate network adequacy in comparison to the total number of providers by provider type. This is what we reference as the “% Overlap” in the table above. An example of how this benchmark is calculated follows: If there are 1,000 PCPs within the state, and we have executed agreements with 800 of them, our overlap percentage would be 80% (800/1,000). We believe this overlap benchmark depicts a reasonable expectation of our network development capabilities as compared to available provider types. In our experience, the standard benchmark is 80% or greater overlap. We look to the State for further clarification regarding the specific provider types (i.e. facilities and/or individual providers for each category) to be reported in this monthly status report. We will be happy to conduct report submission test runs prior to actual report submission dates to ensure our compliance with timely and accurate report delivery.

Part E: Network Adequacy Certification

Sunflower will submit the final network adequacy report and certification by utilizing the Sunflower Provider Network Benchmark report which will certify to the state that the network will be in full compliance with the requirements as outlined in Section E and sub-parts i, ii, and iii.



Part F: Your agreement that:

Sunflower acknowledges and agrees to comply with the State's network adequacy requirements for the KanCare program, as may be amended or adjusted by the State from time to time. Further Sunflower acknowledges that it is our responsibility to demonstrate network adequacy at all times, including from the date of executing the Contract with the State of Kansas, during the implementation readiness phase, and throughout the operational term of our Contract with the state of Kansas.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Wednesday, April 18, 2012 10:45 AM
To: Sherley, Tami [PU]
Cc: Combs, Gary [KDHE]
Subject: RE:

Tami-

As negotiations continue, selected vendors may be provided an opportunity to modify their cost proposal again. However, vendors should not assume that they will receive another opportunity to submit a revised cost proposal.

Thanks.
-Effie

From: Sherley, Tami [PU] [mailto:Tami.Sherley@da.ks.gov]
Sent: Tuesday, April 17, 2012 5:39 PM
To: Swanson, Effie [KDHE]; Combs, Gary [KDHE]
Subject: Fwd:

Tami Sherley

Begin forwarded message:

From: Zane Yates <ZYATES@CENTENE.COM>
Date: April 17, 2012 4:31:01 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>

Tami:

Procedural Question:

If awarded a contract offer on May 18, will the following contract negotiations include cost proposal (adjustments) or is the cost proposal filed this week deemed to be the Best and Final Offer?

Thank you,

Zane Yates
Sunflower State Health Plan
314-750-5201
Zyates@centene.com

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or

exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, April 18, 2012 10:46 AM
To: 'Zane Yates'
Subject: RE:

Zane:

As negotiations continue, selected vendors may be provided an opportunity to modify their cost proposal again. However, vendors should not assume that they will receive another opportunity to submit a revised cost proposal.

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

-----Original Message-----

From: Zane Yates [<mailto:ZYATES@CENTENE.COM>]
Sent: Tuesday, April 17, 2012 4:31 PM
To: Sherley, Tami [PU]
Subject:

Tami:

Procedural Question:

If awarded a contract offer on May 18, will the following contract negotiations include cost proposal (adjustments) or is the cost proposal filed this week deemed to be the Best and Final Offer?

Thank you,

Zane Yates
Sunflower State Health Plan
314-750-5201
Zyates@centene.com

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited.

If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Lisa Joseph [LJoseph@CENTENE.COM]
Sent: Friday, April 06, 2012 4:21 PM
To: Sherley, Tami [PU]
Cc: Brent Layton
Subject: Sunflower State Health Plan questions for the State

Ms. Sherley,

We appreciate the opportunity to ask additional questions of the State as well as the meeting this past Wednesday.

The following are Sunflower's additional questions. If there are any questions please feel free to contact me or Brent Layton, whose contact information you already have.

Confirmation of your receipt would be appreciated.

Thanks,
Lisa

1. Will the State be able to provide detailed Member data, including historical claims data, for Sunflower Members and can we receive this information prior to effective date for Members assigned to Sunflower? Early receipt of this information will allow us to stratify Members for welcome call outreach to ensure we are targeting high-risk Members and Members for earliest outreach.
2. Will the State please provide details around the algorithm for the auto assignment process, such as consideration of proximity to providers, family alignment, and historical use of providers? In addition, does the State have a target for the rate of Member choice?
3. Please provide details around the reimbursement arrangement for Critical Access Hospitals as well as any other unique reimbursement arrangements for other provider types that are currently used in fee-for-service Medicaid.
4. Will the State please provide information about readiness review milestones following contract award?
5. Does the State maintain economic equivalency for brand AWP discounts in their current pharmacy pricing?

Lisa Joseph, RN, MBA
Vice President, Product Solutions
Centene Corporation
7711 Carondelet Ave.
St. Louis, MO 63105
Phone: (314) 725-4477, ext. 25291
Cell: (314) 276-4860

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender

immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, February 29, 2012 12:39 PM
To: 'Combs, Gary [KDHE]'
Subject: FW: Request for contracting requirement clarification

Please respond.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Lisa Joseph [<mailto:LJoseph@CENTENE.COM>]
Sent: Tuesday, February 28, 2012 4:42 PM
To: Sherley, Tami [PU]
Subject: Request for contracting requirement clarification

Ms. Sherley, as we await the outcome of your contract award, can you please let me know if you are able to provide responses to the questions below that relate to the State's interim contract completion requirement so that we can be positioned to meet this requirement.

