

NEW MEXICO MEDICAL BOARD (NMMB)

**ANSWERS TO QUESTIONS
FROM THE
NEW MEXICO MONITORED TREATMENT PROGRAM (NMMTP)**

REQUEST FOR PROPOSALS

RFP NO. 70-446-17-00042

IMPLEMENTATION AND ADMINISTRATION OF AN IMPAIRED HEALTH CARE PROVIDER TREATMENT PROGRAM

MAY 1, 2017

1Q) New Mexico Monitored Treatment Program:

Page 7-8 – New Mexico Medical Board Mission and Roles: It states that the role of the Board is to enforce the Medical Practice Act, the Genetic Counseling Act, the Polysomnography Practice Act, the Naprapathy Practice Act, and their corresponding rules.

QUESTION: Should the responding proposal include all of these professionals, or just Physicians, Physician Assistants and Anesthesiology Assistants?

1A) New Mexico Medical Board: Yes. The proposal should include all licensed professions subject to the Medical Practices Act.

2Q) New Mexico Monitored Treatment Program:

Page 81 Resident Veterans Preference Certification Form

QUESTION: I am not familiar with this form or understand it. What is a resident veterans preference document? I am not sure what I am supposed to do. Please provide guidance with this document.

2A) New Mexico Medical Board: This may or may not apply to the Offeror. Refer to page 24 of the RFP (C. General Requirements, 33. New Mexico Preferences). Certificates for preferences must be obtained through the New Mexico Department of Taxation & Revenue. A veterans preference certificate is issued by the NM Taxation & Revenue Department. The link to the website is: <http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>

3Q) New Mexico Monitored Treatment Program:

Page 77 Appendix H Reference Questionnaire

QUESTION: I need clarification. Do business references pertain to e.g. treatment facilities, hospitals, health care professionals of whom we have utilized to service our clients? Since the Questionnaire is to be sent directly to the Procurement Manager do I follow up with as to whether or not the form as been submitted?

3A) New Mexico Medical Board: The business references can be any entity that has utilized your entity's services that document relevant experience to the proposal. Since the RFP specifically says that the Reference Questionnaire is to be sent directly to the

Procurement Manager, it needs to be sent directly to Gayle Mascarenas. Follow up with Ms. Mascarenas directly to ensure submission.

4Q) New Mexico Monitored Treatment Program:

Page 83 Affidavit

QUESTION: Please advise on how to proceed with this form. Does each employee have to be notarized or the agency? We have contracts with the Pharmacy Board and Dental Board. Is this considered a conflict of interest?

4A) New Mexico Medical Board: Yes. Each employee must have the form notarized when they sign the form. This form pertains to employees of your entity, not other entities with whom you have contracts. Thus, unless you employ people also employed by the Pharmacy Board or Dental Board, those individuals or entities are not employees.

5Q) New Mexico Monitored Treatment Program:

Page 21 Pay Equity Reporting Requirements

QUESTION: Please clarify what this is. What forms are we required to complete if we are awarded the contract?

5A) New Mexico Medical Board: Offerer must complete and submit the required reporting form (PE10-249) if they are awarded a contract. Please go to the following website for complete instructions and forms necessary to meet these requirements: http://www.generalservices.state.nm.us/statepurchasing/Pay_Equity.aspx.

6Q) New Mexico Monitored Treatment Program:

Page 22 Disclosure Regarding Responsibility

QUESTION: How do we complete these questions? Is there a form we have to complete?

6A) New Mexico Medical Board: There is no form to complete. If any item on C. General Requirements 31. Disclosure Regarding Responsibility apply to the prospective Offeror and/or any of its Principals who seek to enter into a contract greater than sixty thousand dollars (\$60,000.00) with any state agency or local public body for professional services, agrees to disclose whether the Contractor, or any principal of the Contractor's company...(refer to A – E under this section and provide a disclosure if this applies or does not apply to your entity.)

7Q) New Mexico Monitored Treatment Program:

Page 24 Conflict of Interest; Governmental Conduct Act

QUESTION: Since MTP has contracts with other state agencies (i.e. NM Board of Dental Health Care and NM Board of Pharmacy) is this something that has to be considered as possible conflict of interest?

