



Petition for Relief from Competitive Sealed Bidding Requirements

Miss. Code Ann. § 31-7-403 and § 31-7-413

PPRB OPSCR Rules and Regulations Sections 3-201, 3-203.01(g)(2), and 7-103

Agency: Mississippi State Hospital

Requested Date for PPRB Approval: 10/4/2023

Procurement Method Requested: Request for Qualifications

Intended Initial Contract Term: 01/01/2024 - 12/31/2027

Intended Renewal Terms Available: 01/01/2028 - 12/31/2028

Number of Contracts Intended to be Awarded: One

Anticipated Contract Amount: \$773,500.00

The Agency intends to solicit the following service(s) and/or scope of work:

Utilization Review Physician Advisor -

Collaborate with physicians, utilization review staff, and hospital administration.

Review documentation based on Centers for Medicare and Medicaid Services criteria and determine if the patient's conditions necessitates inpatient psychiatric treatment and qualifies for reimbursement.

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As explained below, use of an Invitation for Bids is:

- ☐ not practicable
☐ not advantageous
☒ both

The invitation for bid ("bidding") procurement process has a singular focus on price as the determining factor in awarding a contract. Mississippi State Hospital's (MSH) contract will require evaluation on factors other than price alone.

Focus on price does not offer flexibility on selecting a physician vendor. MSH requires the ability to be able to put a significant weight on a psychiatrist's clinical knowledge as well as the psychiatrist's knowledge of the Centers for Medicaid and Medicare's (CMS) utilization review standards. The flexibility to not rely on price as a determining factor is critical for MSH. The agency is extremely focused on hiring a qualified psychiatrist who knows how to perform the job and needs the flexibility to be able to interview applicants and enter into in-depth conversations to better evaluate knowledge of CMS standards and familiarity of the utilization review process.

MSH seeks to evaluate the offers submitted by potential candidates for the Utilization Review Physician Advisor Contract based on him/her having the ability to integrate clinical knowledge and knowledge of CMS standards and interface with both the medical staff and the Coding and Compliance Department to maximize reimbursement. This is a primary reason for the decision to procure this contract through a Request for Qualifications (RFQ) and not an Invitation for Bids (IFB). Focus on price would not tell us if he/she has the knowledge and skills to effectively perform given duties and maximize reimbursement.

Performing the duties of a Utilization Review Physician Advisor involves certain and particular relative abilities that must be evaluated before awarding a contract. Particular knowledge and experience in an inpatient psychiatric hospital is necessary because of the chronic nature of the mental illness seen in patients at a state hospital is not typically found in traditional hospital settings.

The type of need to be filled under this contract does not involve aesthetic or artistic values.

The types of services required by MSH will require the use of comparative judgmental evaluations to evaluate them adequately, namely, the qualifications of the candidates will be evaluated by way of comparison of their credentials and the nationally-recognized benchmark of board certification. Further, MSH must compare the quality of the candidates on its own standards using the MSH Medical Staff Bylaws.

Quality, availability and capability are in fact overriding factors in relation to price when awarding a contract for physician services. Solid clinical judgment based on clinical experience, along with knowledge of the CMS standards and utilization review process are critical factors that are more important than price. MSH must properly evaluate the physicians to ensure he/she can meet these expectations.

Finally, the physician marketplace will respond better to a solicitation permitting evaluation and discussion of the duties, the special circumstances that must be considered with patients being treated in a state hospital, and the importance of maximizing reimbursement. The providers in the marketplace deserve a fair opportunity to participate in the process of selecting a well-qualified psychiatrist to perform the duties of a Utilization Review Physician. Making use of the RFQ instead of an IFB greatly facilitates that purposeful goal.

The Agency intends to use the following Evaluation Factors:

Technical Factors

1. Applicant must have graduate from an accredited medical school receiving a degree as a Medical Doctor or Doctor of Osteopathic Medicine (D.O.) Degree (5%)
2. Applicant must provide (Credential Verification) which must show a (5) year work history in psychiatry. (10%)
3. Applicant shall provide proof of current Board Certification in Psychiatry. (6%)
4. Applicant must provide proof of current license to practice medicine in Mississippi. (6%)
5. Applicant must provide two (2) professional references for which similar services have been completed (6%)

Management Factors (All respondent with a score of 16.5% or higher in the technical factors & have a MS License to practice medicine will be interviewed.)

1. Two (2) Professional references in good standings (8%)
2. Respondents must demonstrate knowledge of psychiatric treatment of chronically mentally ill patients. (8%)
3. Respondents must demonstrate knowledge of Center for Medicaid standards for utilization review. (8%)
4. Respondents must demonstrate a clear understanding of the scope of work. (8%)

Cost

1. Acceptance of set price \$175.00 (35%)

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Is the Agency requesting to score Cost openly? Yes ☐ No ☒
If yes, please provide an explanation:

Are these services currently being provided to the Agency? Yes ☒ No ☐

If yes, who is currently providing the services?

Dr. Smith currently provides these services to MSH. He is a Board Certified Psychiatrist with many years of experience in chronic mentally ill individuals.

Agency Representative for PPRB Meeting: _____

The Agency Representative will attend: In Person ☒ Remote ☐

*The option to attend remotely is not available to Agencies located in Hinds, Rankin, or Madison counties.

By signing below, I certify that all information provided herein is true, correct, and complete to the best of my knowledge.

H. L. Lockhart 8/29/23
Chief Procurement Officer Date

Chief Procurement Officer Name: H. L. Lockhart

Telephone Number: 601-351-8056 Email Address: Lockhart1@msd.m.s.gov

The PPRB may modify or revoke its approval of the Petition for Relief at any time. The Board's approval must be "reviewed for current applicability from time to time." Miss. Code Ann. §31-7-403(4). Therefore, a solicitation cannot be issued from this Petition for Relief if the Board's approval occurred more than one year prior to the date the solicitation will be issued.