

Attachment A
Proposed Changes to Standard 2017 Community-Rated HMO Health Benefits Contract

NOTE: New and revised language is underlined and language to be deleted is ~~struck out~~.

Termination of Coverage and Conversion

1. SECTION 2.4

TERMINATION OF COVERAGE AND CONVERSION PRIVILEGES (JAN ~~2014~~ 2017)

Subsections (b), (c), and (d) were amended. The conversion language was changed to require carriers to provide assistance to terminating enrollees who choose to enroll in a guaranteed issue individual conversion policy. Subsection (e) was removed.

(a) A Member's coverage is terminated as specified in regulations issued by the OPM. Benefits after termination of coverage are as specified in the regulations.

(b) A Member is entitled to a temporary continuation of coverage ~~or an extension of coverage~~ under the conditions and to the extent specified in the regulations or an extension of coverage under the conditions and to the extent specified below.

(c) A Member whose coverage hereunder has terminated is entitled, upon application within the times and under the conditions specified in regulations, to obtain assistance from the Carrier for enrollment in a guaranteed issue non-group contract available in the Carrier's service area. In the event this 31-day temporary extension period provides insufficient opportunity for the Member to obtain non-group coverage with an effective date commencing before or immediately upon termination of group coverage, the carrier may, on a case-by-case basis, provide an additional extension of coverage not to exceed 60 days as appropriate to avoid an interruption in coverage. The Member must explain the circumstances for seeking additional extension, and the carrier must notify the Contracting Officer of any extension granted, or obtain prior approval of any request for an extension that the carrier intends to deny. ~~regularly offered for the purpose of conversion from the contract or similar contracts, such as enrollment in a health plan available in an Affordable Care Act health insurance exchange. Accordingly, the Carrier shall offer the terminating Member either (1) a conversion contract in compliance with 5 U.S.C., chapter 89, and regulations issued thereunder, or (2) assistance in obtaining, without evidence of good health, health benefits coverage inside or outside the Affordable Care Act's health insurance exchanges that satisfies the requirement of 5 U.S.C. § 8902(h).~~

(d) Costs associated with the additional extension of coverage not to exceed 60 days are allowable cost under the contract. Costs associated with writing or providing benefits under conversion contracts shall not be an allowable cost of this contract.

~~(e) The Carrier shall maintain on file with OPM copies of the conversion policies offered to persons whose coverage under this contract terminates and advise OPM promptly of any changes in the policies. The Contracting Officer may waive this requirement where because of the large number of different conversion policies offered by the Carrier it would be impractical to maintain a complete up-to-date file of all policies. In this case the Carrier shall submit a~~

~~representative sample of the general types of policies offered and provide copies of specific policies on demand.~~

New FAR Clause

2. SECTION 5.72

BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS (JUN 2016) (FAR 52.204-21)

(a) Definitions. As used in this clause— Covered contractor information system means an information system that is owned or operated by a contractor that processes, stores, or transmits Federal contract information.

Federal contract information means information, not intended for public release, that is provided by or generated for the Government under a contract to develop or deliver a product or service to the Government, but not including information provided by the Government to the public (such as on public Web sites) or simple transactional information, such as necessary to process payments.

Information means any communication or representation of knowledge such as facts, data, or opinions, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual (Committee on National Security Systems Instruction (CNSSI) 4009).

Information system means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information (44 U.S.C. 3502).

Safeguarding means measures or controls that are prescribed to protect information systems.

(b) Safeguarding requirements and procedures. (1) The Contractor shall apply the following basic safeguarding requirements and procedures to protect covered contractor information systems. Requirements and procedures for basic safeguarding of covered contractor information systems shall include, at a minimum, the following security controls:

(i) Limit information system access to authorized users, processes acting on behalf of authorized users, or devices (including other information systems).

(ii) Limit information system access to the types of transactions and functions that authorized users are permitted to execute.

(iii) Verify and control/limit connections to and use of external information systems.

(iv) Control information posted or processed on publicly accessible information systems.

(v) Identify information system users, processes acting on behalf of users, or devices.

(vi) Authenticate (or verify) the identities of those users, processes, or devices, as a prerequisite to allowing access to organizational information systems.

(vii) Sanitize or destroy information system media containing Federal Contract Information before disposal or release for reuse.

(viii) Limit physical access to organizational information systems, equipment, and the respective operating environments to authorized individuals.

(ix) Escort visitors and monitor visitor activity; maintain audit logs of physical access; and control and manage physical access devices.

(x) Monitor, control, and protect organizational communications (i.e., information transmitted or received by organizational information systems) at the external boundaries and key internal boundaries of the information systems.

