



MICHELLE BAASS  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

September 16, 2022

**ADMINISTRATIVE BULLETIN**  
**Request for Proposal (RFP) # 20-10029**

This Administrative Bulletin issued by the California Department of Health Care Services (DHCS) announces information for RFP # 20-10029 for the Medi-Cal Managed Care Plans procurement project as shown below. DHCS provides information to interested parties of the following:

**1. Question:**

When will the information in the PRA requests be produced?

**Response:**

Some requests can be fulfilled immediately; other requests may require up to ten (10) days to notify the requester whether DHCS has responsive records. Under some circumstances, DHCS requires an additional 14 days to make those initial determinations.

**2. Question:**

When will the Department select the Hearing Officer?

**Response:**

The Hearing Officer has been appointed. Please refer to the Notice of Hearing by Written Submission, for details.

**3. Question:**

Will the Department publicly identify the Hearing Officer?

**Response:**

Please refer to answer 2 above in this Administrative Bulletin.

**4. Question:**

Do proposers have any opportunity to challenge the selection of the Hearing Officer?

**Response:**

No; per the RFP, the Hearing Officer is appointed by the Director of DHCS.

**5. Question:**

Will there be a single Hearing Officer for all appeals across the state? Will there be a single Hearing Officer for all appeals across San Diego County? Or, will there be separate Hearing Officers assigned to evaluate each appeal?

**Response:**

A single Hearing Officer has been appointed by the Director of DHCS to review all appeals.

**6. Question:**

Does the Department anticipate that the assigned Hearing Officer will allow the impacted stakeholders to provide response(s) to the appeal submissions? If yes, what is the timeline?

**Response:**

Yes. Please refer to answer 2 above in this Administrative Bulletin.

**7. Question:**

When will the Department respond to the submitted written appeals?

**Response:**

Please refer to answer 2 above in this Administrative Bulletin. The Hearing Officer has discretion to take the time necessary to evaluate the substance and volume of appeals, responses, and rebuttals.

**8. Question:**

Does the Department anticipate that the assigned Hearing Officer will hold a hearing or hearings? If hearings will be held, what is the timeline for setting the hearings and for decisions to be published afterward? If hearings are not held, what is the timeline for decisions to be issued?

**Response:**

Please refer to answer 2 above in this Administrative Bulletin.

**9. Question:**

When does the Department anticipate executing contracts with the winning bidders?

**Response:**

DHCS remains committed to timely implementation and will move as quickly as possible to resolve any appeals and transition to the Operational Readiness phase as soon as feasible.

**10. Question:**

The appeal process set forth in Section X.2.e. of RFP Main states: “A Hearing Officer appointed by the Director or his/her designee shall review each timely and complete appeal. The Hearing Officer may request other entities (to include CD and/or the winning proposer) to submit a Response to Appellant’s Written Appeal Statement.” May the proposers to which the Department of Health Care Services (“DHCS”) has noticed an intent to award a contract arising out of the RFP submit responses to the appeal statements challenging their intended awards? If so, is there a deadline by which any such responses must be submitted?

**Response:**

Please refer to answer 2 above in this Administrative Bulletin.

**11. Question:**

The appeal process in Section X.2.e. of RFP Main also states: “The Hearing Officer shall resolve the appeal by considering the contents of the Appellant’s Written Appeal Statement and any Responses thereto.” Will the Hearing Officer issue written decisions on the pending appeals? What is the anticipated time frame within which the Hearing Officer will issue his or her decisions on the pending appeals?

**Response:**

Yes, the DHCS Appeal Hearing Officer will issue written decisions. The DHCS Appeal Hearing Officer has the discretion to take the time necessary to evaluate the volume and substance of the submitted written appeals.