Thank you,
Lisa

QUESTIONS
1. The Q and A grid indicates that we may not send to providers our provider agreement template until it has been approved by KDHE. If our provider agreements are not yet approved by KDHE can we use non binding Letters of Intent or binding Letters of Agreement in the interim to demonstrate that we meet the 50% network requirement?
2. We collected Letters of Intent to negotiate contracts from providers in support of our proposal. Are these LOI's sufficient documentation to demonstrate that 50% of the network is built by March 30 th ?
3. Several of our vendors have existing subcontracted provider networks in Kansas. Are these vendors required to have their template provider subcontract approved by KDHE prior to use? This includes pharmacies, vision care providers, dentists, transportation, and outpatient therapies.
4. We have a network partnership with WPPA ProviDRs Care, a locally owned and operated provider network. WPPA is amending their agreements with providers to support KanCare business. Will KDHE require approval on WPPA's amendment?

Lisa Joseph, RN, MBA
Vice President, Product Solutions

Centene Corporation
7711 Carondelet Ave.
St. Louis, MO 63105
Phone: (314) 725-4477, ext. 25291
Cell: (314) 276-4860

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Brent Layton [BLAYTON@CENTENE.COM]
Sent: Friday, March 23, 2012 4:22 PM
To: Sherley, Tami [PU]
Subject: Re: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Conferences

Ms. Sherley:

Thank you for invitation, we look forward attending on April 4th.

Brent Layton

Sent from my iPhone

On Mar 23, 2012, at 4:10 PM, "Sherley, Tami [PU]"
<Tami.Sherley@da.ks.gov<<mailto:Tami.Sherley@da.ks.gov>>> wrote:

Brent:

Please accept this as notification that Sunflower State Health Plan is invited to an all-day Vendor Conference on April 4th. I will provide additional information such as an agenda and topics of discussion by Wednesday, March 28th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov<<mailto:tami.sherley@da.ks.gov>>
Website: <<http://www.da.ks.gov/purch/default.htm>> <http://www.da.ks.gov/purch/default.htm>

CONFIDENTIALITY NOTICE: This communication contains information intended for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited.

If you have received this in error, please notify the sender immediately by telephone or by returning it by return mail and then permanently delete the communication from your system. Thank you.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Friday, March 16, 2012 2:38 PM
To: Sherley, Tami [PU]
Subject: Bid Event EVT0001028 KanCare Announcement

Bcc: 'Carino, Joe'; 'Harvey, Catherine'; 'Brent Layton'; 'teressa.smith@wellcare.com'; 'Karen_L_verbeke@uhc.com'

Notice to potential contractors for KanCare services, related to KanCare provider network adequacy.

Pursuant to the terms of the pending KanCare services request for proposals:

- * Vendors are required to submit evidence that 50% of provider network is in place by March 30, 2012.
- * Contractors must submit evidence that 90% of provider network is in place by October 12, 2012.
- * For all contracts related to behavioral health, disabilities and long term care services: The State shall approve all standard subcontract provisions required of network providers prior to the CONTRACTOR's offering subcontract terms to the provider network.

The purpose of this notice is to clarify the requirements associated with provider network adequacy.

1. For the March 30, 2012, demonstration, potential contractors are not required to provide signed contracts with potential provider network members. ***Contracts or Letters of Intent are specifically acceptable to meet that benchmark.***
2. The State further advises that it will request of all bidders selected for face-to-face negotiations a **Network Adequacy Certification Plan**, the specifications for which will be addressed during face-to-face negotiations.

Thank you,

Tami

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Hoobler, Angela [PU]
Sent: Friday, June 01, 2012 9:43 AM
To: 'Combs, Gary [KDHE]'; Sherley, Tami [PU]
Subject: FW: United HealthEVT0001028 KanCare Capitated Managed Care

She didn't include you on the e-mail, contrary to my request.

From: Verbeke, Karen L [mailto:karen_l_verbeke@uhc.com]
Sent: Friday, June 01, 2012 9:41 AM
To: Hoobler, Angela [PU]
Subject: RE: United HealthEVT0001028 KanCare Capitated Managed Care

Thank you so much Angela! We are truly thrilled and look forward to partnering with KDHE.

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

From: Hoobler, Angela [PU] [<mailto:Angela.Hoobler@da.ks.gov>]
Sent: Friday, June 01, 2012 9:08 AM
To: Verbeke, Karen L
Cc: 'GCombs@kdheks.gov'; Sherley, Tami [PU]
Subject: FW: United HealthEVT0001028 KanCare Capitated Managed Care

Karen – I'm re-sending this e-mail to you as it appears I had an incorrect address. I also understand that you've sent an e-mail to Chris Howe and Tami Sherley questioning when the notice would be sent.

I'd like to direct you to the third paragraph in the attached letter. This confidentiality requirement means that neither you nor anyone within your organization may discuss this notice except with those individuals within your organization that need to know. It also means that neither you nor anyone within your organization may confirm or deny the status of the award publicly. Any public announcement of this award is the sole right of the State.

Please confirm receipt of this notice to all parties listed in the e-mail.

Thank you!

From: Hoobler, Angela [PU]
Sent: Thursday, May 31, 2012 3:59 PM
To: 'Karen_l_verbeka@uhc.com'
Cc: 'GCombs@kdheks.gov'; Sherley, Tami [PU]
Subject: United HealthEVT0001028 KanCare Capitated Managed Care

The attached letter is being sent to you on behalf of Tami Sherley.

Angela Hoobler, Deputy Director
Department of Administration
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
785-296-3029
785-296-7240 fax
angela.hoobler@da.ks.gov
<http://da.ks.gov/purch/>

⚠ Please do not print this e-mail unless absolutely necessary!

This e-mail message, including attachments, if any, is intended for the person or entity to which it is addressed and may contain confidential or privileged information. Any unauthorized review, use, or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy the original message, including all copies. Thank you.