(xi) Implement subnetworks for publicly accessible system components that are physically or logically separated from internal networks.

(xii) Identify, report, and correct information and information system flaws in a timely manner.

(xiii) Provide protection from malicious code at appropriate locations within organizational information systems.

(xiv) Update malicious code protection mechanisms when new releases are available.

(xv) Perform periodic scans of the information system and real-time scans of files from external sources as files are downloaded, opened, or executed.

(2) Other requirements. This clause does not relieve the Contractor of any other specific safeguarding requirements specified by Federal agencies and departments relating to covered contractor information systems generally or other Federal safeguarding requirements for controlled unclassified information (CUI) as established by Executive Order 13556.

(c) Subcontracts. The Contractor shall include the substance of this clause, including this paragraph (c), in subcontracts under this contract (including subcontracts for the acquisition of commercial items, other than commercially available off-the-shelf items), in which the subcontractor may have Federal contract information residing in or transiting through its information system.

Minor and Technical Changes

3. SECTION 5.55 EMPLOYMENT REPORTS ON VETERANS (~~OCT 2015~~ FEB 2016) (FAR 52.222-37)

(a) Definitions. As used in this clause, “~~Armed Forces service medal~~ active duty wartime or campaign veteran,” “disabled veteran,” “~~active duty wartime or campaign badge~~ protected veteran,” and “recently separated veteran,” have the meanings given in FAR 22.1301.

(b) Unless the Contractor is a State or local government agency, the Contractor shall report at least annually, as required by the Secretary of Labor, on—

(1) The total number of employees in the contractor’s workforce, by job category and hiring location, who are ~~disabled veterans, other~~ protected veterans (i.e., active duty wartime or campaign badge veterans), Armed Forces service medal veterans, disabled veterans and recently separated veterans).

(2) The total number of new employees hired during the period covered by the report, and of the total, the number of ~~disabled veterans, other~~ protected veterans (i.e., active duty wartime or campaign badge veterans), Armed Forces service medal veterans, disabled veterans, and recently separated veterans); and

(3) The maximum number and minimum number of employees of the Contractor or subcontractor at each hiring location during the period covered by the report.

(c) The Contractor shall report the above items by ~~completing~~ filing the Form VETS-~~100A4212~~, entitled “Federal Contractor Veterans’ Employment Report” (see VETS-~~100A4212~~ Federal Contractor Reporting” and Filing Your VETS-4215 Report)-” at <http://www.dol.gov/vets/vets4212.htm>)”

(d) The Contractor shall submit VETS-~~100A4212~~ Reports no later than September 30 of each year.

(e) The employment activity report required by paragraphs (b)(2) and (b)(3) of this clause shall reflect total new hires, and maximum and minimum number of employees, during the most recent 12-month period preceding the ending date selected for the report. Contractors may select an ending date—

(1) As of the end of any pay period between July 1 and August 31 of the year the report is due; or

(2) As of December 31, if the Contractor has prior written approval from the Equal Employment Opportunity Commission to do so for purposes of submitting the Employer Information Report EEO-1 (Standard Form 100).

(f) The number of veterans reported must be based on data known to the contractor when completing the VETS-~~100A4212~~. The contractor’s knowledge of veterans status may be obtained in a variety of ways, including an invitation to applicants to self-identify (in accordance with 41 CFR 60–300.42), voluntary self-disclosure by employees, or actual knowledge of veteran status by the contractor. This paragraph does not relieve an employer of liability for discrimination under 38 U.S.C. 4212.

(g) The Contractor shall insert the terms of this clause in subcontracts of \$150,000 or more unless exempted by rules, regulations, or orders of the Secretary of Labor.

4. APPENDIX C FEHB Supplemental Literature Guidelines (RV JAN 2016)

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b) RATE PRESENTATIONS

Under the FEHBP there are only three categories of enrollment, Self Only, Self Plus One, and Self and Family. For most enrollments, the premium for each enrollee's enrollment is shared between the enrollee and the Government or Tribal Employer. The Government or Tribal Employer contribution is based on the formula provided in the FEHB law. Deductions for most enrollees' share, along with the Government's contribution or Tribal Employer’s contribution, are made in accordance with the schedule on which the employee, Tribal Employee, or annuitant's (retiree) salary or annuitant check is issued by the Enrollee's agency, Tribal Employer, or ~~retiree's~~ annuitant's retirement system. Most employees are paid biweekly. Annuitants are issued monthly checks.

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FEHB Plan Performance Assessment

5. Appendix G FEHB Plan Performance Carrier Letter. We added Carrier Letter 2016-02 regarding FEHB plan performance as Appendix G (see attachment).