

Medical Indemnity Fund Administrative Services RFP # 20238 Service Level Agreements (SLA) Attachment C			
Requirements Category	SLA Name	SLA	Liquidated Damages
4.1 General Duties	MIF FAS SLA01	<ul style="list-style-type: none"> Operate all aspects of the Fund in accordance with Executive Order No. 26, Appended here to as Appendix A; Operate all aspects of the Fund as directed by the Department of Health; and Translate services either directly or through a translation service. 	No damages.
4.2 Application Review and Enrollment Process Enrollee Handbook	MIF FAS SLA02	<p>Within one-hundred-eighty (180) days of contract execution, the Contractor must develop a comprehensive handbook for Enrollees and their families, to be approved by the Department. The handbook shall explain, at a minimum:</p> <ul style="list-style-type: none"> What is covered by the Fund; How to access coverage; How to submit claims for payment; Which services require prior approval; How to obtain prior approval; How to file a complaint; How to appeal a denial of payment or a denial of prior approval; and, <p>Any other processes of the Fund that the Department determines to be necessary for inclusion in the handbook.</p>	For each day beyond one-hundred-eighty (180) days that the comprehensive handbook for Enrollees and their families is not submitted for review to the Department, damages of \$100 per day will be assessed.

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4.2 Application Review and Enrollment Process Enrollee Handbook	MIF FAS SLA03	The handbook must be reviewed and updated quarterly and approved by the Department prior to posting or distribution.	The Contractor shall provide a quarterly notification to the Department detailing the review and updating of the Enrollee Handbook to demonstrate that the SLA was completed. No damages.
4.2 Application Review and Enrollment Process Enrollment Applications	MIF FAS SLA04	Request additional clarifying information within fifteen (15) days of receipt of the application initial application;	For each day beyond the fifteen (15) business days that the applications are not reviewed, damages of \$100 per day will be assessed. Contractor must provide a report, in a format and schedule approved by the Department, detailing: i. The number of applications received; ii. Percentage of applications reviewed within fifteen (15) business days from receipt; and, iii. Details on all applications that aged beyond the fifteen (15) business days. The report must include immediate and long-term issue resolution.

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<p>4.2 Application Review and Enrollment Process</p> <p>Enrollment Applications</p>	<p>MIF FAS SLA05</p>	<p>If the Applicant is eligible for enrollment pursuant to PHL §§ 2999-J(6) and (7), and 10 NYCRR § 69-10.2, within five (5) business days the Contractor must provide written notification to the Enrollee, via hard copy, assign a Case Manager and provide the Enrollee's information to the Department or Department designee.</p>	<p>Contractor must provide a report, in a format and schedule approved by the Department, to include the following:</p> <ul style="list-style-type: none"> i. Number of Enrollees who were notified in writing of acceptance into the MIF within five (5) business days; ii. Details on all Enrollees who were not notified in writing within five (5) business days, including any issues that were identified; iii. Number of Enrollees assigned case managers within five (5) business days of approval in MIF; iv. Details on all Enrollees who did not have a case manager assigned within 5 business days; and, v. Date the Case Manager was assigned. <p>The report must include immediate and long-term issue resolution.</p> <p>No damages.</p>

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<p>4.2 Application Review and Enrollment Process</p> <p>Enrollment Applications</p>	<p>MIF FAS SLA06</p>	<p>The Contractor must also issue an Enrollment Card with a unique Enrollment Identification Number and provide the Case Manager's name and contact information to the Enrollee within seven (7) business days.</p>	<p>For each day beyond the seven (7) business days that the Enrollee is not provided with the Case Manager's name and contract information, damages of \$100 per day will be assessed.</p> <p>Contractor must provide a report, in a format and schedule approved by the Department, to include the following:</p> <ul style="list-style-type: none"> i. The number of Enrollees who were notified within seven (7) business days of Case Manager's name and contact information; and, ii. The details on all Enrollees who did not get notified of the Case Manager's name and contact information and any issues that have been identified. <p>The report must include immediate and long-term issue resolution.</p>