Attachments:

Notice of Hearing by Written Submission – DHCS.pdf  
Revised Notice of Hearing by Written Submission – DHCS.pdf

**VIA EMAIL: [Christina.Soares@dhcs.ca.gov](mailto:Christina.Soares@dhcs.ca.gov)**

Christina.Soares  
Division Chief, Contracts Division  
Department of Health Care Services  
[Christina.Soares@dhcs.ca.gov](mailto:Christina.Soares@dhcs.ca.gov)

**Appeal of Intent to Award Request for Proposal No. 20-10029  
Notice of Hearing by Written Submission  
Notice of Request for Written Response**

Please take notice that the above-referenced matter has been set for hearing by written submission before Philip Heinrich, Hearing Officer of the Department of Health Care Services (DHCS), having been duly appointed by Michelle Baass, Director, for such purpose.

The basis for this Appeal is contained in the following:

1. Letter dated August 31, 2022, from Aetna Better Health of California, Inc. (Aetna) to the DHCS, and the Complete Written Appeal Statement of Aetna dated September 6, 2022;
2. Letter dated September 1, 2022, from the counselors of Blue Shield of California Promise Health Plan (Blue Shield) to the DHCS, and the Complete Written Appeal Statement of Blue Shield dated September 6, 2022;
3. Letter dated September 1, 2022, from the counsel of CHG Foundation, d.b.a. Community Health Group Partnership Plan (CHG) to the DHCS, and the Complete Written Appeal Statement of CHG dated September 6, 2022; and
4. Letter dated September 1, 2022, from the counsel of Health Net Community Solutions, Inc. (Health Net) to the DHCS, and the Complete Written Appeal Statement of Health Net dated September 6, 2022.

**By 5:00 p.m. PT on September 30, 2022**, the Awarding Agency and the Proposed Awardee may submit a Response in support of their position, to include a proof of service of a copy to each interested party, to:

Philip Heinrich, Hearing Officer  
Department of Health Care Services  
[Philip.heinrich@dhcs.ca.gov](mailto:Philip.heinrich@dhcs.ca.gov)

**By 5:00 p.m. PT on October 7, 2022**, Aetna, Blue Shield, CHG, and Health Net may submit a Rebuttal to any Response filed in response to their Appeal, along with a proof of service of a copy to each interested party, to:

Philip Heinrich, Hearing Officer  
Department of Health Care Services  
[Philip.heinrich@dhcs.ca.gov](mailto:Philip.heinrich@dhcs.ca.gov)

Each party shall provide all other interested parties with one copy of all communications and materials submitted to the Hearing Officer. All bids, proposals, and score sheets are available for public inspection at the Awarding Agency.

Date: 9/15/2022

*Phil Heinrich*  
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Philip Heinrich, Hearing Officer

**VIA EMAIL: [Christina.Soares@dhcs.ca.gov](mailto:Christina.Soares@dhcs.ca.gov)**

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Division Chief, Contracts Division  
Department of Health Care Services  
[Christina.Soares@dhcs.ca.gov](mailto:Christina.Soares@dhcs.ca.gov)

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4. Letter dated September 1, 2022, from the counsel of Health Net Community Solutions, Inc. (Health Net) to the DHCS, and the Complete Written Appeal Statement of Health Net dated September 6, 2022.

Aetna, Blue Shield, CHG, and Health Net are hereinafter collectively referred to as the "Appealing Parties."

**By 5:00 p.m. PT on September 30, 2022**, the Awarding Agency and the Proposed Awardees may submit a Response in support of their position, to include a proof of service of a copy to each interested party, to:

Philip Heinrich, Hearing Officer  
Department of Health Care Services  
[Philip.heinrich@dhcs.ca.gov](mailto:Philip.heinrich@dhcs.ca.gov)

**By 5:00 p.m. PT on October 7, 2022**, the Awarding Agency, the Proposed Awardees, and the Appealing Parties may submit a Rebuttal to any Responses filed, to include a proof of service of a copy to each interested party, to:

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Date: 9/15/2022

*Phil Heinrich*

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Philip Heinrich, Hearing Officer