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612-1286



Phone: (785) 296-2376
Fax: (785) 296-7240
chris.howe@da.ks.gov
www.da.ks.gov/purch

Dennis R. Taylor, Secretary
Chris Howe, Director

Sam Brownback, Governor

May 31, 2012

Karen Verbeke
United Health Care

Via e-mail: Karen_I_verbeka@uhc.com

SUBJECT: KanCare Capitated Managed Care
Bid Event EVT0001028

Dear Ms. Verbeke:

This letter will confirm that the State of Kansas intends to award Bid Event EVT0001028 to your firm for KanCare Capitated Managed Care.

Your company's selection is conditioned upon execution of a final written contract. A contract is being prepared by the State of Kansas, and will be presented for your review in the near future. In the event a contract is not achieved, please be on notice that the State of Kansas cannot reimburse you for any expenditures made.

We are still in the confidentiality phase of this transaction and thus, all information related to this offering is to be kept confidential until all parties have signed the contract.

All parties involved wish to thank you for your assistance and discretion during this process, and we look forward to a mutually beneficial contract. If you have any questions, please feel free to contact me at 785-296-3122.

Sincerely,

Tami Sherley, Procurement Officer
on behalf of the Procurement Negotiating Committee

cc: Gary Combs, KDHE

Sherley, Tami [PU]

From: Verbeke, Karen L [karen_l_verbeke@uhc.com]
Sent: Thursday, May 31, 2012 4:55 PM
To: Sherley, Tami [PU]
Subject: FW: KS Network Files
Attachments: KS_ESC_Network_CountyByCounty_06_01_12.xls; KS_ESC_Network_Scorecard_06_01_12.xls; KS_NetworkAdequacy_GEO_06_01_12.xls

Expires: Tuesday, November 27, 2012 12:00 AM

Hi Tami!

In response to the KS Network Adequacy Certification Plan requirements, the following documents are attached for submission to KDHE:

1. KS ESC Network Scorecard
2. KS ESC County by County Detail
3. KS Network Adequacy Geo Access Results

Please let me know if you have any questions. Thanks Tami!

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

From: Zayic, Garret
Sent: Thursday, May 31, 2012 4:47 PM
To: Verbeke, Karen L
Cc: Smith, Jeff (Business Dvlpmnt)
Subject: KS Network Files

Karen,

Jeff forwarded the attached KS files to work on. I believe this does everything you need it to do and I have also inserted proprietary and the logo anywhere they were missing. Please let me know if anything additional is required.

Thanks,

Garret

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified

that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Monday, May 21, 2012 10:04 AM
To: 'Verbeke, Karen L'
Subject: FW: KS Provider Disclosure Form - Attachment
Attachments: Disclosure of Ownership and Control Interest Statement.pdf

FYI

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Verbeke, Karen L [mailto:karen_l_verbeke@uhc.com]
Sent: Wednesday, May 09, 2012 12:34 PM
To: Sherley, Tami [PU]
Subject: FW: KS Provider Disclosure Form - Attachment

Hi Tami!

As you are probably aware we are required to collect disclosure forms for every provider contracted under the KanCare Program. We would like to use our standard UnitedHealthcare Provider Disclosure Form but we need prior approval from the State. Attached is the standard form, which is used in other markets. Could you let me know what we need to do to pursue State approval of this form?

Thanks so much for your help!

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity

to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message

and accompanying documents are covered by the Electronic

Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health

Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d,

et seq, and contain information intended for the specified

individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for

delivering it to the intended recipient, you are hereby notified that

you have received this document in error and that any review,

dissemination, copying, or the taking of any action based on the

contents of this information is strictly prohibited. If you have

received this communication in error, please notify us immediately

by E-mail, and delete the original message.

=====



Disclosure of Ownership and Control Interest Statement

Page 1 of 2

The federal regulations set forth in 42 CFR §455.100 - §455.106 require providers to disclose to the U.S. Department of Health and Human Services, the State Medicaid Agency, and to Managed Care Organizations that contract with a State Medicaid Agency: 1) the identity of all owners with a control interest of 5% or greater, 2) certain business transactions as described in 42 CFR §455.105 and 3) the identity of any excluded individual with an ownership or control interest in the provider entity or who is an agent or managing employee of the provider entity. Please attach a separate sheet if necessary.

Provider Entity Information

Type of disclosing entity: <input type="checkbox"/> Individual Member of a Group or Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Co. <input type="checkbox"/> Other (Specify): _____			
Legal Name of individual or entity ("Provider Entity"):		DBA Name:	
*Group Name:		*Physician/Health Care Professional Name/EIN:	
Address:			
Federal Tax Identification #:	Medicaid ID #:	National Provider ID (NPI) #:	Provider CAQH #:

* If applicable, add the group, physician or health care professional name and EIN when the Provider Entity is part of a group practice

Section I

Are there any individuals or organizations with an Ownership or Control Interest of 5% or more in the Provider Entity? <input type="checkbox"/> Yes <input type="checkbox"/> No				
List the name, title, address, date of birth (DOB) and Social Security Number (SSN) for each person having an Ownership or Control Interest in the Provider Entity of 5% or greater.				
List the name, Tax Identification Number (TIN), business address of each organization, corporation, or entity having an Ownership or Control Interest of 5% or greater. (42 CFR §455.104)				
Name/Title	DOB	Address	SSN or TIN	% Interest

Section II

Does the Provider Entity's owner have an Ownership or Control Interest in any other provider or entity? <input type="checkbox"/> Yes <input type="checkbox"/> No		
List the name of any other provider or entity in which a person with an Ownership or Controlling Interest in the Provider Entity also has an Ownership or Controlling Interest in another provider or entity. This requirement applies to the extent the information can be obtained by requesting it in writing from the person with the Ownership or Controlling Interest. (42 CFR §455.104)		
Name of Owner from Section I	Name of Other Provider or Entity	SSN (if listing an individual) TIN (if listing an entity)

