

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 45834

Date: June 2 2020

Re: Sole Source Certification Number 4315 to provide CareSelect Imaging subscription services for the University of Mississippi Medical Center (UMMC)

Contact Name: Robert Martinez

Contact Phone Number: 601-432-8002

Contact E-mail Address: Robert.Martinez@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4315 for the University of Mississippi Medical Center (UMMC), please be advised that ITS intends to award National Decision Support Company, as the sole source provider of CareSelect Imaging subscription services through June 30, 2023 in an amount not to exceed \$360,000.00. Please be advised that ITS will determine if additional subscriptions or enhancements are within scope during the certification period and may increase the spending authority accordingly. Should National Decision Support Company change their name during this certification period, then ITS will determine if a recertification is necessary. 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:

The American College of Radiology (ACR) has an exclusive partnership with the National Decision Support Company (NDSC) to be its delivery mechanism for the medical imaging clinical content set that it has spent the last several decades refining. The ACR's content is considered the most comprehensive, well-vetted, single library of content available. NDSC also delivers content from several other of the Qualified Physician Led Entities (qPLEs), including the American College of Cardiology (ACC), the National Comprehensive Cancer Network (NCCN), the Society of Pediatric Radiology (SPR), the Society of Nuclear Medicine and Molecular

Imaging (SNMMI), and Choosing Wisely®. 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:

CareSelect allows providers to comply with the Protecting Access to Medicare Act (PAMA) and its requirement to show proof of consultation with medical imaging Appropriate Use Content (AUC) from a Qualified Physician Led Entity (qPLE) for Medicare Part B beneficiaries on high-cost ambulatory imaging studies. Additionally, the tool can educate providers when an exam is not the best exam for the patient and the clinical indication and assist them in selecting a more appropriate exam. The tool can also help to reduce denials. The CareSelect system ensures that providers can consult qualified Clinical Decision Support Mechanisms (CDSM) during the ordering process within Epic and have the ability to record the consultation. Beginning in 2021, if providers do not consult qualified CDSMs for Medicare patients and report that consultation on the claim form, both the technical and professional charges for the service will be denied. 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:

The American College of Radiology has an exclusive partnership with NDSC to be its delivery mechanism for its medical imaging clinical content. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	06/02/20
Second Advertisement Date	06/09/20
Response Deadline From Objectors	06/16/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/17/20

Project Details

In June 2015, UMMC certified the National Decision Support Company (NDSC) as the sole source provider of CareSelect Imaging subscription services and entered into a Subscription Agreement with NDSC in the amount of \$215,000.00 for five years. The current Agreement expires June 30, 2020.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that CareSelect Imaging subscription services 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 The National Decision Support Company.

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 16, 2020, at 3:00 p.m. (Central Time) to Robert Martinez at Robert.Martinez@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 Robert Martinez 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:

<p>SUBMITTED IN RESPONSE TO Sole Source Certification No. 4315-45834 Accepted until June 16, 2020 @ 3:00 p.m., ATTENTION: Robert Martinez</p>

If you have any questions concerning the information above or if we can be of further assistance, please contact Robert Martinez at 601-432-8002 or via email at Robert.Martinez@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: CareSelect Subscription Services			Stimulus (ARRA) Funds? Yes No <u>X</u>	
Customer Contact Information				
Agency/Public University: University of Mississippi Medical Center Address: 2500 North State Street, Jackson, MS 39216			Contact Person: Keeley Frederick Phone: 601-815-9427 Fax: 601-815-9862 Email Address: Kfrederick@umc.edu	
MAGIC Customer Number (only required from state agencies):			Division/Dept.: DIS Handmail: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): Renewing the CareSelect Clinical decision Support Subscription Service. This was originally acquired in 2015 and implemented within the Epic EHR system. Original pricing for this sole source procurement was less than \$250,000.00 for three years.				
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: Funds Expire:	Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 5+ years
FY21		\$120,000.00	Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). This project is funded by patient revenue.	
FY22		\$120,000.00		
FY23		\$120,000.00		
Total		\$360,000.00		
Acquisition Details				
Items Requested	Quantity	Description		Building Location(s)
CareSelect	1	CareSelect Subscription Services		
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: This is a subscription service to the National Decision Support Company's CareSelect product. The subscription services are provided via the Internet.				
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? System is already implemented at UMMC. For this renewal, UMMC has acquired a Sole Source letter and quote from vendor.				
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: CareSelect allows providers to comply with the Protecting Access to Medicare Act (PAMA) and its requirement to show proof of consultation with medical imaging Appropriate Use Content (AUC) from a Qualified Physician Led Entity (qPLE) for Medicare Part B beneficiaries on high-cost ambulatory imaging studies. Additionally, the tool can educate providers when an exam is not the best exam for the patient and the clinical indication and assist them in selecting a more appropriate exam. The tool can also help to reduce denials. The CareSelect system ensures that providers can consult qualified Clinical Decision Support Mechanisms (CDSM) during the ordering process in Epic and have the ability to record the consultation. Beginning in 2021, if providers do not consult qualified CDSMs for Medicare patients and report that consultation on the claim form, both the technical and professional charges for the service will be denied.				
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): The American College of Radiology (ACR) has an exclusive partnership with the National Decision Support Company, LLC (NDSC) to be its delivery mechanism for the medical imaging clinical content set that it has spent the last several decades refining. The ACR's content is considered the most comprehensive, well-vetted, single library of content available. NDSC also delivers content from several other of the Qualified Physician Led Entities (qPLEs), including the American College of Cardiology (ACC), the National Comprehensive Cancer Network (NCCN), the Society of Pediatric Radiology (SPR), the Society of Nuclear Medicine and Molecular Imaging (SNMMI), and Choosing Wisely®.				
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): The American College of Radiology has an exclusive partnership with NDSC to be its delivery mechanism for its medical imaging clinical content.				
Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Vendor's proposal submitted: <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: National Decision Support Company Vendor Address: 215 S. Broadway #412, Salem NH 03079		Remit To Vendor Name: National Decision Support Company Vendor Address: 215 S. Broadway #412, Salem NH 03079		

