



**Department of
Civil Service**

Glossary of Defined Terms
 “Health Maintenance Organizations
 Specifications for the NYSHIP”

Affiliate means a person or organization which, through stock ownership or any other affiliation, directly, indirectly, or constructively controls another person or organization, is controlled by another person or organization, or is, along with another person or organization, under the control of a common parent.

Account Team means a proactive, experienced Contractor account leader(s) and team(s) in place who are dedicated solely to the Project and who have the authority and expertise to coordinate the appropriate resources to implement and administer the Project.

Agreement or Contract means the Agreement entered between the Parties resultant from this solicitation.

Benefit Plan means an indicator used in the NYS computerized enrollment system, the New York Benefits Eligibility and Accounting System (NYBEAS), to indicate the NYSHIP health insurance option (e.g., Empire Plan or a NYSHIP participating HMO) chosen by an individual, or to indicate the particular benefit package within the NYS dental or vision plans that the individual is eligible for.

Benefit Program (BP) means an indicator used in the NYS computerized enrollment system (NYBEAS), to specify the entire benefit package the individual is eligible for and typically includes specific health, dental, and vision coverage benefit definitions. The benefit program varies based on multiple factors such as, the individual’s bargaining unit/union affiliation, employer status, (e.g. State Agency, Participating Agency, Participating Employer), and employment status, (e.g. active, retired).

Business Associate means the term as defined in the HIPAA implementing regulations at 45 CFR 160.103; the Offeror will be a Business Associate of the Department as a consequence of the Offeror’s provision of Project Services on behalf of the Department within the context of the Offeror’s performance under the resulting Contract and that the Offeror’s provision of Project Services will involve the disclosure to the Offeror of individually identifiable health information from the Department or other service providers on behalf of the Department, as well as the Offeror’s disclosure to the Department of individually identifiable health information as a consequence of the Project Services performed under the resulting Contract.

Bid/Bid Submission means the submission by the Offeror in response to the solicitation.

Breach means acquiring of information by a person without valid authorization or through unauthorized acquisition.

Business Day(s) means Monday through Friday, except for those designated as Business Holidays.



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Calendar Year/Annual means a period of 12 months beginning with January 1st and ending with December 31st.

Centers for Medicare and Medicaid Services (CMS) means the Federal Agency within the United States Department of Health and Human Services that is responsible for administration and oversight of various Medicare programs.

Child(ren) means children under 26 years of age, including natural children, legally adopted children, children in a waiting period prior to finalization of adoption, Enrollee stepchildren and children of the Enrollee’s domestic partner. Other children who reside permanently with the Enrollee in the Enrollee’s household and are chiefly dependent on the Enrollee are also eligible, subject to a statement of dependence and documentation.

Commercial Plan means the Plan submitted by the HMO pursuant to this Agreement through which each Enrollee is entitled to receive comprehensive health benefits not obtained through a Medicare Advantage Plan.

Coverage means the health services and insurance benefits provided by the Contractor pursuant to this Agreement.

Commissioner means the Commissioner of the New York State Department of Civil Service.

Confidential Information means is defined in Appendix B, Standard Clauses for All Department Contracts, and includes any information, including demographic information, collected from an Employee that relates to the past, present or future physical or mental health or condition of an Employee or to the provision of medical or related health care to an Employee or that identifies the Employee or can be used to identify the Employee.

Contractor Staff means for purposes of this contract “Contractor Staff” includes all officers, employees, agents, consultants and/or sub-contractors of the Contractor who shall perform Project Services under this Contract or have access to Data.

Continental United States of America (CONUS) means the 48 contiguous States, and the District of Columbia.

Council on Employee Health Insurance means the council composed of the President of the Civil Service Commission, Director of the Governor’s Office of Employee Relations, and the Director of the Division of Budget.

Contractor or Selected Offeror means the successful Offeror(s) selected as a result of the evaluation of Offerors’ Proposals submitted in response to this RFP, and who executes a Contract with the Department to provide Project Services.



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Creditable Coverage means prescription drug coverage that is deemed equivalent to Medicare Part D.

Data means any information, analytic derivatives, formula, algorithms, or other content that the Department or State may provide to the Contractor pursuant to this Contract. Data includes, but is not limited to, any of the foregoing that the Department and/or Contractor (i) uploads to a Cloud Service, and/or (ii) creates and/or modifies using a Cloud Service.

Day(s) means calendar Days unless otherwise noted.

Data Provider(s) means an entity that provides enrollment or claims data to the Contractor for loading into the DSS.

