


**ATTACHMENT 8**



**Department of  
Civil Service**

**Non-Material Deviations Template - “Health  
Maintenance Organizations Specifications for  
the New York State Health Insurance Program”**

**Offeror Name:** HealthNow New York, Inc. dba BlueCross BlueShield of Western New York and BlueShield of Northeastern New York

An Offeror is required to use this Non-Material Deviations Template when submitting any proposed non-material deviations and/or alternates. Offeror’s proposed deviations must be submitted with its Proposal. Each proposed deviation (addition, deletion, counter-offer or modification) must be specifically enumerated, in a writing, which is not part of a pre-printed form. The writing must identify the specific Solicitation requirement (if any) the Offeror rejects or proposes to modify by inclusion of deviation. The Offeror must enumerate the proposed deviation (addition, deletion, counter-offer or modification) from the Solicitation, and the reasons. **Note:** Every column of the template must be completed.

Deviation Number	Page #	Section Reference	Proposed Deviation with Detailed Explanation
1	51	4. 7	HealthNow New York Inc. dba BlueCross BlueShield of Western New York and BlueShield of Northeastern New York has provided deviations to Section 4.7 Insurance Requirements in our Administrative Proposal submission and as outlined in the following rows.
2	51	4. 7	HealthNow New York Inc.’s Errors & Omissions carrier, TDC Specialty Insurance Co., is licensed and authorized as a “Non-Admitted” carrier in New York State. It would be subject to the referenced ELANY regulations. ELANY, however, does not attest to the financial stability of a carrier.
3	53	4.7.2	Please note that HealthNow New York Inc.’s Hartford General Liability policy defines “insured contract” under Section V, Paragraph 12, not 9.
4	54	4.7.4	HealthNow New York Inc.’s Professional Liability (E&O) and Cyber/Privacy policies have retentions (deductibles) of \$1,000,000. This will be reflected in the certificate provided once requested.
5	54	4.7.6	Please note that Waiver of Subrogation does not pertain to our Professional Liability or Cyber/Privacy Liability policies so it would not apply to “all liability policies”.
6	55	4.7.7	Please note additional insured language cannot be included in Professional Liability policies.

7	57	4.7.12.a	Please note HealthNow New York Inc.'s General Liability policy has a \$1,000,000 per occurrence limit but we can achieve the \$2,000,000 by including our Umbrella.
8	58	4.7.12.b	HealthNow New York Inc. confirms this can be achieved in concert with our Umbrella policy.
9	58	4.7.12.c	Please note HealthNow New York Inc.'s policy is written on a "claims made" basis. Our policy has no coverage for medical malpractice.
10	58	4.7.12.d	Please note that this is not included in our Cyber/Privacy Liability policy as we are not a Technology Company.
11	59	4.7.12.e.vi	Coverage for customer's property, including money and securities, is not included under our Cyber/Privacy Insurance program but is included in our Insurance Company Fidelity Bond subject to a limit of \$7,500,000 per loss.