



TEXAS

Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

*Grant for
Family Planning Program
RFA No. HHS0015297*

DEADLINE FOR SUBMISSION OF APPLICATIONS

January 3, 2025, by 10:30 a.m. Central Time

Contents

Section I. Executive Summary, Definitions, and Statutory Authority..... 5

- 1.1 Executive Summary.....5
- 1.2 Definitions and Acronyms.....6
- 1.3 Statutory Authority9
- 1.4 Standards.....9

Section II. Scope of Grant Project..... 9

- 2.1 Purpose.....9
- 2.2 Program Background.....10
- 2.3 Eligible Population10
- 2.4 Eligible Service Areas10
- 2.5 Eligible Activities11
- 2.6 Program Requirements13
- 2.7 Readiness Review22
- 2.8 Required Reports23
- 2.9 Performance Measures and Monitoring.....24
- 2.10 Financial Status Reports (FSRs).....25
- 2.11 Final Billing Submission25
- 2.12 Data Use Agreement.....25
- 2.13 Limitations on Grants to Units of Local Government26

Section III. Applicant Eligibility Requirements..... 26

- 3.1 Legal Authority to Apply.....26
- 3.2 Application Screening Requirements26
- 3.3 Grant Award Eligibility27
- 3.4 Grants for Political Polling Prohibited27

Section IV. Grant Term 28

- 4.1 Grant Term.....28
- 4.2 Project Closeout.....28

Section V. Grant Funding and Reimbursement Information..... 28

- 5.1 Grant Funding Source and Available Funding28
- 5.2 Notice to Proceed.....29
- 5.3 No Guarantee of Reimbursement Amounts.....29
- 5.4 Cost Sharing or Matching Requirements.....30

5.5	Grant Funding Prohibitions	30
5.6	Payment Method	31
Section VI. Application Exhibits and Forms for Submission		31
6.1	Narrative Proposal	31
6.2	Requested Budget	32
6.3	Indirect Costs	32
6.4	Administrative Applicant Information.....	33
Section VII. RFA Administrative Information and Inquiries.....		34
7.1	Schedule of Events.....	34
7.2	Sole Point of Contact.....	35
7.3	RFA Questions and Requests for Clarification.....	36
7.4	Ambiguity, Conflict, Discrepancy, Clarifications	36
7.5	Responses To Questions or Request for Clarifications	37
7.6	Changes, Amendment Or Modification To RFA.....	37
7.7	Exceptions.....	38
Section VIII. Application Organization and Submission Requirements.....		38
8.1	Application Receipt	38
8.2	Application Submission.....	38
8.3	Required Submission Method.....	39
8.4	Costs Incurred for Application	40
8.5	Application Composition.....	40
8.6	Application Organization.....	41
8.7	Application Withdrawals or Modifications	41
Section IX. Application Screening and Evaluation.....		41
9.1	Overview.....	41
9.2	Initial Compliance Screening of Applications.....	42
9.3	Questions or Requests for Clarification for Applications.....	42
9.4	Evaluation Criteria.....	42
9.5	Past Performance	43
9.6	Compliance for Participation in State Contracts.....	44
Section X. Award of Grant Agreement Process.....		46
10.1	Final Selection	46
10.2	Negotiations	47

10.3	Disclosure of Interested Parties	47
10.4	Execution and Announcement of Grant Agreement(s).....	48
<i>Section XI. General Terms and Conditions</i>		48
11.1	Grant Application Disclosure	48
11.2	Texas Historically Underutilized Businesses (HUBs).....	49
<i>Section XII. Application Confidential or Proprietary Information</i>		49
12.1	Texas Public Information Act – Application Disclosure Requirements.....	49
12.2	Applicant Waiver – Intellectual Property	51
<i>Section XIII. Submission Checklist</i>		52
<i>Section XIV. List of Exhibits and Forms Attached to RFA</i>		54

Section I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

The Texas Health and Human Services Commission (HHSC or System Agency) is accepting Applications for the Family Planning Program (FPP).