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4.2 Application Review and Enrollment Process	MIF FAS SLA07	<p>The Contractor must also issue an Enrollment Card with a unique Enrollment Identification Number and provide the Case Manager's name and contact information to the Enrollee within seven (7) business days.</p> <p>Issue replacement ID cards within seven (7) business days of request.</p>	No damages.
4.3 Case Management	MIF FAS SLA08	<p>Within thirty (30) days of enrollment into the Fund:</p> <ul style="list-style-type: none"> • Conduct initial assessment of enrollee. Preferably in-person or via video technology. • Provide an enrollee orientation session to all new enrollee families. • Discuss claims and appeal process • Establish a comprehensive, written Case Management Plan. <p>Orientation sessions can be provided during the initial assessment or separately, contingent upon the enrollee family schedule. The enrollee orientation session should include, at a minimum, providing the approved Enrollee Handbook, answering any enrollee and/or enrollee family</p>	<p>Contractor must provide a report, in a format and schedule approved by the Department, detailing the Initial Assessment and Enrollee Orientation Sessions conducted within thirty (30) days of enrollment. Details on all enrollees who did not get an Initial Assessment or Enrollee Orientation Session within thirty (30) days must be provided with an explanation of the delay.</p> <p>No damages.</p>

		questions, discussing case management services available, how to obtain said services, review required forms, where to locate and how to request. Initial Case Management Plan must be approved by the Department.	
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4.3 Case Manager Reassignment Case Manager Changes	MIF FAS SLA09	Within seven (7) business days of any changes with current Case Managers Assign a new Case Manager and notify Enrollee of the new name and contact information.	No damages.
4.4 Prior Approval Requirements & Responsibilities	MIF FAS SLA10	<p>The Contractor will be responsible for identifying those requests for services, items, modifications, etc., which require prior approval pursuant to 10 NYCRR § 69-10.6 and Department requirements (within 30 days).</p> <p>For those expenses requiring prior approval, the Contractor must assist/advise enrollees in the correct process for submission of the prior approval request including the necessary supporting documentation. In addition, the Contractor must:</p> <ul style="list-style-type: none"> • Receive, review, and process all prior approval requests and determine whether all or any portion of the request is a Qualifying Health Care Cost. • Accept and support all forms of requests as approved by the Department, including, but not limited, to paper, fax, web-based application, and provider area of the website and/or vendor supplied web portal. • Accept, process, and 	No damages.

		<p>respond to approvals, based on Department business rules, received via the following formats including, but not limited, to HIPAA X12 278 standard format (versions 4010 & 5010), NYS proprietary format and other industry Standard paper and electronic formats.</p> <ul style="list-style-type: none"> • Accept and review evaluations and assessments required by the regulation for select benefits or services. The reviews must include completeness, scope, clarity, and compliance with the applicable regulation and correctness of medical necessity. <p>Generate the necessary information and documentation to process claims for any services requiring prior approval such as EMODs, vehicle modifications, and assistive technology in accordance with the requirements of 10 NYCCR §§ 69-10.7, 69-10.8, 69-10.9 and 69-10.10, respectively.</p>	
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4.4 Prior Approval Requirements & Responsibilities	MIF FAS SLA11	<p>Expedited prior approval requests are requests where the enrollee has an emergency need for a service. These requests must be made within two (2) business days of receiving a prior approval request from a licensed physician, physician assistant, or nurse practitioner on professional letterhead, pursuant to 10 NYCRR § 69-10.15. At a minimum, the request must address:</p> <ul style="list-style-type: none"> • The emergency needs of the enrollee for service • Item(s) which require the prior approval • Reason(s) that the service(s) or item(s) are needed on an expedited basis • Any additional supporting documentation provided by the professional/practitioner 	No damages.
4.4 Prior Approval Requirements & Responsibilities	MIF FAS SLA12	A determination on prior approval requests, other than expedited requests, must be made within thirty (30) days of all necessary documentation in support of the request being received, pursuant to 10 NYCRR § 69-10.6.	<p>Contractor must review non-expedited prior approval requests and provide a determination within thirty (30) days upon receipt of all necessary documentation in support of the request.</p> <p>For each day over the thirty (30) days that the prior approval determination is not made, DOH will assess damages of \$100 per day.</p>

