

SECTION D – SPECIFICATIONS/SCOPE OF WORK

**INTENT**

Montgomery County, Maryland (the County) seeks a licensed Pharmacy to provide prescribed medications for behavioral health programs located throughout Montgomery County, Maryland enrolled in the Department of Health and Human Services (DHHS) Transitional Pharmacy program. These services are to be provided in a Contractor owned facility. The Contractor must provide transportation and delivery of prescribed medications to originating behavioral health programs.

The County through the DHHS Local Behavioral Health Authority (LBHA) will request fulfillment of prescriptions placed by behavioral health programs located in Montgomery County. The LBHA Program Monitor will review a patient's eligibility supplied by the Transitional Pharmacy program enrolled behavioral health programs. The LBHA Program Monitor will submit approved prescriptions to the Contractor for fulfillment and delivery to the originating behavioral health programs located throughout Montgomery County. If, due to distance the Contractor cannot directly provide delivery to originating behavioral health programs, the Contractor must assure this service by securing an agreement with a local agency/pharmacy to provide delivery/fulfillment services to the County. This sub-contracted service arrangement with a local agency/pharmacy must include delivery/fulfillment arranged by the Contractor. Additional fees incurred by any sub-contracted delivery agreement will not be eligible for reimbursement by The County. All Pricing as set forth in this contract must be all inclusive of any fees.

Prior to the Contractor implementing an agreement for sub-contracted services, the County must be notified of the intent to subcontract and provide approval to enter an agreement with the subcontractor. Upon request of the County, the Contractor must submit a copy of the subcontract agreement to the County within fifteen (15) days.

Strict local, state, and federal regulations must be met by the pharmacies performing pharmacy services. Strict quality control measures are required for both medication and chain of custody for controlled substance medication. A wide array of medications including but not limited to, psychotropic and opioid treatment medications, are required by the Transitional Pharmacy program.

**A. SCOPE OF WORK/SPECIFICATIONS**

The Contractor must provide the following services:

1. **Medications:** A full range of medications including but not limited to, all medications listed on the Quotation Sheet or pre-approved equal substitution. Annual utilization was used to estimate the quantities listed on the Quotation Sheet; however, these quantities are subject to change.
2. **Pharmacy Services:**
  - a. Maintain current federal licensure and Maryland state licensure to perform work related to pharmacy and controlled substance distribution services.
  - b. Maintain Current Maryland State Board of Pharmacy License.

- c. Maintain Current U.S. Department of Justice, Drug Enforcement Administration (DEA), Diversion Control Division License.
- d. Provide a Copy of licenses to the County Contract Monitor. All licenses must be maintained during the contract term. Upon the expiration of any required license, the Contractor must provide the County with a copy of their renewed license within five (5) business days of the expiration date. The Contractor must also inform the County, within five (5) business days, if it is notified by the U.S. DEA that its license is at risk, and within one (1) business day if its license is withdrawn. If the DEA license is revoked, the Contractor agrees to continue to provide all medications; with the exception of controlled substance medication regulated by the DEA, without delays in service to County users. Contractor understands that the County will require reimbursement from Contractor for the costs of obtaining controlled substance medications from another DEA licensed pharmacy if Contractor's DEA license is revoked.
- e. Maintain a facility to store and from which to dispense medication orders in accordance with federal, state, and local regulations.
- f. Adhere to and make changes immediately in accordance with any changes in federal, state, or local regulations related to pharmacy services.
- g. Maintain the capability of secure electronic receipt of orders for medications Monday through Friday, 8:30 a.m. to 5:00 p.m., excluding holidays observed by Montgomery County Government. The County's observed Holidays are New Year's Day, Dr. Martin Luther King's Birthday, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day.
- h. Protect patient confidentiality by implementing and maintaining policies and practices consistent with federal, state, and local laws, regulations, and procedures that pertain to patient confidentiality and acceptable practice, including but not limited to, the Health Insurance Portability and Accountability Act (HIPAA).