The purpose of this program is to provide comprehensive family planning services to reduce unintended pregnancies, positively affect future pregnancies, and improve the health status of women and men. FPP intends to increase access to screening, diagnostics and treatment services. FPP requires successful program management, eligibility determination, initiation of or referral to treatment if clinically indicated, quality management, professional development, recruitment including public education and outreach, and data collection, including tracking, referrals, follow-up, and continuity of care.

Applicants should reference **Section II, Scope of Grant Project**, for further detailed information regarding the purpose, background, eligible population, eligible activities and requirements.

Grant Name:	Family Planning Program
RFA No.:	RFA No HHS0015297
Deadline for Submission of Applications:	January 3, 2025 by 10:30 a.m.
Deadline for Submitting Questions or Requests for Clarifications:	December 6, 2024 by 5:00 p.m.
Estimated Total Available Funding:	\$63,235,358.00 per State Fiscal Year
Estimated Total Number of Awards:	Multiple
Estimated Max Award Amount:	\$316,176,790.00 for the Grant Term
Match Required, if any:	Not Required
Anticipated Project Start Date:	September 1, 2025

Length of Project Period:	Five (5) State Fiscal Years
Eligible Applicants:	See Section III. Applicant Eligibility Requirements

To be considered for screening, evaluation and award, Applicants must provide and submit all required information and documentation as set forth in **Section VIII, Application Organization and Submission Requirements** and **Section XIII, Submission Checklist** by the Deadline for Submission of Applications established in **Section 7.1, Schedule of Events**, or subsequent Addenda. See **Section 9.2, Initial Compliance Screening of Applications**, for further details.

1.2 DEFINITIONS AND ACRONYMS

Unless a different definition is specified, or the context clearly indicates otherwise, the definitions and acronyms given to a term below apply whenever the term appears in this RFA. All other terms have their ordinary and common meaning.

Refer to all exhibits to this RFA for additional definitions.

[“Addendum”](#) means a written clarification or revision to this RFA, including exhibits, forms, and attachments, as issued and posted by HHSC to the HHS Grants RFA website. Each Addendum will be posted and must be signed by the Applicant and returned with its Application.

[“Applicant”](#) means any person or legal entity that submits an Application in response to this RFA. The term includes the individual submitting the Application who is authorized to sign the Application on behalf of the Applicant and to bind the Applicant under any Grant Agreement that may result from the submission of the Application. May also be referred to in this RFA as [“Respondent.”](#)

[“Application”](#) means all documents the Applicant submits in response to this RFA, including all required forms and exhibits. May also be referred to in this RFA as [“Solicitation Response.”](#)

[“Budget”](#) means the financial plan for carrying out the Grant Project, as formalized in the Grant Agreement, including awarded funds and any required Match, submitted as part of the Application in response to this RFA. An Applicant’s requested Budget may differ from the System Agency-approved Budget executed in the final Grant Agreement.

[“Business Day\(s\)”](#) refers to Monday through Friday excluding holidays as appropriately determined by federal or State recognition.

[“Calendar Day\(s\)”](#) refers to the total number of days in a particular month.

“CFR” means the Code of Federal Regulations which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

“Client” means a member of the target population who is screened and determined to be eligible to be served under a Grant Agreement as a result of this RFA.

“Cost Reimbursement” refers to the basis for reasonable, allowable and allocable Grant Project Direct Costs.

“Direct Cost” means those costs that can be identified specifically with a particular final cost objective under the Grant Project responsive to this RFA or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Costs incurred for the same purpose in like circumstances must be treated consistently as either Direct or Indirect Costs. Direct Costs include, but are not limited to, salaries, travel, Equipment, and supplies directly benefiting the grant-supported project or activity.

“Equipment” pursuant to 2 CFR § 200.1, means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$10,000. See §200.1 for capital assets, computing devices, general purpose equipment, information technology systems, special purpose equipment, and supplies.