Section III

Does the Provider Entity have a Direct or Indirect Ownership Interest in any Subcontractor of 5% or more that another individual or organization also has an Ownership or Controlling Interest? <input type="checkbox"/> Yes <input type="checkbox"/> No				
List the following information for each person with an Ownership or Controlling Interest in any Subcontractor in which the Provider Entity has Direct or Indirect Ownership Interest of 5% or more. (42 CFR §455.104)				
Name/Title	DOB	Address	SSN or TIN	% Interest

Disclosure of Ownership and Control Interest Statement

Page 2 of 2

Section IV

Are any of the individuals identified in Sections I, II or III related to each other? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, list the individuals identified and the relationship to each other (spouse, sibling, parent, child). (42 CFR §455.104)	
Name of individual	Relationship

Section V

Has any person who has an Ownership or Control Interest in the Provider Entity, or is an agent or Managing Employee of the Provider Entity ever been convicted of a crime related to that person's involvement in any program under Medicaid, Medicare, or Title XX program? <input type="checkbox"/> Yes <input type="checkbox"/> No (verify HHS-OIG List of Excluded individuals/Entities (LEIE), General Services Administration (GSA) Excluded Parties List (EPLS), the Medicare Exclusion Database (the MED) databases and any State specific databases.)			
If yes, please list those persons below. (42 CFR §455.106)			
Name/Title	DOB	Address	SSN

Section VI

Business Transactions: Has the Provider Entity had any business transactions with a Subcontractor or Wholly Owned Supplier totaling more than \$25,000 or 5% of operating expenses in the previous twelve (12) month period? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, list the ownership of Subcontractors with whom the Provider Entity has had business transactions totaling more than \$25,000 during the previous 12 month period and any Wholly Owned Supplier or Subcontractor with whom the Provider Entity has had any Significant Business Transactions exceeding the lesser of \$25,000 or 5% of operating expenses during the past 5-year period. This information must be provided within 35 days of a request. (42 CFR §455.105)			
Name of Supplier/Subcontractor	Address	Owner	Transaction Amount

Section VII

Managing Employees: Does the Provider Entity have any Managing Employees? <input type="checkbox"/> Yes <input type="checkbox"/> No				
List each member of the Board of Directors, Governing Board and Managing Employees (general manager, business manager, administrator or director), including the name, date of birth (DOB), Address, Social Security Number (SSN), and percent of interest.				
Name/Title	DOB	Address	SSN	% Interest

I certify that the information provided herein, is true, accurate and complete. Additions or revisions to the information above will be submitted immediately upon revision. Additionally, I understand that misleading, inaccurate, or incomplete data may result in a denial of participation. Individuals and Sole Proprietors must sign their own form. An authorized representative may sign for Partnership, Corporation, LLC or Other disclosing entities.

Signature

Title (indicate if authorized Agent)

Name (please print)

Date

Instructions and Definitions for Disclosure of Ownership and Control Interest Statement

Completion and submission of this Statement is a condition of participation in the Medicaid or CHIP program and is also/will be a contractual obligation with UnitedHealthcare for services to members under Medicaid and CHIP benefit plans. Failure to submit the requested information may result in a refusal to enter into a provider agreement or contract, or in termination of existing provider agreements and contracts.

This Statement should be submitted with your initial credentialing and recredentialing application, or at initial and renewal of a contract or agreement and any time there is a revision to the information. If a physician or health care professional is a member of a group practice, **both** the individual member and group practice must submit a signed Statement attesting to the requirements under these regulations.

INSTRUCTIONS

Section I: Ownership and Control Interest Information in Provider Entity:

List information about each individual or organization that has a direct or indirect Ownership of 5% or more or has a Controlling Interest in your entity.

**** SSN/TIN required under Sect 4313 of Balanced Budget Act of 1997, amended Sect 1124 and Federal Register Vol. 76 No. 22**

Section II: Ownership and Control Interest Information in Other Provider or Entity:

List information for other providers or Other Entities that are owned or controlled at least 5% by an individual or organization with an Ownership or Control Interest in your entity.

Section III: Ownership and Control Interest Information in Subcontractor:

List each individual or organization that has an Ownership or Control Interest in a Subcontractor that your entity has a direct or indirect Ownership of 5% or more.

Section IV: Relationship:

Report whether any of the persons listed are related to each other.

Section V: Criminal Convictions:

List any person who has an ownership or control interest, or is an agent or employee of your entity, who has ever been convicted of a criminal offense related to that person's involvement in any program under Medicare, Medicaid, Waivers, CHIP or the Title XX services since the inception of these programs. Review all of the databases necessary to verify this information.

Section VI: Business Transactions:

List any Subcontractors that your entity owns and that you have had business transactions totaling more than \$25,000 within the last year.

List any Significant Business Transaction between your entity and any Wholly Owned Supplier during the past 5 years. Also list any Significant Business Transaction between your entity and any Subcontractor during the past 5 years.

This information must be available within 35 days of a request by the U.S. Department of Health and Human Services, the State Medicaid Agency, or a Managed Care Organization.

**** Remember that a Significant Business Transaction is defined as any transaction or series of related transactions that exceeds the lesser of \$25,000 or 5% of a provider's operating expenses during any one fiscal year.**

Section VII: Managing Employees:

List any person who holds a position of Managing Employee within your entity.

DEFINITIONS

Provider Entity: an individual or entity who operates as a Medicaid provider and is engaged in the delivery of health care services and is legally authorized to do so by the state in which it delivers the services. For purposes of this Statement, the Provider Entity is the individual or entity identified on this form as the disclosing entity.

