
Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D. *cu*
CC: ITS Project Number 44141
Date: June 5, 2018
Re: Sole Source Certification Number 4103 for the prescription drug-monitoring program (PDMP) for the University of Mississippi Medical Center (UMMC)
Contact Name: Paula Conn
Contact Phone Number: 601-432-8046
Contact E-mail Address: Paula.Conn@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4103 for the University of Mississippi Medical Center (UMMC), please be advised that ITS intends to award the prescription drug-monitoring program (PDMP) to Appriss, Inc. as the sole source provider of the program through June 30, 2021. The total not-to-exceed cost of the project is \$532,500.00. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

Appriss, Inc. is the company that is the vendor not only for the state of Mississippi's prescription drug-monitoring programs but also the source of an interstate database compact that allows for queries across state lines in 49 states to better ensure accuracy in reporting of patient's prescription filling information. It is the sole source for this database of information. The service can integrate within electronic health record systems including EPIC. There is no other option for this service or for the integration of this service within EPIC. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

Due to changes in Mississippi state licensing regulations, prescribers are required to access the prescription drug-monitoring report on all patients prescribed a scheduled medication (narcotics, benzodiazepines, or stimulants). Currently, this

service is separate from EPIC, supplied by the state through an online web service. In order to ensure compliance with the regulation for our providers, the NarxAware product allows for integration of the database information directly into EPIC with automatic queries to the database for all scheduled clinic and all ER patients. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

Appriss is the current vendor for Mississippi, providing prescription drug-monitoring program services. It is the only vendor that supplies an integrated solution to query this prescription information, not only within Mississippi but also nationwide to provide the information within the workflow of the providers, interfaced with EPIC, to meet regulatory requirements for prescription drug monitoring. The vendor's sole source certification letter is included as Attachment B.

Schedule

| Task | Date |
|----------------------------------|-------------------------------------|
| First Advertisement Date | 06/05/18 |
| Second Advertisement Date | 06/12/18 |
| Response Deadline From Objectors | 06/19/18, at 3:00 P.M. Central Time |
| Notice of Award/No Award Posted | Not before 06/20/18 |

Project Details

In 2016, the Mississippi Board of Pharmacy issued RFP No. 3915 to secure a contractor to provide a Software as a Service solution for a Pharmacy Monitoring system, with the award to Appriss, Inc. UMMC now needs to be able to access the state's prescription drug-monitoring program directly from within its electronic health records (EHR) system, EPIC. Regulations mandate that all prescribing providers have the report in each patient's health record for each patient visit when prescribing a controlled substance. Appriss, Inc. is the only vendor who can provide this direct access. The amount to be paid to Appriss, Inc. by UMMC is \$532,500.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that this prescription drug-monitoring program (PDMP) should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Appriss, Inc.

- 1.1 Interested Party Information
 - 1.1.1 Contact Name, Phone Number and email address
 - 1.1.2 Company Website URL, if applicable
- 1.2 Objection to Sole Source Certification

- 1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.
- 1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.
- 1.3 Comments will be accepted at any time prior to Tuesday, June 19, 2018, at 3:00 p.m. (Central Time) to Paula Conn at Paula.Conn@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Paula Conn to verify the receipt of their Responses. Responses received after the deadline will be rejected.
- 1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. 4103-44141
Accepted until June 19, 2018 @ 3:00 p.m.,
ATTENTION: Paula Conn**

If you have any questions concerning the information above or if we can be of further assistance, please contact Paula Conn at 601-432-8046 or via email at Paula.Conn@its.ms.gov.

- Attachment A: Customer Sole Source Certification Request
- Attachment B: Vendor Correspondence
- Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive
Jackson, Mississippi 39211
Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request