“Fee-For-Service” or “FFS” means payment mechanism for services that are reimbursed on a set rate per unit of service. This is also known as unit rate.

“Grant Agreement” means the agreement entered into by the System Agency and the Grantee as a result of this RFA, including the Signature Document and all attachments and amendments. May also be referred to in this RFA as “Contract.”

“Grant Term” unless otherwise specified, the Grant Term begins on the Grant Agreement effective date and ends on the Grant Agreement termination or expiration date and represents the entire base Grant Term. The Grant Term is the period of time set forth in the Grant Agreement during which Grantees may perform approved grant-funded activities to be eligible for reimbursement or payment.

“Grantee” means the party receiving funds under any Grant Agreement awarded under this RFA. May also be referred to as “Subrecipient” or “Contractor.”

“HHS” includes both the Health and Human Services Commission (HHSC) and the Department of State Health Services (DSHS).

“HHSC” means the Health and Human Services Commission.

“Indirect Cost” means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically

benefitted, without effort disproportionate to the results achieved. Indirect Costs represent the expenses of doing business that are not readily identified with the Grant Project responsive to this RFA but are necessary for the general operation of the organization and the conduct of activities it performs.

“Indirect Cost Rate” is a device for determining in a reasonable manner the proportion of Indirect Costs each program should bear. It is the ratio (expressed as a percentage) of the Grantee’s Indirect Costs to a Direct Cost base.

“Program Policy Manual” means the Family Planning Program Policy Manual, a document that includes all program requirements including administrative and clinical policies, eligibility and screening requirements, clinical guidelines, documentation, reimbursement, and other program-specific requirements. The Program Policy Manual is maintained by the System Agency. Requirements outlined in the policy manuals are subject to change with advance notice from the System Agency.

“Project” or “Grant Project” means the specific work and activities that are supported by the funds provided under the Grant Agreement as a result of this RFA.

“RFA” means this Request for Applications, including all parts, exhibits, forms, attachments and addenda posted on the HHS Grants RFA website. May also be referred to herein as “Solicitation.”

“State” means the State of Texas and its instrumentalities, including the System Agency and any other State agency, its officers, employees, or authorized agents.

“State Fiscal Year” means a 12-month budget period running from September 1st through August 31st.

“Subgrantee” or “Subcontractor” means a third party who provides all or a specified part of the services, goods, work, and materials required in the original Grant. The Grantee remains entirely responsible to the System Agency for performance of all requirements of the Grant with the System Agency. The Grantee must closely monitor the Subgrantee’s performance.

“System Agency” means HHSC, Department of State Health Services, or both, that will be a party to any Grant Agreement resulting from the RFA.

“TxGMS” means the Texas Grant Management Standards published by the Texas Comptroller of Public Accounts.

“TMHP” means Texas Medicaid and Healthcare Partnership is the claims administrator for Texas Medicaid.

1.3 STATUTORY AUTHORITY

The System Agency is requesting Applications under Chapter 382 of the Texas Administrative Code. State funds for this Grant Project are authorized under the 2024-25 General Appropriations Act, House Bill 1, 88th Texas Legislature, Regular Session, 2023 (Article II, Health and Human Services, Strategy D.1.1., Women’s Health Programs). All awards are subject to the availability of appropriated State funds and any modifications or additional requirements that may be imposed by law.

Federal funding for this Grant Project is authorized under the Social Security Act, Title XX, as amended and codified in 42 U.S.C. Section 1397 and Title IV-A of the Social Security Act, as amended and codified in 42 U.S.C. Section 601-619. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law. Federal funding awarded to the System Agency is through the program(s) listed below:

Federal Grant Program:	Social Services Block Grant (SSBG), Temporary Assistance for Needy Families (TANF)
Federal Awarding Agency:	Administration for Children and Families,
Funding Opportunity No.:	2401TXSOSR, 2401TXTANF-02
Assistance Listing Number and Program Title:	Social Services Block Grant – 93.667, Temporary Assistance for Needy Families – 93.558

1.4 STANDARDS

Awards made as a result of this RFA are subject to all policies, terms, and conditions set forth in or included with this RFA as well as applicable statutes, requirements, and guidelines including, but not limited to applicable provisions of the TxGMS and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).