Ownership or Control Interest: an individual or corporation that—

- (a) Has an ownership interest totaling 5 percent or more in a disclosing entity;
- (b) Has an indirect ownership interest equal to 5 percent or more in a disclosing entity;
- (c) Has a combination of direct and indirect ownership interests equal to 5 percent or more in a disclosing entity;
- (d) Owns an interest of 5 percent or more in any mortgage, deed of trust, note, or other obligation secured by the disclosing entity if that interest equals at least 5 percent of the value of the property or assets of the disclosing entity;
- (e) Is an officer or director of a disclosing entity that is organized as a corporation; or
- (f) Is a partner in a disclosing entity that is organized as a partnership.

Direct Ownership Interest: the possession of equity in the capital, the stock, or the profits of the disclosing entity.

Indirect Ownership Interest: an ownership interest in an entity that has an ownership interest in the disclosing entity. This term includes an ownership interest in any entity that has an indirect ownership interest in the disclosing entity.

Controlling Interest: defined as the operational direction or management of a disclosing entity which may be maintained by any or all of the following devices: the ability or authority, expressed or reserved, to amend or change the corporate identity; the ability or authority to nominate or name members of the Board of Directors or Trustees; the ability or authority, expressed or reserved to amend or change the by-laws, constitution, or other operating or management direction; the ability or authority, expressed or reserved, to control the sale of any or all of the assets, to encumber such assets by way of mortgage or other indebtedness, to dissolve the entity, or to arrange for the sale or transfer of the disclosing entity to new ownership control.

Determination of ownership or control percentages:

- (a) Indirect ownership interest. The amount of indirect ownership interest is determined by multiplying the percentages of ownership in each entity. For example, if A owns 10 percent of the stock in a corporation which owns 80 percent of the stock of the disclosing entity, A's interest equates to an 8 percent indirect ownership interest in the disclosing entity and must be reported. Conversely, if B owns 80 percent of the stock of a corporation which owns 5 percent of the stock of the disclosing entity, B's interest equates to a 4 percent indirect ownership interest in the disclosing entity and need not be reported.
- (b) Person with an ownership or control interest. In order to determine percentage of ownership, mortgage, deed of trust, note, or other obligation, the percentage of interest owned in the obligation is multiplied by the percentage of the disclosing entity's assets used to secure the obligation. For example, if A owns 10 percent of a note secured by 60 percent of the provider's assets, A's interest in the provider's assets equates to 6 percent and must be reported. Conversely, if B owns 40 percent of a note secured by 10 percent of the provider's assets, B's interest in the provider's assets equates to 4 percent and need not be reported.

Other Entity: any other Medicaid disclosing entity and any entity that does not participate in Medicaid, but is required to disclose certain ownership and control information because of participation in any of the programs established under title V, XV III, or XX of the Act. This includes:

- (a) Any hospital, skilled nursing facility, home health agency, independent clinical laboratory, renal disease facility, rural health clinic, or health maintenance organization that participates in Medicare (title XV III);
- (b) Any Medicare intermediary or carrier; and
- (c) Any entity (other than an individual practitioner or group of practitioners) that furnishes, or arranges for the furnishing of, health-related services for which it claims payment under any plan or program established under title V or title XX of the Act.

Significant Business Transaction: any business transaction or series of related transactions that, during any one fiscal year, exceeds the lesser of twenty-five thousand (\$25,000) or five percent (5 %) of a Provider Entity's total operating expenses.

Subcontractor:

- (a) an individual, agency, or organization to which a Provider Entity has contracted or delegated some of its management functions or responsibilities of providing medical care to its patients; or
- (b) an individual, agency, or organization with which a fiscal agent has entered into a contract, agreement, purchase order, or lease to obtain space, supplies, equipment, or services provided under the Medicaid agreement.

Supplier: an individual, agency, or organization from which a provider purchases goods or services used in carrying out its responsibilities under Medicaid (e.g., a commercial laundry, manufacturer of hospital beds, or pharmaceutical firm).

Wholly Owned Supplier: a Supplier whose total ownership interest is held by the Provider Entity or by a person(s) or other entity with an ownership or control interest in the Provider Entity.

Managing Employee: a general manager, business manager, administrator, director, or other individual who exercises operational or managerial control over, or who directly or indirectly conducts the day-to-day operation of an institution, organization, or agency.

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Friday, May 18, 2012 4:38 PM
To: Sherley, Tami [PU]
Subject: FW: KS Provider Disclosure Form - Attachment
Attachments: Disclosure of Ownership and Control Interest Statement.pdf

Tami

KDHE legal has reviewed the attached document and has approved it.

Gary Combs, Sr. Manager
Contracts & Fiscal Operations
gcombs@kdheks.gov
785-296-0149

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Friday, May 11, 2012 8:36 AM
To: Combs, Gary [KDHE]; Swanson, Effie [KDHE]
Subject: FW: KS Provider Disclosure Form - Attachment

I don't recall if I sent this to you.

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Verbeke, Karen L [mailto:karen_l_verbeke@uhc.com]
Sent: Wednesday, May 09, 2012 12:34 PM
To: Sherley, Tami [PU]
Subject: FW: KS Provider Disclosure Form - Attachment

Hi Tami!

As you are probably aware we are required to collect disclosure forms for every provider contracted under the KanCare Program. We would like to use our standard UnitedHealthcare Provider Disclosure Form but we need prior approval from the State. Attached is the standard form, which is used in other markets. Could you let me know what we need to do to pursue State approval of this form?

Thanks so much for your help!

