



*Delaware Health
And Social Services*

DIVISION OF MANAGEMENT SERVICES

PROCUREMENT

DATE: August 15, 2018

HSS 18 024

Administrative Fair Hearing Officer

for

The Division of Management Services

Date Due: August 31, 2018
By 11:00 AM Local Time

**ADDENDUM # 4
Questions and Answers**

PLEASE NOTE: Attached are additional Questions and Answers. These questions were received by the deadline of July 24, 2018, but were not included in the previous Questions and Answers document.

THE ATTACHED SHEETS HEREBY BECOME A PART OF THE ABOVE MENTIONED RFP.

Kimberly Jones
Procurement Administrator

Terrell Copeland
Purchasing Coordinator II

Additional Questions & Answers
For
Request for Proposal # HSS-18-024
Administrative Fair Hearing Officer

Question 1: On average, how many of each type of appeals are processed annually and of those how many are in person?

Answer: Please reference the analysis attached at the end of this document.

Question 2: Are any of the hearings services provides performed via telephone or video?

Answer: All hearings are scheduled for appearance in person. At times the client or witness may participate by phone. The Division of Long Term Care Residents Protection is the only exception, they do not allow any phone hearings.

Question 3: If the bidder is a company proposing multiple hearing officers, does Delaware need names/resumes for each hearing officer, or is overall company experience and credentials required to be responsive?

Answer: Yes, we require names and resumes

Question 4: If a successful awardee company has multiple hearings officers and is then chosen to provide services at a particular hearing location, does the company choose the hearing officer to send for the hearing, or will Delaware choose the particular hearing officer?

Answer: Delaware chooses a vendor and the vendor provides a hearing officer.

Question 5: What are the historical, annual numbers of hearing officers needed for the years 2016 and 2017? If possible, can you break those numbers down into the categories as listed in Section II: Scope of Services on pages 3 & 4?

Answer: This information is not available at this time.

Question 6: Will a hearing officer be provided transcription services or a recorder for hearings, or must the contractor provide their own transcription or recorder for hearings?

Answer: The state will provide transcription services and recorders.

Question 7: Does Delaware convey in this passage a hearing officer will be provided 48 business hours (2 business days) notice of a potential hearing at which they must arrange to be ready to preside over a hearing?

Answer: Yes, for The Division of Long Term Care and the Division of Child Support Services the hearing officer must be provided with 48hours notice. The Division of Medicaid and Medical Assistance, Division of Social Services and Audit and Recovery; Hearing Officers are given the same notice as the client. For Fair Hearings, 10 day notice is required. For ADH, 30 day notice is required.

Question 8: Can Delaware provide any redacted or sample decisions demonstrating the outline of a proposed decision?

Answer: No

Question 9: How will a hearing officer receive cases to review, and will a hearing officer be allowed to maintain the file all times after the hearing in order to reference the case for writing a decision?

Answer: Hearing Officers receive the cases via Egress Switch secure email. Yes, the hearing officer will be allowed to maintain the file to reference the case for decision writing purposes.

Question 10: The minimum requirements does not state the minimum personnel qualifications experience needed or preferred for a hearing officer. Does a hearing need to be an attorney or be a licensed as an attorney in Delaware? Are there other minimum years experience requirements?

Answer: Not specified

Question 11: Are the prices listed for each region the proposed maximum hourly rates for services? The bid states prices are non-negotiable, yet the RFP lists language referring to Delaware's ability to negotiate with a vendor.

Answer: Yes, prices listed are maximum for each region. Prices are non-negotiable. See Appendix C of the Request for Proposal

Question 12: Just for clarity, a contractor can bill for travel time, correct? Is there a limit to travel time that a contractor bill for?

Answer: No, Travel time is included in the rates. See Appendix C of the Request for Proposal.

Question 13: Is this a new Request for Proposal?

Answer: No

Question 14: Is there an incumbent(s)?

Answer: Yes

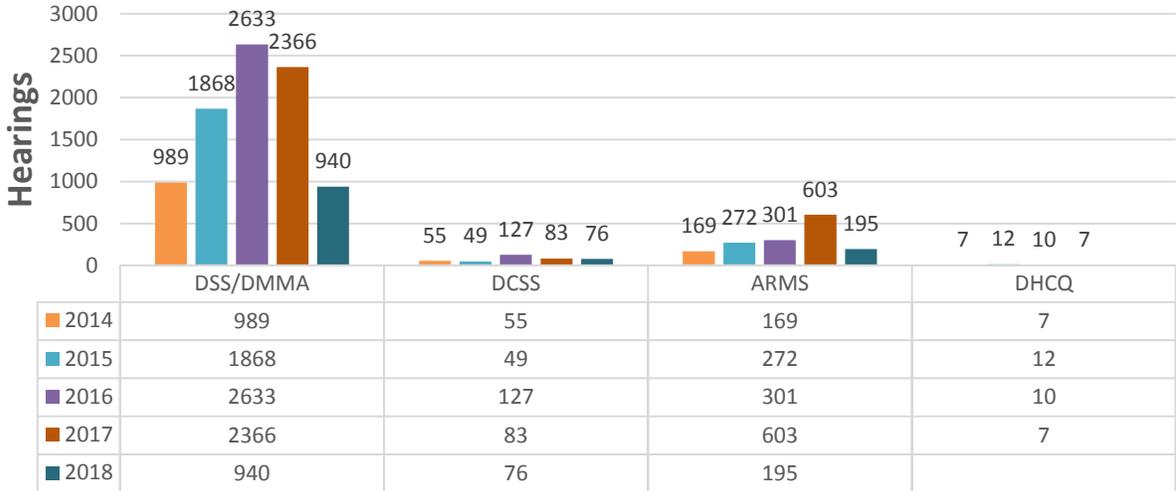
Question 15: If there is an incumbent(s), may we know the name(s)?

Answer: This information is available on the Awarded Contracts Directory:
<http://contracts.delaware.gov>

Question 16: If there was a previous contract, what was the total dollar value and for what length of performance?

Answer: This information is not available at this time.

Five Year Review of Number of Fair Hearing Requests 2014-2018



Total Yearly Hearings Reported by Divisions

■ 2014
 ■ 2015
 ■ 2016
 ■ 2017
 ■ 2018

Administrative Hearings (ADH)

Administrative hearings involve disputes under the authority of governmental agencies. There has been an 11.8% increase in DSS/DMMA Administrative Hearings (ADH)

Year	DSS/DMMA ADH	Child Support
FY 2014	75	55
FY 2015	177	49
FY 2016	185	127
FY 2017	477	83
FY 2018	633	76 (13 hearings outstanding)

Additionally, from 2014 – 2018, Child Support Services Administrative Hearings (ADH) which involve child support orders established an administrative entity, instead of the courts, has also seen a 72% increase in Administrative Hearings.