

**REQUEST FOR QUALIFICATIONS # 21-02
MEDICAL EXAMINER MANAGEMENT SERVICES
OFFICE OF THE STATE COMPTROLLER**

RESPONSES TO QUESTIONS

The official responses to questions submitted pursuant to the above-captioned Request for Qualifications ("RFQual") are listed below. Responses are in **bold blue type**.

Question #1:

It says that we should attach a list of our physicians, I would rather submit the list once we are contracted to provide services, or in serious contention to receive the contract. It is a proprietary list that we have developed over the last 20+ years that we are in business.

Response:

Bidders must provide a list of physicians available to provide IME services when applying. The list of physicians will remain confidential to the extent possible under New York State Public Officers Law.

Question #2:

Am I correct that we need to provide just a brief narrative, fee schedule and certification completed and signed?

Response:

The following must be provided when applying:

- 1. A brief narrative describing entity's experience in providing qualified physicians to perform IMEs and expertise in the facilitation of medical examinations, including scheduling, reporting, and coordinating the physician services;**
- 2. A list of physicians available to provide IME services. Identify physician location(s) (office address), specialty, and indicate on the list whose fees are outside of the fees listed on Attachment 1 (Fee Schedule). Such a list must be submitted as an unlocked Excel document; and**
- 3. Attachment 2 (Certifications), completed and signed.**

Attachment 1(Fee Schedule) is posted on OSC's website available at: <https://www.osc.state.ny.us/procurement>. Attachment 1 lists the fees that OSC will reimburse for the IME services.

Question #3:

Is there a list of IMEs conducted over the last few years, so I can focus on those specialties and locations in New York State?

Response:

OSC declines to provide a list of IMEs previously conducted.

Question #4:

Do you have a list of questions you require physicians to address in their IME? (or sample so I know how many questions are usually asked of a physician) This will help me put a list together of physicians willing to address those questions.

Response:

When conducting an IME, the physician will generally be asked to do the following:

- 1. Relate the member's disability to any incidents, if applicable, and**
- 2. Determine whether the disability is permanent.**
 - o If the disability is determined to be permanent, the IME must document any reasonably safe medical or surgical treatments to treat the condition.**

Question #5:

Are we following NYWC Medical Treatment Guidelines?

Response:

No, New York Workers' Comp ("NYWC") Medical Treatment Guidelines are not followed. The purpose of the IME is to determine causation and permanent disability, not to treat the Member.

Question #6:

Do NYS forms need to be processed, such as Worker's Compensation forms, IME 3, IME 4, and IME 5 forms? If not, are any other forms required?

Response:

Selected vendors must submit to OSC:

- 1. Appendix B – Forms AC 3239-A, Contractor's EEO Staffing Plan of Anticipated Workforce and AC 3239-B, Contractor's/Subcontractor's EEO Workforce Utilization Report;**
- 2. Appendix E – Contractor's Certification/Acknowledgements;**
- 3. Appendix F – Disclosure of Prior Non-Responsibility Determinations;**
- 4. Form A of Appendix G – OSC Consultant Disclosure Reporting Requirements; and**
- 5. Workers' Compensation and/or Disability Insurance Coverage Forms.**

The forms noted above in 1 through 4 are appended to the draft contract that is posted on OSC's website available at: <https://www.osc.state.ny.us/procurement>. The selected vendor will receive further guidance on the Workers' Compensation and Disability Insurance coverage forms upon notice of award.

Forms such as IME 3, IME 4, or IME 5 are not required.

Question #7:

You indicate you need a list of physicians available. We have a panel of physicians located throughout New York State and the US. Are these exams needed by specific specialties, specific regions, counties, boroughs? This will help me generate a list based on your needs.

Response:

The list of physicians must be in Excel format and must include the state/city/town(s) in which each physician will be performing IMEs. It is OSC's preference for the list to be organized by each physician's specialty and any sub-specialty. The list should also include two columns indicating if the physician is within or above the fees list in Attachment 1 (Fee Schedule) for both IMEs and testimonies and depositions.

Question #8:

Testify at disability hearings on an as-needed. Do you need the physician to testify telephonically or in person? Are they required to book it hourly, ½ day, or full day?

Response:

A physician may be required to testify at a disability hearing via either in-person, telephonically, or teleconference. Disability hearings are typically scheduled for 90-minute sessions.