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<p>4.5 Customer Service</p> <p>Call Center</p>	<p>MIF FAS SLA13</p>	<p>The Contractor must answer a toll-free number provided by the Department for potential Applicants and current Enrollees of the Fund to be staffed by employees who are trained and able to accurately respond to enrollee or enrollee representatives' questions about the Fund. The representatives must provide assistance in completing claims forms, identifying documentation required with a claim, handle payment-related complaints and assist in resolving issues with claims processing.</p> <p>This toll-free line must be open and available for answering calls Monday through Friday from 8:30 am through 5:00 pm, unless such day is a Department-approved State holiday. Any holidays must be requested and approved in advance by the Department. The Department requires the toll-free line to provide language interpretation services for those not fluent in English and Telecommunication Device for the Deaf (TDD) and Teletypewriter (TTY) services for callers who are hearing impaired.</p> <p>All calls will be answered by a live representative within thirty (30) seconds. For hours when the toll-free line is not staffed, automated equipment shall be in place to accept messages.</p> <p>Messages left outside of scheduled call line hours must be responded to no later than the</p>	<p>Contractor must provide a report, in a format and schedule approved by the Department, to include the following:</p> <ul style="list-style-type: none"> i. Any time that the Call Center was unavailable or down; ii. Details of the reason the Call Center was unavailable; iii. The immediate and long-term resolution; iv. Number of language interpretation calls; v. Language requested for interpretation calls; vi. Number of Telecommunication Device for the (TDD) and (TTY) calls; vii. Number of calls and messages left outside of scheduled call line hours; viii. Date calls and messages left outside of scheduled call line hours were received and responded to; and, x. Number of calls received during business hours;

		<p>next business day after the message is left.</p>	<p>xi. Number of calls responded to within thirty (30) seconds by a live representative;</p> <p>xii. Number of calls not responded to by a live representative within thirty (30) seconds;</p> <p>xiii. Details on why calls were not answered within thirty (30) seconds.</p> <p>xv. Provide immediate and long-term solutions to address why calls were not answered within the thirty (30) seconds.</p> <p>For all hours the Call Center is not open and available, from Monday through Friday from 8:30 am through 5:00 pm, the Department will assess damages of \$500 per hour or any portion thereof.</p> <p>For all calls not answered by a live representative within thirty (30) seconds, the Department will assess damages of one dollar (\$1.00) for each call not serviced per the SLA.</p>
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<p>4.5 Customer Service Call Center</p> <p>Call Abandonment Rate</p>	<p>MIF FAS SLA14</p>	<p>The percentage of incoming calls to the Contractor's telephone line in which the caller disconnects prior to the call being answered by a customer service representative will not exceed three percent (3%).</p> <p>This SLA will be measured daily but reported out monthly.</p>	<p>For each call that is abandoned over the three percent (3%) allowance, damages of \$1.00 per call will be assessed.</p> <p>Contractor must provide a report, in a format and schedule approved by the Department, detailing:</p> <ul style="list-style-type: none"> i. The number and percentage of abandoned calls by day, week, and month; ii. Details on all abandoned calls and any issues that were identified. <p>The report must include immediate and long-term issue resolution.</p> <p>This SLA will be measured daily but reported out monthly by the Contractor.</p>
<p>4.5 Customer Service</p> <p>Responding to Written Correspondence</p>	<p>MIF FAS SLA15</p>	<p>The Contractor must establish a process for responding to written correspondence, which must be approved by the Department. All written correspondence, including E-mail, pertaining to the Fund must be acknowledged within the next business day.</p>	<p>No damages</p>

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<p>4.5 Customer Service</p> <p>Website Maintenance/ Updating Content.</p>	<p>MIF FAS SLA16</p>	<p>In accordance with Executive Order No. 26, the contractor must assist the Department with maintaining and updating the content of the Department website. The website shall be reviewed by the Contractor on a bi-annual basis (twice annually), allow for download of applications, program-related forms, and provide information on the submission of applications, materials, and forms.</p> <p>The website shall provide general information about the Fund, including, but not limited to:</p> <ul style="list-style-type: none"> ▪ Eligibility criteria; ▪ The process for enrollment into the Fund; and ▪ Any other information relevant to the Fund determined by the Department to be beneficial to Enrollees and Providers. 	<p>The Contractor shall provide a bi-annual notification to the Department detailing the review and updating of the website content to demonstrate that the SLA was completed.</p> <p>No damages.</p>

