

REGION 6 BEHAVIORAL HEALTHCARE NETWORK POLICIES AND PROCEDURES

Network Policy Number: N102

Subject: Contracting for Services

NETWORK PROCEDURES

Region 6 Behavioral Healthcare (Region 6) is responsible for contracting for the publicly funded behavioral health services for persons served within the designated Region 6 area. All services involving state and/or federal dollars must follow current state regulations.

Public Competitive Bidding Process

1. Region 6 will publish and distribute public competitive bidding guidelines. These guidelines can be in the form of a Request for Proposal (RFP) or a Request for Qualifications (RFQ) or similar format that has been approved by the Nebraska Department of Behavioral Health and Human Services – Division of Behavioral Health (Division). Approved RFP/RFQs must be released with public notice before notification of award to ensure an open and fair competitive bidding process. Region 6 will make reasonable efforts to contact all potentially eligible bidders. At a minimum, these efforts may include use of a local newspaper such as the Omaha World Herald, e-mail distribution, and/or posting on the Region 6 web page, etc.
2. An RFP/RFQ for service must at a minimum contain:
 - A clear description of the service (s) to be provided.
 - A clear description of the minimum qualifications for prospective bidders.
 - Accurate data related to the service (as available).
 - A budget and budget narrative for the project.
 - Indication that persons served are involved in the process.
 - The process to be used to determine the award.
 - The process for appeal.
3. Each request received must be recorded and evaluated according to the published criteria in the request. Requests that do not conform to the items provided in the RFP/RFQ guidelines will not be considered.
4. A review team will be established to review and score each qualifying proposal that is received, using a standardized scoring form. The review team will be made up of Region 6 staff, as well as a variety of other stakeholders, as appropriate. Every effort will be made to include persons served participation in this process. The review team will make a recommendation to the Region 6 Behavioral Health Advisory Committee.

5. The Region 6 Behavioral Health Advisory Committee will make a formal recommendation to the Region 6 Governing Board as to the agency/agencies that should be awarded the contract.
6. The Region 6 Governing Board will make the final decision as to what agency/agencies are awarded the contract. A written allocation announcement of funding will be sent to all applicants. In addition, prospective providers found ineligible will be informed as to the reason. Final award(s) are subject to approval by the Division of Behavioral Health.

The Region 6 Governing Board retains the right to reject any and all proposals. The Governing Board also reserves the right to void its intent to select and negotiate with an applicant if the applicant's proposal is not approved by the Division.

7. Upon notice of award to the successful bidder, all proposals will be open to public inspection.
8. The agency that is selected to receive the available funds and meets the necessary network provider enrollment criteria, must sign a contract agreeing to participate in the network. The provider then carries out the service and applies for reimbursement from Region 6.

Process for Appeal

Opportunities for appeal should be made during the recommendation phase at the Region 6 Behavioral Health Advisory Committee meeting and/or at the Regional Governing Board meeting where the award is announced.

Waiver Process

If Region 6 feels there is a reason why the public competitive bidding process should be waived, they may submit a written request to the Division. This request should follow current state regulations.

Service Expansion

Services can be expanded without using the public bidding process if the service meets expansion criteria and approved by the Division. Expansion criteria is defined by the Division as the expansion of an existing service and additional funds are required beyond the standard unit rate or operating costs to do so.

If a service falls under this definition, Region 6 can work with an agency to expand a service. The expansion requires the provider to submit a program narrative, BH-5 form, BH-20 Budget Summary and BH-20c through BH-20g for the one-time start-up, BH-20 Budget Summary and BH-20c through BH-20g for an annual ongoing budget, budget justification narrative that explains 1) the one-time expenses and why they are needed, and 2) the ongoing annual expenses and why they are needed.

The provider requesting service expansion using state/federal funds must be a current member of the Region 6 provider network. Before a provider expands a service, they should notify both the Nebraska Medical Assistance Program (Medicaid) AND the Administrative Service Organization utilized by the state.

Region 6 as the Provider

Except for services being provided by Region 6 on July 1, 2004, under applicable state law in effect prior to such date, no Behavioral Health Authority is allowed to provide behavioral health services funded in whole or part with revenue received and administered by the Division unless:

- There has been a public competitive bidding process for the services.
- The Region 6 Governing Board has determined, as a result of the bidding process, that there are no qualified and willing providers to provide the services.
- Region 6 received written authorization from the Director of the Division and enters into a contract with the Division to provide the services.

If Region 6 contracts with the Division for the provision of a service, Region 6 must comply with all applicable rules of the Division relating to the provision of behavioral health services including rules that:

- Establish definitions of conflicts of interest for Region 6 and procedures if a conflict of interest arises.
- Require Region 6 to establish and maintain a separate budget and separately account for all revenue and expenditures for the provision of the service.

Purchase of Service

Region 6 Behavioral Healthcare will initiate signed contracts between the Regional Governing Board and each agency in the behavioral health network. Contracts will be initiated at the beginning of each fiscal year and will include at a minimum the following:

- a. Contract Number
- b. Agency Name
- c. Terms of the Contract
- d. Amount of Agreement, including Revenue Sources
- e. Statement of Work – This includes required insurance coverage, the requirement of an independent annual financial CPA audit, adherence to current state Regulations for behavioral health services, provisions relating to services purchased verifications and program fidelity reviews, etc.
- f. General Terms and Assurances
- g. Services Provided (level(s) of care) by the Agency

If there are changes to the contract, a contract amendment will be prepared and signed by all applicable parties.

Termination of contracts can occur at any time upon mutual written consent or by either party for any reason upon submission of written notice to the other party prior to the effective date of termination. Both parties will follow the notification timelines established in the contract.

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