| | | | | |
|--|----------------------|----------------------|---|--|
| Project Title: Appriss Health, Inc. NarxCare | | | Stimulus (ARRA) Funds? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Customer Contact Information | | | | |
| Agency/Public University: University of Mississippi Medical Center Address: 2500 North State Street Jackson, MS 39216 | | | Contact Person: Cindy Freeman (Dr. Sharon Pennington) Phone: 601-815-6574 (601-815-5408) Fax: Email Address: cgfreesman@umc.edu (spennington@umc.edu) | |
| MAGIC Customer Number (only required from state agencies): | | | Division/Dept: Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Project Summary <i>Narrative Description of Project</i> (include details of original acquisition if applicable): Appriss, Inc., for prescription drug-monitoring program (PDMP) for the use of NarxCare, an additional feature of the Appriss functionality that allows for direct integration of prescription drug-monitoring reports into our electronic health records (EHR) system so that our providers are compliant with state and national regulations regarding consulting of the PDMP prior to prescribing controlled prescriptions. | | | | |
| ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid): | | | | |
| Cost Estimates <i>Fiscal Year</i> | Initial Costs | Ongoing Costs | Time Constraints Item Needed by: <i>immediate</i> Funds Expire: | Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): <i>indefinite</i> |
| 2018-2019 | \$7,500.00 | \$175,000.00 | Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds) 100% funding by patient revenue | |
| 2019-2020 | | \$175,000.00 | | |
| 2020-2021 | | \$175,000.00 | | |
| Total | | \$532,500.00 | | |
| Acquisition Details | | | | |
| Items Requested | Quantity | Description | Building Location(s) | |
| NarxCare PDMP | | | | |
| Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification: Software as a Service | | | | |
| Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? <i>Obtained sole source letter from vendor; worked with technology consultant regarding items required.</i> | | | | |
| Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals. | | | | |
| Specific business requirements to be met by the requested products or services: Due to changes in Mississippi state licensing regulations, prescribers are required to access the prescription drug-monitoring report on all patients prescribed a scheduled medication (narcotics, benzodiazepines, or stimulants). Currently, this service is separate from EPIC, supplied by the state through an online web service. In order to ensure compliance with the regulation for our providers, the NarxAware product allows for integration of the database information directly into EPIC with automatic queries to the database for all scheduled clinic and all ER patients. | | | | |
| Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): Appriss Health is the company that is the vendor not only for the state of Mississippi's prescription drug-monitoring programs but also the source an interstate database compact that allows for queries across state lines in 49 of 50 states to better ensure accuracy in reporting of patient's prescription filling information. They are the sole source for this database of information. They can integrate within electronic health record systems including EPIC. There is no other option for this service or for the integration of this service within EPIC. | | | | |
| Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Appriss is the current vendor for our state, providing prescription drug-monitoring program services. It is the only vendor that supplies an integrated solution to query this information, not only within our state but also nationwide to provide this information within the workflow of the providers, interfaced with our system, so that we can meet regulatory requirements for prescription drug monitoring. | | | | |
| Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | Vendor's proposal received: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued. | | | | |
| Place Order To Vendor Name: <i>Appriss Health, Inc.</i> Vendor Address: <i>10401 Linn Station Road, Louisville, KY 40223</i> | | | Remit To Vendor Name: <i>same</i> Vendor Address: <i>same</i> | |

Attachment A: Customer Sole Source Certification Request

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Ellen Swoger, Associate CIO

Name (Agency Head or Public University CIO)/Title

Ellen Swoger 5/21/18

Signature

Date



April 24, 2018

Sharon Pennington, MD
Pediatric Hematology/Oncology and Clinical Informatics
Division of Information Systems
University of MS Medical Center
2500 North State Street
Jackson, MS 39216

RE: Sole Source and Required Documentation for NarxCare Product

Dear Dr. Pennington,

In response to your request the following information provides additional documentation related to the questions you submitted regarding NarxCare, which is not in the original contract that Appriss has with the state of Mississippi. I trust our response meets with your approval and let me know if you need additional information.

1. *The product or services being purchased must perform a function for which no other product or source of services exist – what is the unique functionality of this product?*

NarxCare is substance use disorder software that, through the PMP Gateway integration service, allows prescribers to access their state's prescription drug monitoring program directly from within their electronic health record. The State of Mississippi shares prescription drug monitoring data with other states via an agreement with the National Association Boards of Pharmacy and access to NarxCare and PMP Gateway is only available through this connection. NarxCare is unique in that this is the only report available and approved for prescribers in Mississippi. This Appriss report contains proprietary prescription "Use Scores" for narcotics, sedatives and stimulants, an overdose risk score, alerts and unique visual representations which display patterns of overlapping prescriptions by prescriber for the prior two years. The primary function of this product, in conjunction with PMP Gateway, is to equip prescribers with a patient's controlled substance prescription history in a manner where a prescriber has single click access and where the patient's prescription content can be understood in seconds.

2. *What are the specific business objectives that can be met only through the unique product or services – why does UMMC need the specific unique functionality?*

NarxCare can and should be used by prescribers at the beginning of a patient assessment phase for every patient on every visit. Displaying the NarxCare "Use Scores" as well as the overdose risk score without any effort on behalf of the prescriber is the ideal workflow design so that clinical decisions by prescribers can be made appropriately. These clinical decisions can be lifechanging for patients. Absent this information, decisions could be made by prescribers without a complete view into a patient's controlled substance history.



Attachment B: Vendor Correspondence

- 3. The product or services must be available only from the manufacturer and **NOT** through resellers who could submit competitive pricing for the product or services – does the vendor allow resellers/can anyone else give a quote for this item?*

NarxCare is only available to the University of Mississippi's Health System through Appriss. They use Epic and Epic is not authorized to offer this service contractually on Appriss' behalf.

In closing, Appriss Health is appreciative of the opportunity to continue to meet the unique needs of prescribers and patients in Mississippi.

Sincerely,



Robert Cohen, President
Appriss Health
10401 Linn Station Road
Louisville, KY 40223

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.