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<p>4.6 Provider Services</p> <p>Provider Support Material Review</p>	<p>MIF FAS SLA17</p>	<p>The Contractor must develop and maintain provider support materials on the NYS DOH public website and/or vendor-supplied web portal based on Department approval. The provider support materials will need to be reviewed twice annually to ensure they are current. The Contractor must maintain and make accessible archived and historic provider support information. Provider maintenance updates must be accepted via hard copy, fax, and provider are of the website and/or vendor-supplied web portal. Provider materials include but are not limited to:</p> <ul style="list-style-type: none"> ▪ Provider manuals; ▪ Companion guides; ▪ Claims, prior approval, and other NYS forms; ▪ Provider bulletins; ▪ Quick reference information; ▪ Frequently Asked Questions (FAQs); ▪ Training materials, tutorials, and schedules; ▪ Links; ▪ Develop and post stakeholder alerts; ▪ Provide technical support for program alerts; ▪ Help guides; and, ▪ Newsletter(s). <p>Conduct periodic reviews of all provider support materials on the website and/or vendor-supplied web portal based on a schedule approved by the Department.</p>	<p>The Contractor shall provide a bi-annual notification to the Department detailing the review and updating of provider support materials to demonstrate that the SLA was completed.</p> <p>No damages.</p>

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4.7 Claims Administration Attachment E	MIF FAS SLA18	Process all eligible claims within forty-five (45) days of the date the claim is complete. Department might request a prioritization of claims.	Contractor must process all eligible claims within forty-five (45) days of the date the claim is complete. For each day over the forty-five (45) days that the eligible claims are not processed, the Department will assess damages of \$100 per day.
4.7 Claims Administration Attachment E	MIF FAS SLA19	At least 95% of processed claims shall be accurate (correct in all details).	Contractor must process claims with at least 95% accuracy. Contractor must provide a report, in a format and schedule approved by the Department, detailing the total number of processed claims and the number of claims processed incorrectly. In addition, if upon audit by the Department, or an agent of the Department, it is determined that less than 95% of claims examined under the audit were not processed correctly for

			<p>eligibility and/or rate of payment, the Department may assess damages.</p> <p>Damages in an amount up to \$2,500 for each percentage point under 95% may be assessed for any discrepancy. Such damages shall be in addition to the Department's right to recover for claims erroneously approved for payment by the Contractor and actually paid. Department may conduct as many such audits as it deems necessary to ensure that the Contractor is performing with accuracy.</p>
4.7 Claims Administration Attachment E	MIF FAS SLA20	If a claim should be denied, the Contractor must deny the claim within forty-five (45) days from the date that a complete claim was received by the Contractor.	For each claim that was not processed and denied within forty-five (45) days of receiving the complete claim, the Department will assess damages up to \$100 per each day that the claim was processed late, unless the Department agrees that there is a good cause for the Contractor's delay.

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<p>4.7 Claims Administration</p> <p>Attachment E</p>	<p>MIF FAS SLA21</p>	<p>The Contractor must produce a weekly list of claims approved to be paid (Check File) for Department review, with a corresponding payment file in a format and timeframe to be determined by the Department or Department designee</p> <ul style="list-style-type: none"> • Errors must be addressed and corrected by the contractor in a timeframe determined by the Department • Various reviews, reports and/or analysis of weekly claims to be determined by the Department may be requested • The submission shall be certified by the Contractor • The submission shall be in a form • acceptable to the Department <p>The weekly claims submission shall be accompanied by supporting documentation as required by the Department, including copies of invoices and approvals and show any adjustments to be billed, the amounts and reasons .</p> <p>Produce an EFT payment file (ACH), based on approved provider or enrollee EFT agreements, for each payment cycle and transmit payment data for review and approval to the Department or Department Designee on a schedule approved by the Department.</p>	<p>For each day that the Weekly Claims file (check file Excel and/or IPT) and/or EFT (ACH) payment file and any supporting documentation as required by the Department is late, the Department will assess damages of \$1,000 per day.</p>

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4.7 Claims Administration Attachment E	MIF FAS SLA22	Notify the Department on a weekly basis of any overpayments, duplicate payments or payments that should have been denied and make reasonable efforts to reclaim any overpayments or adjust future payments to such payees, to the satisfaction of the Department.	Contractor must provide a weekly report, in a format approved by the Department, detailing: i. Any overpayments, duplicative payments or payments that should have been denied; ii. Any incorrect claims payments; and, iii. Reprocessed claim and adjustment information.
4.8 Accounting Processes Outstanding Checks Process	MIF FAS SLA23	Any outstanding or uncashed check must be investigated by the Contractor on an annual basis or as requested by the Department. This process will include, at a minimum: <ul style="list-style-type: none"> ▪ Receiving the Outstanding Checks listing from the Department; ▪ Researching and completing data entry in the listing; ▪ Drafting and mailing 90-day letters to all outstanding payees; ▪ Drafting and mailing 60-day Certified Letters to outstanding payees, whose 	No damages.