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, *et seq*, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 17, 2012 3:58 PM
To: 'Verbeke, Karen L'
Subject: Bid Event EVT0001028

Karen:

In reviewing the LCE submitted this week, KDHE noticed that the form did not have a cell for Final CY13 Premium. This cell for some reason was not on the LCE template sent out for this last request. Will you please resubmit the document you provided with that cell included?

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 17, 2012 2:05 PM
To: 'Verbeke, Karen L'
Subject: FW: Follow up question for United

Karen:

Question 3 is not specific to TPL, the response to this question should discuss procedures for any PHI exchange with subcontractors.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: "Verbeke, Karen L" <karen_1_verbeke@uhc.com>
Date: May 15, 2012 4:28:08 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Subject: RE: Follow up question for United

Thanks Tami! We will make sure to address this question. Also, could you clarify question 3 for me?
Does this relate to TPL similar to questions 1, 2, 4 and 5?

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_1_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 2:52 PM
To: Verbeke, Karen L
Subject: FW: Follow up question for United

Karen:

Will you please share this with the group and have them add to the responses due on May 21 by 4:00PM?

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Swanson, Effie [KDHE] [<mailto:ESwanson@kdheks.gov>]

Sent: Tuesday, May 15, 2012 2:37 PM

To: Sherley, Tami [PU]

Subject: Follow up question for United

Regarding Question 15, in your previous technical proposal response on section 4.1.1.16 Termination for Convenience and section 4.1.1.50 Ownership, you added additional statements. Please confirm that these caveats are being withdrawn.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Thursday, May 17, 2012 2:05 PM
To: 'Verbeke, Karen L'
Subject: FW: Follow up question for United

Karen:

Question 3 is not specific to TPL, the response to this question should discuss procedures for any PHI exchange with subcontractors.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: "Verbeke, Karen L" <karen_l_verbeke@uhc.com>
Date: May 15, 2012 4:28:08 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Subject: RE: Follow up question for United

Thanks Tami! We will make sure to address this question. Also, could you clarify question 3 for me?
Does this relate to TPL similar to questions 1, 2, 4 and 5?

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture The way forward
Integrity | Compassion | Relationships | Innovation | Performance

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 2:52 PM
To: Verbeke, Karen L
Subject: FW: Follow up question for United

Karen:

Will you please share this with the group and have them add to the responses due on May 21 by 4:00PM?

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Swanson, Effie [KDHE] [<mailto:ESwanson@kdheks.gov>]

Sent: Tuesday, May 15, 2012 2:37 PM

To: Sherley, Tami [PU]

Subject: Follow up question for United

Regarding Question 15, in your previous technical proposal response on section 4.1.1.16 Termination for Convenience and section 4.1.1.50 Ownership, you added additional statements. Please confirm that these caveats are being withdrawn.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

=

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Swanson, Effie [KDHE] [ESwanson@kdheks.gov]
Sent: Thursday, May 17, 2012 2:03 PM
To: Combs, Gary [KDHE]; Sherley, Tami [PU]
Subject: RE: Follow up question for United

Tami-

Question 3 is not specific to TPL, the response to this question should discuss procedures for any PHI exchange with subcontractors.

Thank you.

-Effie

From: Combs, Gary [KDHE]
Sent: Tuesday, May 15, 2012 5:14 PM
To: 'Kari Bruffett'; Swartz, Christiane [KDHE]; Endacott, Paul [KDHE]; Swanson, Effie [KDHE]; Phelps, Elizabeth M [SRS]; Brown, Kimberly L [SRS]; Ross, Rebecca [KDHE]
Subject: FW: Follow up question for United

Follow up question from United.

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 4:44 PM
To: Combs, Gary [KDHE]
Subject: Fwd: Follow up question for United

Tami Sherley

Begin forwarded message:

From: "Verbeke, Karen L" <karen_l_verbeke@uhc.com>
Date: May 15, 2012 4:28:08 PM CDT
To: "Sherley, Tami [PU]" <Tami.Sherley@da.ks.gov>
Subject: RE: Follow up question for United

Thanks Tami! We will make sure to address this question. Also, could you clarify question 3 for me?
Does this relate to TPL similar to questions 1, 2, 4 and 5?

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

From: Sherley, Tami [PU] [<mailto:Tami.Sherley@da.ks.gov>]
Sent: Tuesday, May 15, 2012 2:52 PM
To: Verbeke, Karen L
Subject: FW: Follow up question for United

Karen:

Will you please share this with the group and have them add to the responses due on May 21 by 4:00PM?

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Swanson, Effie [KDHE] [<mailto:ESwanson@kdheks.gov>]
Sent: Tuesday, May 15, 2012 2:37 PM
To: Sherley, Tami [PU]
Subject: Follow up question for United

Regarding Question 15, in your previous technical proposal response on section 4.1.1.16 Termination for Convenience and section 4.1.1.50 Ownership, you added additional statements. Please confirm that these caveats are being withdrawn.

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, et seq, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that

you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, May 16, 2012 12:27 PM
To: 'Verbeke, Karen L'
Subject: Bid Event EVT000128 Electronic Version of Additional KanCare Questions

Karen:

Below are the additional questions asked during Monday's conference. Please note that responses to these questions and a Revised Offer, if applicable, are due **NO LATER** than 4:00PM, Monday, May 21st

1. The State intends to reserve the right to conduct a supplemental (come-behind) recovery program to ensure TPL contractual provisions are met by KanCare Contractors. For example, all TPL identified and recovered by the State more than six (6) months after the date of service (DOS) of a claim would be retained by the State. Please provide any feedback on this approach.

2. Your bid documents note the use of other contractors to perform work and services for you in completion of the TPL requirements. For each vendor, please note their name, duties to be performed, and the general means for compensation (contingency fee, fee per service, set amount, etc.) If the actual 3rd party contractor is not known at this time, please still identify the duties that you intend the unnamed contractor to perform.