Designated Contact(s) means the Department's authorized person(s) which all communications during the Restricted Period related to this RFP, according to SFL 139-j and 139-k must be directed to.

Deliverable means All Services or products created during the performance of the Project Services hereunder or otherwise identified as a "Deliverable". A Deliverable is a building block of an overall project. For the purposes of this Contract, a deliverable shall not be set forth as a status report, meeting attendance, a block of staff hours, or an invoice submission.

Deductible means the amount paid by the Enrollee each Calendar Year for Covered Services under the non-network portion before a Plan payment is made.

Department or DCS means the New York State Department of Civil Service.

Dependent means the spouse, domestic partner, and children under twenty-six (26) years of age of an Enrollee. Young adult dependent children aged twenty-six (26) or over are also eligible if they are incapable of supporting themselves due to mental or physical disability acquired before termination of their eligibility for coverage under the New York State Health Insurance Program.

Dependent Survivor means the unremarried spouse, dependent child, or domestic partner who has not acquired another domestic partner, of an Enrollee who died after having had at least ten (10) years of service, who was covered as a dependent of the deceased Enrollee at the time of the Enrollee's death and who elects to continue coverage under NYSHIP following the three (3) month extended benefits period.

Disaster Recovery Plan (DRP) means a plan for continued operation in the event of a situation which incapacitates part or all of an Offeror's resources including, but not limited to, personnel, IT equipment, data records, and the building or other physical infrastructure.



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Employee means "Employee" as defined in 4 NYCRR Part 73, as amended, or as modified by collective bargaining agreement.

Employer means "Employer" as defined in 4 NYCRR Part 73, as amended.

Enrollee(s) means those Employees and Retirees eligible for NYSHIP coverage as set forth in the regulations of the President of the Civil Service Commission at 4 NYCRR Part 73, and who have elected to receive HMO coverage under the terms and conditions of this Agreement.

Enrollee Certificate of Insurance (Certificate) means a comprehensive description of benefits provided through the HMO plan by the Contractor pursuant to this Agreement.

ET means prevailing Eastern Time.

Hospital Extension Clinic means a remote hospital-owned facility including outpatient surgical locations and urgent care centers.

HMO Member means the Enrollee or any Dependent that is eligible, enrolled and covered by the HMO Plan.

HIPAA means Health Insurance Portability and Accountability Act of 1996, as amended.

Implementation Plan means a plan to include the evaluation and assessment activities as well as the development of a project plan to achieve Contract requirements and deliver the Project Services.

Implementation Period means the minimum period of time as established in the RFP from approval of the Contract by OSC to inception Project Services Start Date.

Information means Any representation of facts, concepts or instructions created, stored (in temporary or permanent form), filed, produced, or reproduced, regardless of the form or media. Information may include but is not limited to the data contained in reports, files, folders, memoranda, statements, examinations, transcripts, images, or communications. Information may be electronic or hard copy.

Joint Labor Management Committee (JLMC) means a committee consisting of representatives of the State's collective bargaining units, the Department of Civil Service, and the Office of Employee Relations (OER) which is charged with the responsibility to cooperatively develop and oversee administration of health care programs for State-represented Employees and to make mutually agreed upon changes to health insurance plan benefits.



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Key Subcontractor(s) means those vendors with whom the Contractor subcontracts to provide Project Services and incorporates as a part of the Contractor's Project Team. Key Subcontractors include all vendors who will provide \$100,000 or more in Project Services over the term of the Agreement that results from this RFP, as well as any vendor who will provide Project Services in an amount lower than the \$100,000 threshold, and who is a part of the Contractor's Account Team.

May means denotes the permissive in a contract clause or specification. Refers to items or information that the State has deemed are worthy of obtaining, but not required or obligatory. Also see "Should."

Mandatory means denotes the imperative in a contract clause or specification. Means required - being determinative/mandatory, as well as imperative. Also see "Must" and "Shall."

Medicare Advantage Plan (MAP) means health benefits coverage offered under a policy or contract by a Medicare Advantage organization that includes a specific package of health benefits offered at a uniform premium and uniform level of cost-sharing to all Medicare beneficiaries residing in the Service Area (or segment of the Service Area) of the MAP.

Medicare Advantage with Prescription Drug (MAPD) means health benefits coverage offered under a policy or contract by a Medicare Advantage organization that includes a specific SECTION VII: GLOSSARY OF TERMS Page 7-4 2016 HMO Specifications package of health benefits, as well as qualified prescription drug coverage, as defined at 42 CFR 423.100 and in section 20.1 of Chapter 5 of the Prescription Drug Benefit Manual, under Part D of the Social Security Act, as amended.

