

Protest of ALTCS Contract Award

On May 20, 2011, Mercy Care Plan filed a protest of the ALTCS contract award in Pima and Santa Cruz counties, alleging errors in the scoring and the evaluation of its proposal. The protest maintains that Mercy Care Plan would have received the highest score had these alleged errors not taken place, and it requests that Mercy Care Plan be awarded the contract in Pima and Santa Cruz counties.

On May 31, 2011, SCAN Long Term Care (SCAN) filed a protest of the ALTCS contract award for Maricopa County. The protest alleges scoring errors that were made by the AHCCCS Administration which, if corrected, would have resulted in SCAN receiving a higher score and an uncapped contract.

The process for disputing contract awards is found in AHCCCS rules R9-22-601 et seq. The major steps after a protest is filed are:

- Procurement Officer Decision which is issued within 14 days, unless timeframe is extended for good cause.
- Appeal to the AHCCCS Director. The appeal must be filed within 5 days of receipt of the Procurement Officer Decision. Protester may request a hearing or request that a Decision be issued based only on the contract record.
- AHCCCS Director's Decision. If a hearing is conducted, the Administrative Law Judge (ALJ) issues a Decision to the AHCCCS Director. The AHCCCS Director issues a Director's Decision which accepts, modifies, or rejects the ALJ Decision. The Director's Decision is issued within 30 days from the date the ALJ Decision is received.
- Petition for Rehearing filed with the AHCCCS Director, or, alternatively, Petition for Judicial Review to Superior Court.