INTRODUCTION

The New Hampshire Insurance Department (NHID or Department) is requesting proposals (RFP) for a Contractor to perform targeted market conduct examinations to assess compliance with federal and state law.

The NHID seeks assistance relative to the execution of targeted market conduct examinations to include compliance testing for non-quantitative treatment limitation requirements of the federal Mental Health Parity and Addiction Equity Act (MHPAEA) of 2008 as well as applicable state law. The contract will continue through October 30, 2018.

GENERAL INFORMATION/INSTRUCTIONS

The Contractor is expected to have and use their expertise in all aspects of market conduct examinations, including knowledge of National Association of Insurance Commissioners (NAIC) standards, as well as knowledge of MHPAEA and related New Hampshire insurance regulatory requirements to contribute to the successful completion of this project.

Electronic proposals will be received until 4:00 p.m. local time on July 17, 2017 at the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire, 03301. Emails should be sent to alain.couture@ins.nh.gov and include in the subject line: “RFP 2017 – ECG – 107 Market Conduct Exams”.

Proposals should be prepared simply and economically, providing a straightforward, concise description of bidder capabilities and approach to work. Emphasis should be on completeness and clarity of content.

A successful proposal must include all the tasks outlined in the RFP.

The Contractor does not need to work on site at the Department, however, Department resources including desk space, computer, software, and other administrative items can be provided if included in the Contractor proposal.

SERVICES REQUESTED

The NHID seeks a Contractor to perform targeted market conduct examinations of an identified entity or entities in accordance with federal and state law, and the NAIC market regulation handbook. The proposal should include information and detail which supports resources and costs for one (1) to four (4) targeted examinations. Timing of the examinations, staggered or
simultaneous, shall be determined by the Department. More than one Contractor may be retained by the Department to satisfy the requirements of this RPF. The time period under examination will be January 1, 2016 through June 30, 2017. Examinations are anticipated to commence by September 1, 2017 and all work associated with the exams, including draft reports, must be completed by May 31, 2018. Contractor will be available for consultation, to attend and testify at meetings or hearings through the end of the contract.

The Contractor will be required to use MHPAEA templates, interrogatories and data calls provided by the Department, which shall direct the activities of the examination(s). The Contractor will be permitted to provide suggestions to the Department for additional interrogatories or data calls, or recommend changes to improve the templates.

The Contractor shall be responsible for work that includes the following specific tasks:

The Contractor selected will be responsible for the execution of a complete and thorough examination or examinations.

The Contractor will be expected to provide regular, detailed status updates in a manner prescribed by the Department.

For each examination conducted, the Contractor will be responsible for preparing draft written reports of a high quality. The draft written reports will include:

- Detailed discussion and findings on each examination conducted.
- Comprehensive written explanations and thorough documentation supporting any critical comments.
- Summary of issues raised by the review and report, and any associated recommendations.

The Department will retain the authority to review and edit the draft reports in preparation to present the documents to the Commissioner.

Contractor may be required to attend and testify at meetings, including public, administrative, judicial, or legislative hearings, as requested.

Contractor may be subject to deposition, based upon activities and findings during an examination.

Other related work as requested by the Department.

**EVALUATION OF PROPOSALS**

Evaluation of the submitted proposals will be accomplished as follows:

(A.) **General.** An evaluation team will judge the potential Contractor and appropriateness for the services to the NHID.
Officials responsible for the selection of a Contractor shall insure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications.

Failure of the applicant to provide in its proposal all information requested in this request for proposal may result in disqualification of the proposal.

(B.) Specific. A comparative scoring process will measure the degree to which each proposal meets the following criteria:

The proposal must include a listing of references for recent engagements by the vendor that reflect the skills appropriate for work on this project, including telephone numbers and specific persons to contact.

(1) Specific skills needed:

   a) Expertise with the operational processes and procedures of health carriers relative to MHPAEA. Please identify role and title of each individual.
   b) Experience relative to the development, implementation and execution of the Market Conduct process, including developing interrogatories and data calls.
   c) Familiarity with state and federal laws and regulations and the NAIC Market Regulation Handbook
   d) Expertise with Health Products.
   e) Expertise with operational analysis and development of documentation and workpapers.
   f) Experience with ACL™ and TeamMate™.

