

## MEMORANDUM RE: PROTEST

Date: 10-13-22

To: United Healthcare of the Midlands, Nebraska Total Care, Molina

From: Greg Walklin, Director of Procurement and Grants  
Nebraska Department of Health and Human Services

RE: Additional Information – Healthy Blue Protest of 112209 O3

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### **Purpose**

This memorandum serves to request additional information, as applicable, for DHHS' review and response to the protest filed by Community Care Plan of Nebraska D/B/A Healthy Blue ("Healthy Blue"), for Request for Proposal 112209-O3.

### **Background**

On September 23, 2022, under 112209 O3 – MCO RFP ("RFP"), DHHS posted a Notice of Intent to Award, notifying bidders that DHHS intended to award contracts to Molina, UnitedHealthcare of the Midlands, and Nebraska Total Care. Final evaluation documents, along with redacted copies of the proposals, were also posted publicly that same day.

On October 7, 2022, Healthy Blue, which finished fourth in scoring under the RFP, filed a protest with DHHS under DHHS Grievance/Protest Process for Vendors. In that protest, Healthy Blue has made several arguments and requested various forms of relief, including the disqualification of Molina, UnitedHealthcare of the Midlands, and Nebraska Total Care. That protest letter was posted publicly on October 10, 2022.

### **Request for Additional Information**

DHHS is in the process of thoroughly evaluating and responding to the protest. Due to the arguments raised in Healthy Blue's protest, DHHS is hereby providing notice and allowing an opportunity to the three entities identified in the Intent to Award to provide any relevant information to DHHS for the sole purpose of its consideration of the above-referenced protest.

Specifically, the state would consider responses to the arguments made in Sections I-A and I-B of the protest letter by Healthy Blue—although additional relevant information may be provided, as well. If UnitedHealthcare of the Midlands, Nebraska Total Care, or Molina have additional relevant information to provide to DHHS to consider as part of its independent review of the protest, these entities should provide such information by Tuesday, October 18<sup>th</sup>.

To provide complete transparency, a copy of this memorandum will be publicly posted, as well.