

1 contract for up to three years may be granted. The award process and final
2 contract shall include all of the following:

3 ~~(1) Contracts for fiscal intermediary services shall be awarded by~~
4 ~~competitive sealed proposals in accordance with R.S. 39:1595 or cooperative~~
5 ~~purchasing in accordance with R.S. 39:1702.~~

6 ~~(2)(a)~~ Justification for the contract shall be submitted to the state
7 central purchasing agency and shall be submitted to the Joint Legislative
8 Committee on ~~the Budget~~ Technology and Cybersecurity at least forty-five
9 days prior to the issuance of a solicitation for proposals. Within thirty days
10 of receipt of the justification by the Joint Legislative Committee on ~~the~~
11 Budget Technology and Cybersecurity, the committee may conduct a public
12 hearing on the justification which was submitted. This justification shall
13 include identification and consideration of all factors, including costs,
14 relevant to the solicitation for proposals and the final contract.

15 ~~(3)(b)~~ The one-hundred-twenty-month term of such contract shall be
16 divided into one period of between thirty-six months and sixty months,
17 immediately followed by successive twelve-month periods. The state shall
18 have an option to renew such contract for each of the twelve-month periods.
19 If the state does not exercise its option to renew, the contract shall be
20 terminated. In the event special circumstances occur, as provided in
21 ~~Paragraph (9) of this Subsection~~ Subparagraph (h) of this Paragraph,
22 additional twelve-month extensions of the contract may be granted.

23 ~~(4)(c)~~ In addition to other provisions as required by law or in the best
24 interests of the state, such contract shall contain provisions setting forth all
25 of the following: ~~(a)(i)~~ the amount and requirements of the contractor's
26 performance bond, ~~(b)(ii)~~ penalty and enforcement provisions for the failure
27 of the contractor to perform in accordance with the contract documents,
28 ~~(c)(iii)~~ conditions for optional renewal of the contract by the state in
29 accordance with the provisions of this Subsection, and ~~(d)(iv)~~ requirements
30 for termination of the contract by the state at any time, or for cause, or upon
31 the refusal of the state to exercise an option to renew such contract.

32 ~~(5)(d)~~ Issuance of specifications for a solicitation for proposals on a
33 contract for fiscal intermediary services shall be made at least twelve months
34 prior to the termination date of an existing contract, unless the contract
35 termination is for cause or due to the refusal of the state to exercise an option
36 to renew.

37 ~~(6)(e)~~ No award of the contract shall be made until the ~~Joint~~
38 ~~Legislative Committee on the Budget~~ has conducted a public hearing
39 concerning the award. following criteria have been satisfied:

40 (i) The Louisiana Department of Health submits to the Joint
41 Legislative Committee on Technology and Cybersecurity a notice of
42 intention to award the contract. The Joint Legislative Committee on
43 Technology and Cybersecurity may hold a public hearing concerning the
44 award within thirty days following the receipt of a notice of intention to
45 award the contract.

46 (ii) The Joint Legislative Committee on Technology and
47 Cybersecurity has conducted a public hearing concerning the award or thirty
48 days have elapsed from the date the Louisiana Department of Health
49 submitted a notice of intention to award the contract to the Joint Legislative
50 Committee on Technology and Cybersecurity and the committee has not
51 posted a public notice of meeting concerning the award of the contract.

52 ~~(7)(f)~~ No award of the contract shall be made later than eight months
53 prior to the termination date of an existing contract, unless the contract
54 termination is for cause or due to the refusal of the state to exercise an option
55 to renew.

56 ~~(8)(g)~~ No option to renew the contract shall be exercised by the state
57 until the following criteria have been satisfied:

58 ~~(a)(i)~~ The Louisiana Department of Health has conducted a public
59 hearing concerning such renewal.

60 ~~(b)(ii)~~ The Louisiana Department of Health submits to the Joint
61 Legislative Committee on ~~the Budget~~ Technology and Cybersecurity a notice

1 of intention by the Louisiana Department of Health to exercise the option to
 2 renew the contract and a copy of any public testimony which was taken at the
 3 public hearing held by the Louisiana Department of Health. The Joint
 4 Legislative Committee on ~~the Budget~~ Technology and Cybersecurity may
 5 hold a public hearing concerning the renewal within thirty days following the
 6 receipt of a notice of intention by the Louisiana Department of Health to
 7 exercise the option to renew the contract.

8 ~~(e)~~(iii) The Joint Legislative Committee on ~~the Budget~~ Technology
 9 and Cybersecurity has conducted a public hearing concerning the renewal or
 10 thirty days have elapsed from the date the Louisiana Department of Health
 11 submitted a notice of intention to renew the contract to the Joint Legislative
 12 Committee on ~~the Budget~~ Technology and Cybersecurity and the committee
 13 has not posted a public notice of meeting concerning the renewal of the
 14 contract.

15 ~~(9)~~(h) In the event the Louisiana Department of Health or the United
 16 States Department of Health and Human Services, Centers for Medicare and
 17 Medicaid Services proposes substantial changes in the operations of the
 18 Medicaid program that would materially impact the services performed by
 19 the fiscal intermediary, the Louisiana Department of Health may, subject to
 20 the approval of the Joint Legislative Committee on ~~the Budget~~ Technology
 21 and Cybersecurity, approve additional extensions of the contract until it is
 22 practical to prepare a solicitation for proposals describing the revised
 23 services that would be performed by the fiscal intermediary. During the time
 24 frame covered by any extension beyond the original one-hundred-twenty-
 25 month period, the fiscal intermediary may be required to perform additional
 26 functions to assist in preparing the Louisiana Department of Health in the
 27 transition to the new program. These functions may include existing fiscal
 28 intermediary services as well as efforts to control fraud and abuse, program
 29 reports, beneficiary enrollment and program information services, encounter
 30 data, and annual managed care negotiation data.

31 (2) Notwithstanding any provision of this Part to the contrary, if the
 32 agency uses the cooperative purchasing procurement method, the
 33 procurement shall be governed exclusively by the provisions of Part VII of
 34 Chapter 17 of Subtitle III of this Title and the applicable rules and
 35 regulations and shall not be subject to protest under any provision of Chapter
 36 17 of Subtitle III of this Title.

37 (3) Notwithstanding any provision of this Part to the contrary, if the
 38 agency uses the invitation to negotiate procurement method, the procurement
 39 shall be governed exclusively by the provisions of R.S. 39:1600.2 and the
 40 applicable rules and regulations."

41 AMENDMENT NO. 6

42 Delete pages 7 through 9 and on page 10, delete lines 1 through 3