       40% of total score

(2) General qualifications and related experience of the Contractor to meet the demands of the RFP. The proposal must include a summary of experience, including a current resume for each individual expected to perform work under the proposal, and time estimates for each person.

       20% of total score

(3) Derivation of cost for the Contractor time. The proposal will be evaluated with particular scrutiny of the hourly rates and how efficient the Contractor is likely to be, based on the Contractor’s skills and experience. The not-to-exceed limits should serve as a limit for overall NHID financial exposure, but also as a limit on Contractor resources dedicated to this project.

Cost Tables. The proposal should use the following cost tables in their cost proposal. The bid should include the staff name, project role, proposed hours and hourly rate for the work. The bidder is welcome to provide the not to exceed costs for one (1), two (2), three (3) or four (4) exams but must provide at least the not to exceed costs for one (1) and four (4) exams. NHID maintains the right to choose one or more vendors for this project.
### Proposed Budget - One (1) EXAM

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Total Hours: Sub-Total:

Other Costs Description:

Other Costs Amount:

Total "Not To Exceed" Amount for 1 EXAM:

### Proposed Budget - Two (2) EXAMS

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Total Hours: Sub-Total:

Other Costs Description:

Other Costs Amount:

Total "Not To Exceed" Amount for 2 EXAMS:

### Proposed Budget - Three (3) EXAMS

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Total Hours: Sub-Total:

Other Costs Description:

Other Costs Amount:

Total "Not To Exceed" Amount for 3 EXAMS:
Other costs Description. The proposal must include amounts for any material expenses related to performing the work (e.g. specialized computer hardware or software) and any expected out-of-pocket or travel expenses. No benefits in addition to payment for services other than those specifically identified above or included in the proposal shall be provided by the NHID under the contract.

Proposals should state the periods of time during the term of this contract that Contractor resources may be limited or inaccessible.

The not to exceed amounts for each number of exams will be considered in the evaluation scoring formula.

20% of total score

(4) Plan of Work, Timeframe and deliverables. The proposal must include a Work Plan and specify a timeframe in which the Contractor commits to project deliverables as they are developed. The proposal should be specific about the steps that will be taken by the Contractor. The Contractor is welcome to identify periods of time that they will have reduced resources available, or other considerations that will allow resource planning during the term of the contract. The Work Plan should include a description of the anticipated products, a schedule of tasks, deliverables, major milestones, and task dependencies.

20% of total score

(C.) Conflict of Interest. The applicant shall disclose any actual or potential conflicts of interest.

(D.) Other Information. The proposal must include a listing of references of recent engagements of the Contractor that reflect the skills appropriate for work on this
A consolidated written response to all questions will be posted on the New Hampshire Insurance Department’s website www.nh.gov/insurance, June 29, 2017.

The successful bidder or bidders will be required to execute a state of New Hampshire Contract. A form P-37 contains the general conditions as required by state of New Hampshire purchasing policies and the Department of Administrative Services. Although this standard contract can be modified slightly by mutual agreement between the successful bidder and the New Hampshire Insurance Department, all bidders are expected to accept the terms as presented in this RFP. If the bidder requires any changes to the P-37, those changes need to be identified in the proposal. The State reserves the right to negotiate specific terms in the contract after selection of the successful vendor.

The selection of the winning proposal is anticipated by July 21, 2017, and the NHID will seek to obtain all state approvals by late August. Please be aware that the winning bidder will need to provide all signed paperwork to the NHID by August 1st in order for deadlines to be met.

Proposals received after the above date and time will not be considered. The state reserves the right to reject any or all proposals.

Bidders should be aware that New Hampshire’s transparency law, RSA 9-F, requires that state contracts entered into as a result of requests for proposal such as this be accessible to the public online. Caution should be used when submitting a response that trade secrets, social security numbers, home addresses and other personal information are not included.