3. Inherent in this contract is the receipt and use of personal health information and confidential data. Similarly inherent is the sharing of such information with a subsidiary contractor. Please note how you plan on protecting the PHI and other confidential information shared with a subsidiary vendor.

4. Will you provide to KDHE any reports generated by the subsidiary vendor concerning their TPL activities?

5. Please confirm that you will provide the Payment Integrity Report, including all the information listed in the categories displaying in Exhibit 2-8.

6. Please confirm your understanding that the fee-for-service payment floor (requirement 2.3.6.6) applies to the following eye codes: 92002, 92004, 92912, and 92014.

7. The State has heard from multiple sources that some bidders are reaching out aggressively to providers in the state and that some of what is being said is erroneous (for example, regarding SUD provider requirements). The State reminds KanCare bidders of the intention that credentialing be done -- especially with non-traditional providers -- in a coordinated manner. Further the State intends to partner with selected MCO contractors and ensure a uniform approach for these providers/systems of care. Please confirm your understanding of this approach.

If you have any questions, please contact me via email immediately.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Verbeke, Karen L [karen_l_verbeke@uhc.com]
Sent: Monday, May 14, 2012 12:14 PM
Subject: Read: Updated LCE and a additional information for bidders.
Attachments: ATT00001; ATT00002..txt; ATT00003..htm

Your message

To: Sherley, Tami [PU]
Cc:
Subject: FW: Updated LCE and a additional information for bidders.
Sent: Mon, 14 May 2012 11:57:44 -0500

was read on Mon, 14 May 2012 12:13:49 -0500

Sherley, Tami [PU]

From: Verbeke, Karen L [karen_l_verbeke@uhc.com]
Sent: Monday, April 30, 2012 4:48 PM
To: Sherley, Tami [PU]
Subject: UnitedHealthcare Network Adequacy Certification Plan Documents
Attachments: 3_KS_NetworkAdequacy_GEO_05_01_12.xls; 1_KS_ESC_Network_Scorecard_05_01_12.xls; 2_KS_ESC_Network_CountyByCounty_05_01_12.xls

Importance: High

Hi Tami!

Attached is our latest network submission. Please let me know that you have received this email. Thank you and have a good evening.

Karen Verbeke

Vice President, Proposal Management
UnitedHealthcare Community & State
9701 Data Park Drive, MN006-W400
Minnetonka, MN 55343
karen_l_verbeke@uhc.com
W: 952-931-5253
C: 612-281-8384

Our United Culture. The way forward.

■ Integrity ■ Compassion ■ Relationships ■ Innovation ■ Performance

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Wednesday, April 25, 2012 8:17 AM
To: 'Verbeke, Karen L'
Subject: EVT0001028 KanCare Capitated Managed Care - Notice of Invite to Vendor Negotiations

Karen:

Please accept this as notification that United Health Care is invited to Vendor Negotiations on May 15th from 1:00 – 5:00PM. I will provide additional information such as an agenda and topics of discussion no later than May 8th.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Tami

Tami Sherley
Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, April 17, 2012 8:05 AM
To: 'Swanson, Effie [KDHE]'; Combs, Gary [KDHE]
Subject: FW: UnitedHealthcare Network Submission
Attachments: KS_ESC_Network_Scorecard_4-16-12.xls; KS_ESC_Network_CountyByCounty_1 4-16-12.xls; KS_ESC_Network_CountyByCounty_2 4-16-12.xls; KS_ESC_Network_CountyByCounty_3 4-16-12.xls; GRP2008 TEMPLATE 062909 DA Version 102510PDF.pdf; ClinicianContract.pdf; FAC2008 Template 062909 DA Version 1025101.pdf; KS HCBS filing template 02_28_2012 .doc; Network Adequacy Certification Plan.docm

Importance: High

FYI

Tami Sherley

Procurement Officer

Procurement and Contracts

900 SW Jackson, Room 102N

Topeka, KS 66612

Phone (785) 296-3122

Fax (785) 296-7240

Email: tami.sherley@da.ks.gov

Website: <http://www.da.ks.gov/purch/default.htm>

From: Verbeke, Karen L [mailto:karen_l_verbeke@uhc.com]

Sent: Monday, April 16, 2012 3:59 PM

To: Sherley, Tami [PU]

Subject: UnitedHealthcare Network Submission

Importance: High

Hi Tami!

Attached is our latest network submission. Please let me know that you have received this email. Thank you and have a good evening.

Karen Verbeke

Vice President, Proposal Management

UnitedHealthcare Community & State

9701 Data Park Drive, MN006-W400

Minnetonka, MN 55343

karen_l_verbeke@uhc.com

W: 952-931-5253

C: 612-281-8384

Our United Culture. The way forward.

■ Integrity ■ Compassion ■ Relationships ■ Innovation ■ Performance

This e-mail, including attachments, may include confidential and/or

proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Hoang, Lan Thanh T [lan_t_hoang@uhc.com]
Sent: Thursday, March 29, 2012 7:35 PM
To: Sherley, Tami [PU]
Subject: FW: UnitedHealthcare Contract Templates - EVT0001028 KS Medicaid RFP
Attachments: EVT0001028_UHC_Proprietary Declaration for KS RFP FINAL 022812.doc; EVT0001028_UHC_Network_Doctor_Agreement_2011.pdf; EVT0001028_UHC_2011 Pharmacy Network Agreement - base only.pdf; EVT0001028_UHC_KS FPA_ANC DraftingTool 10.26.2011.pdf; EVT0001028_UHC_ANC_FPA_Natl Anc Base_11 15 11.doc; EVT0001028_UHC_ClinicianContract.pdf; EVT0001028_UHC_FAC2008 Template 062909 DA Version 102510.pdf; EVT0001028_UHC_GRP2008 TEMPLATE 062909 DA Version 102510.pdf; EVT0001028_UHC_KANSAS_Scion_Dental_Contract_12-09-2011.pdf; EVT0001028_UHC_KS FQHC_RHC Drafting Tool 1.4.12.pdf; EVT0001028_UHC_KS HBP SMGA Drafting Tool 10.14.11.pdf; EVT0001028_UHC_KS HCBS filing template 022812 .doc; EVT0001028_UHC_KS MGA Drafting Tool, 10.14.11.pdf; EVT0001028_UHC_KS SPA PAT drafting tool 10.14.11.pdf; EVT0001028_UHC_NAA template.pdf

