

APPENDIX I - Abbreviations and Definitions

For purposes of this RFP, the following abbreviations or terms have the meanings indicated below:

1. **Affordable Care Act (ACA)** - The Patient Protection and Affordable Care Act of 2010 (Pub. L. 111-148) as amended, including by the Health Care and Education Reconciliation Act of 2010 (Public Law No. 111-152), and all regulations promulgated pursuant thereto.
2. **Agency** - The Maryland Health Benefit Exchange (MHBE).
3. **Business Day(s)** – The official working days of the week to include Monday through Friday. Official working days exclude State Holidays (see definition of “Normal State Business Hours” below).
4. **COMAR** – Code of Maryland Regulations available on-line at www.dsd.state.md.us.
5. **Contract or Master Contract**– The Contract awarded to the successful Offeror(s) pursuant to this RFP. The Contract will be in the form of **Attachment I**.
6. **Contract Monitor** – The MHBE representative for this Contract who is primarily responsible for Contract administration functions, including issuing written direction, invoice approval, monitoring this Contract to ensure compliance with the terms and conditions of the Contract and achieving completion of the Contract on budget, on time, and within scope. The Contract Monitor may authorize in writing one or more MHBE representatives to act on behalf of the Contract Monitor in the performance of the Contract Monitor’s responsibilities.
7. **Contractor or Master Contractor**– An Offeror that is awarded a Contract under this RFP.
8. **Contractor Personnel** - Contractor-employed or provided individuals, including those the Contractor proposes in response to an RFR in a technical proposal that is incorporated into a Task Order. The term “Contractor Personnel” includes each person who is an officer, employee, subcontractor or agent of the Master Contractor.
9. **Data** - A collection of organized information, usually the result of experience, observation or experiment, other information within a computer system, or a set of premises. This may consist of numbers, words or images, particularly as measurements or observations of a set of variables.
10. **eMM** – eMaryland Marketplace (see RFP Section 4.6).
11. **Federal Tax Information (FTI)** – A term of art and consists of federal tax returns and return information (and information derived from it) that is in MHBE’s possession or control which is covered by the confidentiality protections of the Internal Revenue Code (IRC) and subject to the IRC 6103(p)(4) safeguarding requirements including IRS oversight. FTI includes return or return information received directly from the IRS or obtained through an authorized secondary source and includes any information created by the recipient that is derived from such FTI.
12. **Fixed Hourly Labor Category Rates** - Fully loaded hourly rates, the ceiling for which are established in the Master Contract, that include all direct and indirect costs and profit for the Master Contractor to perform services required in an RFR.

- 13. Fully Loaded** - The inclusion in labor category billing rates of all profit, direct and indirect costs associated with performing services required in a RFR. The indirect costs shall include all costs that would normally be considered general and administrative costs and/or routine travel costs, including parking, or which in any way are allocated by the Master Contractor against direct labor hours as a means of calculating profit or recouping costs which cannot be directly attributable to services required in a RFR.
- 14. Health Insurance Portability and Accountability Act (HIPPA)** – 42 U.S.C §§ 1320d et seq., and implementing regulations including all pertinent privacy regulations (45 C.F.R. Parts 160 and 164) and security regulations (45 C.F.R. parts 160, 162 and 164), as amended from time to time, issued by the U.S. Department of Health and Human Services as either have been amended by Subtitle D of the Health Information Technology for Economic and Clinical Health Act (the “HITECH ACT”), as Title XIII of Division A and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5).
- 15. Local Time** – Time in the Eastern Time Zone as observed by the State of Maryland. Unless otherwise specified, all stated times shall be Local Time, even if not expressly designated as such.
- 16. Maryland Department of Health (MDH)** - The unit of State Government that oversees Medicaid and the Maryland Children’s Health Insurance Program.
- 17. Maryland Health Benefit Exchange (MHBE or Exchange or Agency)** - The unit of Maryland State government issuing this RFP.
- 18. Master Contract** - The Master Contract between the MHBE and each of the Offerors determined technically capable of performing the requirements of this RFP.
- 19. Master Contractor (MC) or Contractor** - An Offeror who is awarded a Master Contract under this RFP.
- 20. Minority Business Enterprise (MBE)** – Any legal entity certified as defined at COMAR 21.01.02.01B(54) which is certified by the Maryland Department of Transportation under COMAR 21.11.03.
- 21. Normal State Business Hours** - Normal State business hours are 8:00 a.m. – 5:00 p.m. Monday through Friday except State Holidays, which can be found at: www.dbm.maryland.gov – keyword: State Holidays.
- 22. Offeror** – An entity that submits a Proposal in response to this RFP.
- 23. Personally Identifiable Information (PII)** – Personally Identifiable Information as defined by U.S. Office of Management and Budget Memorandum M-07-12 (Jan. 3, 2017) (“The term PII refers to information that can be used to distinguish or trade an individual’s identity, either alone or when combined with other information that is linked or linkable to a specific individual”). PII is a broad category of information that can include subsets of other information, such as Protected Health Information (PHI) and “personal information”, as the latter term is used in the following sections of Maryland Code Annotated: Section 14-3501(d) of the Commercial Law Article and Section 10-1301(c) of the State Government Article.
- 24. Procurement Officer** – Prior to the award of any Contract, the sole point of contact in the State for purposes of this solicitation. After Contract award, the Procurement Officer has

responsibilities as detailed in the Contract (Attachment M), and is the only State representative who can authorize changes to the Contract. The Department may change the Procurement Officer at any time by written notice to the Contractor.

25. **Proposal** – As appropriate, either or both of an Offeror’s Technical or Financial Proposal.
26. **Protected Health Information** - as defined in the HIPAA regulations at 45 C.F.R. 160.103 and 164.501, means information transmitted as defined in the regulations, that is individually identifiable; that is created or received by a healthcare provider, health plan, public health authority, employer, life insurer, school or university, or healthcare clearinghouse; and that is related to the past, present, or future physical or mental health or condition of an individual, to the provision of healthcare to an individual, or to the past, present, or future payment for the provision of healthcare to an individual. The definition excludes certain education records as well as employment records held by a covered entity in its role as employer
27. **Purchase Order (PO)** – Funding document which authorizes the selected Master Contractor to bill for services requested via an RFR.
28. **Resource** – An individual proposed in a Master Contractor’s technical proposal submitted in response to an MHBE Request for Resume.
29. **Request for Proposals (RFP)** – This Request for Proposals issued by the MHBE with the Solicitation Number and date of issuance indicated in the RFP Key Information Summary Sheet (near the beginning of the solicitation, after the Title Page and Notice to Vendors), including any addenda.
30. **Request for Resume (RFR)** - A solicitation document that describes specifics regarding acquisition of dedicated resource(s) to supplement MHBE staff on a temporary basis. RFRs do not constitute procurements and are not subject to bid protest.
31. **State** – The State of Maryland, including the Maryland Health Benefit Exchange.
32. **Task Order Agreement (TO Agreement)** - A signed work order between MHBE and the Master Contractor selected for award via an RFR. A TO Agreement will deal only with the specific RFR performance aspects. All general terms and conditions contained in the Master Contract shall apply to all TO Agreements. The date which a resource is expected to report for work will be indicated in the Task Order Agreement.