**3. Prescription Fulfillment:**

- a. Substitute generic equivalent medications for brand name medications listed by prescribers on medication orders.
- b. Prescription orders must be filled for a thirty (30) day supply for individuals and stock as ordered by prescribers with no (0) refills.
- c. Prescription orders must be filled upon receipt of request from LBHA. Orders requests received by the Contractor directly from Transitional Pharmacy participants must not be filled.
- d. Provide industry-standard packaging, containers, and labeling for the prescriptions supplied. Labeling must include, but not limited to, dispense date and medication expiration date.
- e. Fill prescriptions only for medications listed on the Quotation Sheet.
- f. Fill items that are not on the Contract Quotation Sheet, but on the Contractor's catalog, only when the LBHA Program Monitor has approved verbally or in writing separate from the originally transmitted medication request.
- g. The Contractor must not hold the County responsible for filling and delivery of medications ordered that are not approved by the LBHA Program Monitor.

**4. Prescription Delivery:**

- a. Deliveries must be Free On-Board Destination. If a product is not available for delivery within the contract specified time frame, the Contractor, upon receipt of the order for the product, must inform the LBHA Program Monitor and the originating Transitional Pharmacy participant of the unavailability of the product by phone or email.
- b. Medication orders received by the Contractor by 12:59 p.m. or before, will be delivered the next business day.
- c. Medication orders received by the Contractor after 1 p.m., will be delivered in two business day.
- d. The County reserves the right to change delivery locations as needed and will contact the Contractor of changes. Current Transitional Pharmacy Program Provider Locations are listed on pages E8 and E9 of the Quotation Sheet.

**5. Disposal/Destruction of Unused Medications:**

- a. Accept for disposal/destruction unused medications, including delivered medications ordered in error, previously delivered to the County.
- b. Provide the County with the appropriate containers in which these medications can be sealed, stored, and returned to the Contractor.
- c. The Contractor's delivery person must accept these packages and return them to the Contractor for disposal.

**6. Reports:** Provide written reports along with the monthly invoice

- a. Reports must include additional information on prescription orders sorted by Transitional Pharmacy program, to include at a minimum the following:
  - i. Participating program name
  - ii. Patient name
  - iii. Prescribing physician
  - iv. Date prescription filled
  - v. Name of medication
  - vi. Dosage and quantity of medication
  - vii. Contract cost of the prescription

**7. Customer Service:** Contractor must be responsive in solving problems and providing technical and professional assistance. At a minimum, Contractor must:

- a. Provide LBHA Program Monitor with a contact person who can be called or contacted in the event a problem occurs with an attempted transmission or problems with filling orders are encountered.
- b. Provide a list of contacts for customer service, technical and medical consultation, delivery, and accounting.

- c. Be available for clarification and questions related to medication orders.
  - d. Be available at the minimum 40 hours; Monday – Friday 8:30 a.m. to 5:00 p.m.
8. **Invoicing:** Services must be invoiced in a timely manner.
- a. The Contractor must invoice the County monthly by the 15<sup>th</sup> of the month for prescriptions filled for the previous month.
  - b. Contractor must submit monthly itemized invoices to the LBHA Program Monitor and Contract Monitor.
    - i. The invoice must contain itemized totals by Transitional Pharmacy program participant, total number of prescriptions, total number of patients, and total amount invoiced for program participant.
  - c. Contractor’s pricing, as submitted in the bid, represents all-inclusive prices. Contractor cannot charge any fee outside those included on the Quotation Sheet.
9. **Payment Terms:** Payment shall be made upon submission of invoices in one (1) hard copy and one (1) electronic copy emailed to [Lisa.Dorney-Hafer@montgomerycountymd.gov](mailto:Lisa.Dorney-Hafer@montgomerycountymd.gov) on a monthly basis, by the 15th day of the month, for all work performed during the previous month. Upon receipt, acceptance and approval of the Contractor’s invoice, the County will make payment, net thirty (30) days, in accordance with the prices quoted in the Quotation Sheets.
10. **Quality Assurance/Quality Control:** Contractor must maintain a quality assurance and control program and maintain current certifications or licensure as well as insurance documents. At a minimum, Contractor must:
- a. Maintain that the medications supplied are not past their expiration day.
  - b. Maintain that medications delivered will be in industry-standard condition. Medications will not be accepted by the County if the product fails to meet specifications either in product quality or packaging or the product is an unauthorized substitute product. Contractor must pick up the rejected product within 48 hours of being notified of the rejection by the County. Defective products must be exchanged or credited to the County by the Contractor at the option of the County.
  - c. Participate in all County site reviews to evaluate performance.