



**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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July 3, 2012

PROCUREMENT CIRCULAR NO. 2012-06

TO: Department of the Attorney General
Department of Defense
Department of Education
Department of Hawaiian Homelands
Department of Health
Department of Human Services
Department of Labor & Industrial Relations
Department of Public Safety
Office of Hawaiian Affairs
The Judiciary

FROM: Aaron S. Fujioka

SUBJECT: HRS Chapter 103F, Purchases of Health and Human Services, Amendment

Pursuant to ACT 004, SLH 2012, effective July 1, 2012, HRS §103F-203 is amended as follows:

"§103F-203 [Collaboration] Participation of providers. ~~[Provider participation in a state agency's efforts to plan or purchase health or human services, prior]~~ **(a) Prior to [the] a state agency's release of a request for proposal under section 103F-402, at the request of the agency, a provider shall participate in the agency's development of a delivery plan for health and human services, including [the], as necessary:**

- (1) The sharing of information on community needs, best practices, and providers' resources[.];**
- (2) Evaluating efficiencies in delivering existing services and recommending strategies for eliminating gaps in service delivery; and**
- (3) Recommending cost-efficient and effective service alternatives.**

(b) A state agency may include a provision in a contract awarded under this chapter a requirement that the provider participate in planning pursuant to subsection (a); provided that notice of this requirement shall be provided in the request for proposals; and provided further that participation in planning pursuant to subsection (a) [shall be encouraged, and, as determined by rules,] shall not disqualify [providers] a provider from submitting responses to requests for proposals."

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This circular provides the following guidance on implementation of amended HRS §103F-203.

In accordance with the revisions, prior to release of a request for proposals, purchasing agencies may ask providers to participate in purchasing agency planning activities. Items (a)(2) and (a)(3) are additions to items listed under HAR §3-142-203(b).

If a purchasing agency, at its option, requires a provider to participate in planning activities pursuant to subsection (b), the requirement shall be addressed in the request for proposals and also made a provision of the awarded contract.

If your staff has questions, they may contact Corinne Higa at 587-4706 or e-mail corinne.y.higa@hawaii.gov or you may call me at 587-4700.