Sensitivity:

Confidential

Hello Ms. Sherley,

Per my previous email, this is the second of two emails. Please find attached a copy of UnitedHealthcare's provider contract templates (14 files) for state review and approval. UnitedHealthcare considers this proprietary information, and ask that the state treat this information pursuant to the Kansas Medicaid RFP confidentiality policies. We have also attached our proprietary declaration to support this request.

If you have any questions or need further information, please do not hesitate to contact me.

Sincerely,
Lan Hoang

Lan Thanh Hoang
Sr. Dir, Integration and Business Alignment | UnitedHealthcare, Community and State
email: lan_t_hoang@uhc.com | p. 973-593-0308 | c. 612-964-3765

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Sherley, Tami [PU]
Sent: Tuesday, March 27, 2012 12:57 PM
To: 'Hoang, Lan Thanh T'
Cc: Verbeke, Karen L
Subject: RE: Kansas Medicaid Network Deliverable 3/30 - UnitedHealthcare Submission

Please see below.

Tami Sherley

Procurement Officer
Procurement and Contracts
900 SW Jackson, Room 102N
Topeka, KS 66612
Phone (785) 296-3122
Fax (785) 296-7240
Email: tami.sherley@da.ks.gov
Website: <http://www.da.ks.gov/purch/default.htm>

From: Hoang, Lan Thanh T [mailto:lan_t_hoang@uhc.com]
Sent: Tuesday, March 27, 2012 12:32 PM
To: Sherley, Tami [PU]
Cc: Verbeke, Karen L
Subject: Kansas Medicaid Network Deliverable 3/30 - UnitedHealthcare Submission

Hi Ms. Sherley,

UnitedHealthcare is in the process of finalizing our 50% Network Build report due to the state of Kansas this Friday. We have not seen any specific submission instructions so wanted to reconfirm your expectations for the deliverable:

1. Is an electronic copy of the report sufficient or does the state require hard copies of the report? Currently, it is our intention to submit a secure electronic copy directly to your attention unless you instruct otherwise. KDHE's response: "It is expected that MCOs will submit reports showing the number of LOIs or signed contracts by unique providers by provider specialty and county. It is not necessary to submit the actual LOIs or signed contracts."
2. Other than yourself, are there other state recipients to whom our submission should be directly copied? If not, we will assume that you and your team will distribute internally as appropriate. No, all information shall be sent to me and I will distribute accordingly.

I look forward to your response.

Sincerely,
Lan Hoang

Lan Thanh Hoang
Sr. Dir, Integration and Business Alignment | UnitedHealthcare, Community and State
email: lan_t_hoang@uhc.com | p. 973-593-0308 | c. 612-964-3765

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Sherley, Tami [PU]

From: Combs, Gary [KDHE] [GCombs@kdheks.gov]
Sent: Friday, March 16, 2012 2:18 PM
To: Sherley, Tami [PU]
Cc: Swartz, Christiane [KDHE]; Kari Bruffett; Endacott, Paul [KDHE]; Phelps, Elizabeth M [SRS]; Swanson, Effie [KDHE]; Ridley, Bradlee D [AGING]
Subject: Notice to providers about network adequacy.

Tami

This is the notice we would like to send to the bidders:

Notice to potential contractors for KanCare services, related to KanCare provider network adequacy.

Pursuant to the terms of the pending KanCare services request for proposals:

- * Vendors are required to submit evidence that 50% of provider network is in place by March 30, 2012.
- * Contractors must submit evidence that 90% of provider network is in place by October 12, 2012.
- * For all contracts related to behavioral health, disabilities and long term care services: The State shall approve all standard subcontract provisions required of network providers prior to the CONTRACTOR's offering subcontract terms to the provider network.

The purpose of this notice is to clarify the requirements associated with provider network adequacy.

1. For the March 30, 2012, demonstration, potential contractors are not required to provide signed contracts with potential provider network members. ***Contracts or Letters of Intent are specifically acceptable to meet that benchmark.***
2. The State further advises that it will request of all bidders selected for face-to-face negotiations a **Network Adequacy Certification Plan**, the specifications for which will be addressed during face-to-face negotiations.

If this is not ok, call me on my cell 969-9467. I will be in a meeting but will come out.

Gary A Combs
Sr. Mgr. Contracts & Fiscal Agent Operations
Kansas Department of Health and Environment
Division of Health Care Finance
Landon State Office Building
900 SW Jackson, Suite 900N
Topeka, Kansas 66612
785-296-0149
gcombs@kdheks.gov

KHPA is now part of the Kansas Department of Health and Environment (KDHE) as the Division of Health Care Finance (DHCF). Visit our website at <http://www.kdheks.gov/hcf/>

KDHE Disclaimer

HIPAA Privacy Statement, Email Confidentiality Statement: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. Secs. 2510-2521, and the Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1320d, *et seq*, and contain information intended for the specified individual(s) only. This information is confidential.

If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail, and delete the original message.

=====