MAPD Evidence of Coverage (EOC) means a comprehensive description of services and benefits provided to MAPD Members through the MAPD Plan. The EOC also defines the rights and responsibilities of the Member and the MA Organization under the MAPD Plan.

MAPD Member(s) means the MAPD Enrollee(s) or any Dependent that is eligible, enrolled and covered by the MAPD Plan. MAPD Enrollee(s) means the eligible Employee or Retiree who is eligible to receive MAPD benefits under the rules, regulations and conditions of the NYSHIP and CMS, and is enrolled in the MAPD Plan. Must means denotes the imperative in a contract clause or specification. Means required - being determinative/mandatory, as well as imperative. Also see "Shall" and "Mandatory."

New York Benefits Eligibility and Accounting System (NYBEAS) means the web-based enrollment system for the administration of employee benefits and the source of eligibility information for all Empire Plan and SEHP Members.



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New York State Health Insurance Program (NYSHIP) means the health insurance program established by NYS to provide health insurance protection to employees, retirees and eligible dependents of New York State and Participating Agencies and Participating Employers. The program is administered by the NYS Department of Civil Service. NYSHIP provides health insurance coverage through the Empire Plan, Health Maintenance Organizations (HMOs); and the Student Employee Health Plan (SEHP). NYS or State means the State of New York.

NYSHIP means the New York State Health Insurance Program.

Offeror means any responsible and eligible entity submitting a responsive Proposal to this RFP. It shall be understood that references in the RFP to “Offeror” shall include said entity’s proposed Key Subcontractor or Affiliates, if any.

Option Transfer Period means the period of time established by the Employer during which an Employee may transfer enrollment from one available health benefit plan (either an HMO or indemnity plan) to a different available plan.

OSC means the New York State Office of the State Comptroller.

Participating Agency (PA) means any unit of local government such as school districts, special districts and district or municipal corporations which elects, with the approval of the President of the Civil Service Commission, to participate in the New York State Health Insurance Program.

Participating Employer(s) (PE) means a public authority, public benefit corporation, or other public agency, subdivision, or quasi-public organization of the State which elects, with the approval of the President of the Civil Service Commission, to participate in the New York State Health Insurance Program.

Periodic Recruitment means the State’s reserved right to consider additional HMOs starting on the one-year anniversary of the award start date or at any time deemed to be in the best interests of the State. Potential additional HMOs shall be required to submit an original bid document and, where applicable, bids shall be evaluated under the original “Specifications for Health Maintenance Organizations Participation in the New York State Health Insurance Program” requirements. An addendum containing additional applicable statutory requirements currently in effect at the time of the periodic recruitment may be added to the recruitment. The State is not required to award on offers under Periodic Recruitment.

Personal information means shall have the same meaning as defined in State Technology Law §202. This shall mean any information concerning a natural person which, because of name, number, symbol, mark or other identifier, can be used to identify that natural person.



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Plan means the proposed health plan submitted by the HMO for NYSHIP.

Plan Year means the period from January 1st to December 31st in each year covered by the Agreement, unless specified otherwise.

President means the President of the New York State Civil Service Commission and the Commissioner of the DCS. Program Services means all of the services to be provided by the Contractor as set forth in these Specifications, unless specified otherwise by the DCS.

Private Information means Any information where unauthorized access, disclosure, modification, destruction or disruption of access to or use of such information could severely impact the Department, its critical functions, its employees, its customers, third parties, or citizens of New York. This term shall be deemed to include, but is not limited to, the information encompassed in existing statutory definitions.

Project Services means all of the services to be provided by the Contractor as set forth in this RFP and resultant Contract.

Product means a Deliverable under the Contract which may include commodities, services and/or technology. The term “Product” includes licensed software.

Project Team means the Contractor and those Key Subcontractors, if any, utilized by the Contractor who collectively undertake and perform the Project Services which are the subject of the Contract.

Proposal or Submissions means the Contractor’s Administrative Proposal, Technical Proposal, and Financial Proposal, including all responses to supplemental requests for clarification, information, or documentation, submitted during the procurement.

Protected Health Information (PHI) means any information, including demographic information collected from an individual, that relates to the past, present, or future physical or mental health or condition of an individual, to the provision of health care to an individual, or to the past, present, or future payment for the provision of health care to an individual, that identifies the individual, or with respect to which there is a reasonable basis to believe that the information can be used to identify the individual.