		<ul style="list-style-type: none"> ▪ check is over \$1,000; ▪ Providing any payee responses to the Department for checks to be stopped; ▪ Reissuing any stopped checks, after confirmation by the Department; and, ▪ Any other Outstanding Check activities as requested by the Department. 	
4.8 Accounting Processes 1099 Issuance	MIF FAS SLA24	<p>The Contractor must maintain full responsibility for and tracking of all federal form 1099 processing, including issuance to providers (hard-copy as specified by the Department), submission of data to the Federal and State tax authorities (IRS, NYS Department of Taxation and Finance, and other entities as specified by the Department).</p> <p>Production of replacement or corrected 1099s based on provider request, State or contractor review, and issuance of notices to providers, such as form "B" notices, for purposes of correcting mismatched employer identification numbers. The Contractor is responsible for responding to and resolved all 1099 inquiries and issues regarding correct reporting of tax information based on the Federal 1099 and New York State policies (including incorrect FEINs).</p>	<p>Contractor must provide a report, in a format and schedule approved by the Department, detailing:</p> <ul style="list-style-type: none"> i. The number of 1099 forms mailed to providers; ii. The number of 1099 forms distributed to ITS, NYS Department of Taxation and Finance, and other entities as specified by the Department; iii. The number of 1099 forms returned. iv. The number of 1099 corrected forms mailed. <p>No damages.</p>

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4.10 Staffing Staffing/Organizational Plan	MIF FAS SLA25	<p>The Contractor must provide an annual Staffing and Organization Plan detailing how the project staff is organized, where the staff are located and how communication is handled between remote sites and the main project site. The Contractor must provide the Department with a Staffing and Organization Plan, within thirty (30) days of contract execution, which describes how the project staff will be organized, located and how communication will be handled between the main site and remotes sites. The Plan must include the total number of each staff for each function, ratio for case management, designated full time key role staff as defined in section 4.10.1 of this RFP, organizational chart of key roles, identify staff that support the project but are not dedicated full time employees, Department approved subcontractors, roles and job descriptions for all professional, managerial and supervisory positions.</p>	<p>The Contractor must meet the minimum staffing levels proposed in its Staffing and Organization Plan.</p> <p>The Contractor must submit to the Department staffing reports each month, or in a cadence determined by the Department, listing actual levels versus proposed levels in the Staffing and Organization Plan.</p> <p>The Department reserves the right to audit the Contractor's actual staffing levels versus the levels in the Staffing and Organization Plan and assess a penalty of \$1,000 per occurrence when this reporting is found to be inaccurate.</p>
4.10 Staffing Identify Subcontractors/Roles	MIF FAS SLA26	<p>The Plan must include the total number of each staff for each function, ratio for case management, designated full time key role staff as defined in section 4.10.1 of this RFP, organizational chart of key roles, identify staff that support the project but</p>	<p>Before adding new or switching existing approved subcontractors, the Contractor must request prior approval from the Department.</p> <p>For each instance where the</p>

		are not dedicated full time employees, subcontractors pre-approved by the Department, their respective roles, and job descriptions for all professional, managerial, and supervisory positions.	Contractor doesn't identify subcontractors and provide related information to the Department for prior approval, a penalty of \$1,000 per occurrence will be assessed.
4.10 Staffing 4.10.1 Key Roles	MIF FAS SLA27	The Contractor must ensure all staff are trained in updates made to MIF administrative requirements, technology advances that correlate to their duties and responsibilities and ensure full time Key Roles (Case Management Director, Project Director, Project Manager and Operations Director) remain staffed by experienced personnel, as outlined in section 4.10.1 Key Roles. If the roles are vacated, they must be refilled within forty-five (45) days, with weekly recruitment updates, via email, provided to the Department.	For each day over forty-five (45) days that a Key Role remains vacant, the Department may assess damages of \$100 per day.
4.10 Staffing	MIF FAS SLA28	The Contractor must ensure all staff are trained in updates made to MIF administrative requirements, technology advances that correlate to their duties and responsibilities and ensure full time Key Roles (Case Management Director, Project Director, Project Manager and Operations Director) remain staffed by experienced personnel, as outlined in section 4.10.1 Key Roles. If the roles are vacated, they must be refilled within forty-five (45) days, with	No damages.