Section II. Scope of Grant Project

2.1 PURPOSE

This funding opportunity invites grant Applications requesting funding for FPP. The purpose of this program is to provide comprehensive family planning and related health

services across the State to reduce unintended pregnancies, positively affect future pregnancies and improve the health status of low-income women and men.

2.2 PROGRAM BACKGROUND

The FPP provides accessible family planning and reproductive healthcare to eligible women and men in Texas. The free or low-cost services offered through the FPP help reduce unintended pregnancies, allow people to determine the number and spacing of their children, and improve birth outcomes and overall health. FPP was established in 2013 to ensure services are available to low-income and uninsured populations across the State.

2.3 ELIGIBLE POPULATION

The eligible population to be served under this RFA consists of individuals who are:

- A. Women and men 64 years of age or younger;
- B. Texas residents;
- C. Have a gross family income at or below 250 percent of the federal poverty level (FPL); and
- D. Without access to State-administered programs or benefits providing the same services.

2.4 ELIGIBLE SERVICE AREAS

The service areas eligible for Project funding under this RFA are statewide. Applicants must identify each Texas county it intends to serve using **Form D, Texas Counties Served by Region**.

The target service area for this RFA is underserved areas where healthcare access is limited, such as rural areas/counties, “colonias,” primary health care shortage areas, and other areas of the State where people have not or do not receive preventative and primary health care services.

System Agency defines “underserved areas” as counties with Health Factors ranked 123 – 244 in the 2022 Texas Summary Report. Applicants may refer to the 2022 Texas Summary Report to confirm whether their proposed service area meets this requirement: <https://www.countyhealthrankings.org/health-data/texas/data-and-resources>.

System Agency defines “each Texas county it intends to serve” as a county in which the Applicant plans to provide sufficient promotion and outreach strategies to ensure eligible individuals living in that county are consistently identified and navigated to the clinic or mobile sites.

2.5 ELIGIBLE ACTIVITIES

This grant program may fund activities and costs as allowed by the laws, regulations, rules, and guidance governing fund use identified in the relevant sections of this RFA. Only grant-funded activities authorized under this RFA are eligible for reimbursement and payment under any Grant Agreement awarded as a result of this RFA.

2.5.1 Fee-For-Service Funding

The following FFS activities are eligible to be funded under this RFA:

- A. Contraceptive services;
- B. Pregnancy testing and counseling;
- C. Preconception health screenings for:
 - 1. Obesity;
 - 2. Hypertension;
 - 3. Diabetes;
 - 4. Cholesterol;
 - 5. Smoking; and
 - 6. Mental health;
- D. Sexually transmitted diseases (STD) and infection (STI) services:
 - 1. Chlamydia and gonorrhea screening and treatment;
 - 2. Syphilis screening and treatment; and
 - 3. HIV screening
- E. Limited pharmacological treatment for the following chronic conditions:
 - 1. Hypertension;
 - 2. Diabetes; and
 - 3. High cholesterol;
- F. Breast and cervical cancer screening and diagnostic services:
 - 1. Radiological procedures including mammograms;
 - 2. Screening and diagnosis of breast cancer; and
 - 3. Diagnosis and treatment of cervical dysplasia;
- G. Immunizations;
- H. Limited pharmacological treatment for postpartum depression;
- I. Health history and physical exam;

- J. Mental health counseling/treatment, including:
 - 1. Individual, family, and group psychotherapy services; and
 - 2. Psychological testing administration and evaluation;
- K. Health behavior intervention, including:
 - 1. Screening, brief intervention, and referral for treatment;
 - 2. Smoking cessation services; and
 - 3. Medication-assisted treatment;
- L. Cardiovascular and coronary condition management, including:
 - 1. Cardiovascular evaluation imaging and laboratory studies;
 - 2. Blood pressure monitoring Equipment; and
 - 3. Antihypertensive medications; and
- M. Diabetes management, including:
 - 1. Laboratory studies;
 - 2. Additional injectable insulin options; and
 - 3. Blood glucose testing supplies.