Regulated Data means Data that is subject to federal and state laws, regulations, policies, standards and guidelines regarding its protection, storage, access, use, handling, disclosure, and destruction.

Required Annual Submission means the HMO’s response to program requirements in years 2-5 of the Agreement that result from these Specifications, including all responses to supplemental requests for clarification, information or documentation during the term of the Agreement.



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Retiree(s) means any person defined as a Retiree pursuant to the terms of 4 NYCRR Part 73, as amended.

Service Area means the approved counties in which an HMO is authorized to offer services.

RFP or Procurement means the Request for Proposals entitled "HMO Specifications for the New York Health Insurance Program (NYSHIP)" dated October 22, 2024

Selected Offeror or Contractor means the Offeror selected as a result of the evaluation of Offeror's Proposals submitted in response to this RFP and who executes a Contract with the Department to provide Project Services.

Service or Services means Shall have the same meaning as defined in State finance Law §160. This shall mean the performance of a task or tasks and may include a material good or a quantity of material goods, and which is the subject of any purchase or other exchange.

Shall means denotes the imperative in a contract clause or specification. Means required - being determinative/mandatory, as well as imperative. Also see "Must" and "Mandatory."

Should means denotes the permissive in a contract clause or specification. Refers to items or information that the State has deemed are worthy of obtaining, but not required or obligatory. Also see "May."

Software means computer instructions or data that can be stored electronically.

Solicitation means writings by the State setting forth the scope, terms, conditions, and technical specifications for a procurement of a service.

Specifications means the document entitled "HMO Specifications for the New York Health Insurance Program (NYSHIP)" dated October 22, 2024.

State means New York State as a whole.

State or NYS means State of New York.

State Agency means State agency or state agencies means all state departments, boards, commissions, offices or institutions but excludes, however, for the purposes of subdivision five of section three hundred fifty-five of the education law, the state university of New York and excludes, for the purposes of subdivision a of section sixty-two hundred eighteen of the education law, the city university of New York. Furthermore, such term shall not include the legislature or the judiciary.



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Summary of Benefits and Coverage (SBC): means a federally mandated document that accurately describes the NYSHIP group benefits and coverage.

SERFF means the System for Electronic Rate and Form Filing system used by the DFS for rate filings.

Total Disability and Totally Disabled means that because of a medical or mental health/substance abuse condition, the Enrollee, cannot perform his/her job or the Dependent cannot perform the normal activities of a person that age.

State Agency or state agencies means all state departments, boards, commissions, offices, or institutions but excludes, however, for the purposes of subdivision five of section three hundred fifty-five of the education law, the state university of New York and excludes, for the purposes of subdivision a of section sixty-two hundred eighteen of the education law, the city university of New York. Furthermore, such term shall not include the legislature or the judiciary.

Subcontractor means any individual or legal entity (including but not limited to sole proprietor, partnership, limited liability company, firm or corporation) who has entered into a contract, express or implied, for the performance of a portion of the Contract with a Contractor.

System means an interconnected set of information resources under the same direct management control that shares common functionality. A system normally includes hardware, software, applications, and communications.

Technology means Shall have the same meaning as defined in Executive Law, § 205(5). It is a good, service, or good and service that results in a digital, electronic or similar technical method of achieving a practical purpose or in improvements in productivity, including but not limited to, information management, equipment, software, operating systems, interface systems, interconnected systems, telecommunications, data management, networks, and network management, consulting, supplies, facilities, maintenance and training. The term "Technology" shall be deemed to include all tasks and products encompassed within the term "services", as defined in State Finance Law, § 160 (7).

Transition Plan means a written plan for transition, which outlines, at a minimum, the tasks, milestones, and deliverables associated with transitioning the Project to a new Contractor.

Use and Disclosure means that the Contractor may create, receive, maintain, access, transmit, use and/or disclose the Department's Protected Health Information (PHI) solely in accordance with the terms of the Contract resultant from this procurement.



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User(s) means an individual designated by the Department to utilize application programs provided by the Offeror under terms of the Contract resultant from this procurement.

Vestee means a former Employee who is entitled to continue benefits under NYSHIP because he/she has met all the requirements for NYSHIP coverage as a Retiree, except for age eligibility for pension, at the time employment terminates.

Will means denotes the imperative in a contract clause or specification. Means required - being determinative/mandatory, as well as imperative. Also see "Must" and "Shall."