		<p>weekly recruitment updates, via email, provided to the Department.</p> <p>All employees, sub-contractors, or agents of the Contractor performing work under this Agreement must be trained staff or technicians who meet or exceed the professional, technical, and training qualifications set forth in the Agreement. They must comply with all security and administrative requirements of the Department that are communicated to the contractor.</p> <p>The Department reserves the right to conduct a security background check or otherwise approve any employee, sub-contractor or agent furnished by the Contractor. The Department may refuse access to, or require replacement of, any personnel for cause based on professional, technical, or training qualifications, quality of work or change in security status or non-compliance with the Department's security or other requirements.</p> <p>Approval of the Organization Plan, by the Department, shall not relieve the Contractor of the obligation to perform all work in compliance with the Agreement. The Department reserves the right to reject and/or bar from any facility for cause any employee, sub-contractor, or agent of the Contractor.</p>	
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4.10 Staffing	MIF FAS SLA 29	The Plan must include how the Contractor plans to make available the appropriate staff for calls with the Department, as needed, to discuss Fund processes, requests for information, complaints and any other request, issue or concern raised by the Department.	No damages.
4.11 Reporting	MIF FAS SLA30	<p>Quarterly claims reports must contain, including, at a minimum, the following:</p> <ul style="list-style-type: none"> • Summary of claims activity by Enrollee; • The number and types of claims received; • The number and types of claims approved or denied, and, • Any other related information deemed necessary by the Department. 	<p>The Contractor must submit quarterly claims reports to the Department, within thirty (30) calendar days from the end of the quarter.</p> <p>For each day over the thirty (30) calendar days that the quarterly claims reports are not submitted to the Department, the Department will assess damages of \$500 per day.</p>
4.11 Reporting Respond to Department Requests	MIF FAS SLA31	<p>The Contractor must acknowledge the Department's request(s) for information, complaints, and any other request, issue, or concern within one (1) business day of receipt.</p> <p>Provide a thorough and comprehensive response to all requests from DOH within three (3) business days from initial receipt unless another date is agreed upon by DOH.</p>	<p>No damages.</p> <p>For each day beyond three (3) business days from initial receipt that a thorough and comprehensive response to all requests from the Department, damages of \$100 per day will be assessed.</p>

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4.11 Reporting Records, Documents, Data, Audit	MIF FAS SLA32	Within one-hundred-eighty (180) days of contract execution, the Contractor must provide a report describing the internal processes that will be in place to ensure the Fund procedures are followed and how statutory and regulatory requirements will be met in the performance of the contract. Such descriptions should include separation of duties and any managerial reviews, authentications and/or validation procedures.	For each day beyond one-hundred-eighty (180) days that the Contractor does not submit the requested information for review and approval to the Department, damages of \$100 per day will be assessed.
4.11.1 Audit Requests for Records/Data	MIF FAS SLA33	All records and data related to Fund operations are the property of the Department and shall be made available to the Department upon request for review and/or audit. Failure to comply with Department's request for documentation may result in the contractor being considered non-responsive. The Contractor shall maintain all records and data in a manner to allow successful and readable transfer to the Department or the Department's designee in accordance with the requirements described in Attachment E . Records shall be retained for a period of seven (7) years after the expiration of the contract. At the completion of	No damages.

		<p>seven (7) years after the expiration of the contract, all records and data shall be destroyed upon approval of the Department at the Contractor's expense. The records/data destruction shall be in compliance with all HIPAA and records/data destruction policies in effect for NYS contracts at that time</p> <p>During the life of the Agreement and during the seven-year period after the expiration of the Agreement, all requests for records and or data related to the fund shall be submitted to the Department within five (5) business days.</p>	
4.11.2 Annual Survey	MIF FAS SLA34	<p>The Contractor will be responsible for developing and conducting an Annual Survey of Enrollees in a format approved by the Department. The purpose of the survey will be to gather feedback from the Enrollees and their families on their experience with the Fund including items such as case management, responsiveness of staff, accuracy of response by staff, timeliness of claim payments, and area of opportunity for improvement. Once the survey results are received the Contractor must compile and analyze the results and provide a report of the analysis to the department for review and/or approval.</p>	No damages.