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 207.2:01 3-030 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 Wouda / CIO Applications
Name (Agency Head or Public University CIO)/Title

Signature

6/1/2020
Date

NATIONAL DECISION SUPPORT COMPANY

A Change Healthcare Company

March 1, 2020

University of Mississippi Medical Center
2500 North State St.
Jackson, MS 39216
ATTN: Kelley Frederick

Re: Sole Source Criteria for CDS

Dear Keeley:

In response to the UMMC request to meet the sole source criteria for its renewal of services with National Decision Support Company in the delivery of medical imaging Appropriate Use Content (AUC) as a means of compliance with the Federal mandate with the Protecting Access to Medicare Act, we ask that you consider the following, uniquely qualifying attributes of this delivery.

The American College of Radiology has an exclusive partnership with NDSC to be its delivery mechanism for the medical imaging clinical content set it has spent the last several decades refining. The ACR's content is considered the most comprehensive, well vetted, single library of content available. You can read more about this unique relationship at the following link: <https://www.prnewswire.com/news-releases/acr-chooses-ndsc-to-deliver-acr-select-a-comprehensive-ehr-enabled-medical-imaging-clinical-decision-support-platform-162057405.html>

With respect to your chosen EMR partner, Epic, CareSelect Imaging is already on Epic's 3rd party checklist. There are now 310 Epic clients under contract, and over 230 live and using us in their production environment. Epic also provides quotes on our behalf and facilitates the contracting process for CareSelect Imaging. Epic does not resell our services. Rather, they often will issue our terms and conditions in a pass-through manner as testament to the closeness of our relationship. In fact, back in February of 2017, Epic went to the unusual step of issuing guidance to their clients, urging them to expedite deployment of CareSelect Imaging in the CPOE workflow. That guidance can be found here: <https://userweb.epic.com/Thread/48626>

Extending your existing relationship with NSDC will fulfill a strategic business objective for the immediate future, allowing your compliance with the **Protecting Access to Medicare Act (PAMA)** and its requirement to show proof of consultation with medical imaging AUC from a Qualified Physician Led Entity (qPLE) for your Medicare Part B beneficiaries on high-cost ambulatory imaging studies. As a means of meeting this requirement, it is important to note the ACR's content is one of several available and qualified by CMS in this delivery. The full list of qPLEs can be found here: <https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/Appropriate-Use-Criteria-Program/PLE.html>

Almost all health systems will elect to deploy content from true national medical specialty societies, rather than that developed by individual health systems. The ACR AC can be considered as true

National Decision Support Company | 215 S. Broadway #412, Salem NH 03079
855.475.2500 | www.nationaldecisionsupport.com

'national standards', given that all of their evidence-based guidelines are stored in the National Guidelines Clearing House at AHRQ.

NDSC also delivers content from several other of the qPLEs, including the American College of Cardiology (ACC), the National Comprehensive Cancer Network (NCCN), the Society of Pediatric Radiology (SPR), the Society of Nuclear Medicine and Molecular Imaging (SNMMI), and Choosing Wisely®.

The above combination of factors – unique AUC library already deployed in the UMMC environment and preferred vendor status from Epic – culminate to render CareSelect Imaging unique delivery in the healthcare space. We appreciate your consideration in sole source award status as a result of these qualifications.

Should your team have any questions regarding this request or our ongoing relationship, please do not hesitate to reach out to any on our team. Thank you very much for this consideration.

Very truly yours,

Joshua Streit

Sr. Strategic Account Executive

National Decision Support Company



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 requires ITS approval.

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.