7A) New Mexico Medical Board: No, not generally. We have attached the cite to the "Governmental Conduct Act Compliance Guide" for your review. You must review the Act in its entirety but one of its main prohibitions surround former or current public employees of NM now serving as contractors. If your employees, or board members, are not former or current state employees, the Act may not cover you. However, you should read through the Act to determine its full import. See:

<http://www.nmag.gov/uploads/files/Publications/ComplianceGuides/Governmental%20Conduct%20Act%20Compliance%20Guide%202015.pdf>

8Q) New Mexico Monitored Treatment Program:

Page 38 b Contractor shall not terminate any participant contract where a violation or issue exists without first contacting the Board.

QUESTION: Will this include voluntary participants even when there is no evidence as being a risk to the public? Are voluntary participants who are unknown to the Board able to withdraw from MTP?

8A) New Mexico Medical Board: No, voluntary participants are not subject to Board notification upon withdrawal from monitored treatment unless they are a danger to themselves or others due to drug, alcohol or mental impairment or are unable to practice with reasonable skill or safety. Similarly, a voluntary participant may withdraw from MTP without notification to the Board, except where the same exceptions noted above apply.

9Q) New Mexico Monitored Treatment Program:

Page 32 #8. Education and Outreach

QUESTION: Is the expectation here for an annual conference? Are we to provide a separate budget for this or is it something that is expected to come out of the funding of the contract?

CLARIFICATION: In the same paragraph b. *...and for intervention when necessary...* Is this written in respect to providing information on how the program can assist in interventions or is it a separate item of doing interventions *when necessary or under the circumstances that may be established by the board?*

9A) New Mexico Medical Board: There is an expectation that the education and outreach is offered statewide to all stakeholders, i.e. employers, associations, universities, professional health groups of our licensees. It is up to the entity making the proposal to specify what they are feasibly and physically capable of providing with regard to Education and Outreach, whether it be booths or at conferences held for healthcare providers or large CME conferences, etc.

The quoted language “and for interventions when necessary” should be read in the context of educating healthcare entities on how the program can assist with interventions.

10Q) New Mexico Monitored Treatment Program:

Page 36 Participant Contracts b&c Participant Contract & Recovery Monitoring Contract

QUESTION: Does the board want 2 separate contracts for each client or can there be one contract that encompasses all the items?

10A) New Mexico Medical Board: One can encompass both.

11Q) New Mexico Monitored Treatment Program:

Page 59 Activities

1. b. Contractor shall provide an Impaired Health Care Provider Treatment Program for health care providers regulated by the Board ...

QUESTION: What is meant by the term treatment program? Does this mean that the contractor must provide treatment services within the walls of the contractor?

11A) New Mexico Medical Board: No, the expectation is only for the monitoring of the treatment program, not the treatment itself.

12Q) New Mexico Monitored Treatment Program:

Page 25 Proposal Content and Organization Tab 10 Desirable Specification, Tab 12 Surety Bond

QUESTION: What is meant by a Desirable Specification? What is meant by a Performance Surety Bond? Would this be considered as Performance Data Reporting?

12A) New Mexico Medical Board: See the definition of “Desirable on page 5 of the RFP - the terms “may”, “can”, “should”, “preferably”, or “prefers” identify a desirable or discretionary item or factor (as opposed to “mandatory”). Desirable refers to services offered to patients that are under contract that the Board has not stipulated as mandatory requirements.

As defined in 13-1-89 NMSA 1978, a specification means a description of the physical or functional characteristics or of the nature of items of tangible personal property, services or construction. “Specification” may include a description of any requirement for inspecting or testing, or for preparing items of tangible personal property, services or construction for delivery.

Offeror’s must have the ability to secure a Performance Surety Bond in favor of the State agency to insure the Contractor’s performance under the contract. Each engagement will be different, but the option to require a Performance Surety Bond must be available to the Agency at time of contract award. A statement of concurrence must be submitted in the Offeror’s proposal.