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Requirements Category	Requirements Category	Requirements Category	Requirements Category
4.12 Business Operations Business Continuity Plan	MIF FAS SLA35	Thirty (30) calendar days from contract execution and annually thereafter, the contractor must submit to the Department for review and approval a draft Business Continuity Plan that is based upon the contractor's business continuity and disaster recovery methodology. At a minimum, the Business Continuity Plan must provide for back-up processing capability at remote site(s) from the contractor's primary site(s), such that normal payment processing, as well as other systems and services deemed necessary by the Department, can continue in the event of a disaster or major hardware problem at the primary site(s).	For each day over the thirty (30) calendar days that the draft Business Continuity Plan is not submitted to the Department for review and approval, damages of \$100 per day will be assessed.
4.12 Business Operations Business Continuity Plan	MIF FAS SLA36	At a minimum, the Business Continuity Plan must be reviewed, updated, and submitted to the Department for review and/or approval on an annual basis.	The Contractor shall provide an annual notification to DOH detailing the review and updating of the Business Continuity Plan to demonstrate that the SLA was completed. No damages.
4.12 Business Operations Failover	MIF FAS SLA37	Provide production failover and redundancy capabilities in the event of technical difficulties in the production environment. Failover of the production environment must occur within five (5) minutes.	Damages of one percent (1%) of the Monthly Administrative Fee will be assessed if the failover does not successfully occur within five (5) minutes.

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Requirements Category	Requirements Category	Requirements Category	Requirements Category
<p>4.12 Business Operations</p> <p>Disaster Recovery</p>	<p>MIF FAS SLA38</p>	<p>Thirty (30) calendar days from contract execution and annually thereafter, the Contractor must submit to the Department for review and approval a draft Disaster Recovery Plan (DRP). The Contractor must</p> <ul style="list-style-type: none"> • Maintain and execute a detailed disaster recovery/business continuity plan that meets approved disaster recovery requirements. The approved plan needs to include details regarding data, backups, storage management, and contingency operations that are capable of restoring the Production Environment within required recovery timeframes. • Perform annual Disaster Recovery (DR) testing. The DR test results, and the lessons learned documentation will be shared with the Department. • Develop action plan(s) to address issues or vulnerabilities found during disaster recovery testing routines and update the DR/BC plan accordingly. • Establish the DR environment in a different geographic area to ensure 	<p>No damages; covered under Business Continuity Plan SLA.</p>

		<p>business continuity when natural calamity hits a specific location.</p> <p>The DRP must at a minimum address/contain:</p> <ul style="list-style-type: none"> • Natural disasters (e.g., earthquake, fire, flood, storms, pandemics); • Terrorist acts; • Power disruptions or failure; • Computer software, hardware, or network failure; • Computer shutdowns due to hackers, viruses, etc., as well as significant compromise/degradation of system performance; • Proposed off-site procedures, location, and protocols; • Processing shutdowns; and, • Labor strikes including walkouts and shutdowns. <p>At a minimum, the DRP must be reviewed, updated, and submitted to the Department for review and/or approval on an annual basis. All proposed off-site procedures, locations, and protocols to be included in the Disaster Recovery Plan must be submitted for Department review and approval prior to implementation.</p>	
<p>4.12 Business Operations Disaster Recovery</p>	<p>MIF FAS SLA39</p>	<p>At a minimum, the Disaster Recovery Plan (DRP) must be reviewed, updated, and submitted to DOH for review and/or approval on an annual basis.</p>	<p>The Contractor shall provide an annual notification to DOH detailing the review and updating of the DRP to demonstrate that the SLA was completed. No damages.</p>

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Requirements Category	Requirements Category	Requirements Category	Requirements Category
<p>4.12 Business Operations</p> <p>Fraud Prevention Process Development</p>	<p>MIF FAS SLA40</p>	<p>The Contractor must develop a process for fraud prevention and detection within one-hundred-eighty (180) days of contract execution to be approved by the Department. This process must include, at a minimum, internal audits, verification procedures, how the Contractor will assist the Department in the audit and investigation of fraudulent activity. The Department must be notified by the Contractor within five (5) business days of any potentially fraudulent activity.</p>	<p>Contractor must provide a report, in a format approved by the Department, within five (5) business days of the discovery of any activity that is potentially fraudulent. The report must detail, at a minimum, the following:</p> <ul style="list-style-type: none"> i. Description of the activity that is deemed potentially fraudulent; ii. Date when the potentially fraudulent activity was discovered; iii. Date when the potentially fraudulent activity was reported to the Department (if different from this reporting mechanism); iv. How the situation was remedied; and, v. Details on immediate and long-term resolution to the activity. <p>No damages.</p>