Services are further defined in the [Family Planning Program Policy Manual](#). Services are subject to change with advance notice from the System Agency.

Grantees may request permission from System Agency for any subcontracting. Subgrantees must be monitored for performance and quality of services by the Grantee and Grantee must ensure all applicable policies and procedures are followed in accordance with the Grantee's and System Agency's program policies.

2.5.2 Cost Reimbursement Funding

Cost Reimbursement Funding is used to enhance the Grantee's capability to deliver required services to a Client under the FPP program.

The following Budget categories are allowable expenditures of grant funds, with prior approval from System Agency:

- A. Administrative Personnel;
- B. Travel;
- C. Equipment;
- D. Supplies;
- E. Contractual; and
- F. Other, such as website and information technology support (allowable direct costs not listed in the above categories)

At the discretion of System Agency, additional items may be included.

2.6 PROGRAM REQUIREMENTS

All Grant Projects funded under this RFA must meet the following program requirements:

2.6.1 Grantee Responsibilities

Grantees must:

- A. Ensure compliance with all State and federal statutes and regulations and HHSC rules, policies, procedures, and guidelines governing the program, included but not limited to, Texas Administrative Code (TAC), Title 1, Part 15, Chapter 382, Subchapter B; Title XIX, Social Security Act, 42 USC§ 1396-1396v et. seq. Grants to States for Medical Assistance Programs; and Texas Medicaid Provider Procedures Manual (TMPPM). The foregoing rules in TAC Title 1 and Title XIX, as they relate to the Program, may be further modified and revised within their existing title during Grant Term. In the event of such modifications or revision, Grantee shall be required to comply with said rules.
- B. Ensure compliance at all times with the current Family Planning Program Policy Manual (Program Policy Manual) available online at [Family Planning Program Policy Manual](#). The provisions of the Program Policy Manual may be further modified and revised within their existing title- during Grant Term. In the event of such modifications or revision, Grantee shall be required to comply with said rules.
- C. Comply with all requirements under the TxGMS, currently available online at: Grant Management (texas.gov). The Texas Comptroller of Public Accounts (CPA), from time to time and in its sole discretion, may revise the online link provided in this subsection. Grantee is responsible for contacting the CPA at any time that Grantee is not able to access the online materials to request the updated link. Grantee is always responsible for complying with the TxGMS, including any revisions to the standards during the Grant Term.
- D. Maintain an appropriate contract administration system to ensure that all terms, conditions, and specifications of this Grant Agreement are met.
- E. Ensure compliance with **Form I, Family Planning Program Certification** is completed in its entirety at the time of Application and certify that they do not perform or promote elective abortions and do not affiliate with any entity that does, as directed by HHSC, and for each program with TMHP and HHSC.

2.6.2 Administrative Requirements

Grantees must:

- A. Have policies and procedures relevant to administrative activities, eligibility screening, clinical procedures, Client records, and other components noted within the Family

- Planning Program Policy Manual. The policy manual can be found online at [Family Planning Program Policy Manual](#). Requirements outlined in the policy manuals are subject to change with advance notice from the System Agency.
- B. Have policies and procedures for internal quality assurance and quality improvement systems and process to monitor services per guidance in the FPP policy manual.
 - C. Conduct Client satisfaction surveys and provide survey data to System Agency in the frequency, manner and format defined by System Agency.
 - D. Have organizational and management structures, including facilities and staff, ready to serve FPP Clients within 60 Calendar Days of the effective date of Grant Agreement.
 - E. Comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) standards: <https://www.hhs.texas.gov/regulations/legal-information/hipaa-privacy-laws-for-protection-of-privacy-and-other-client-rights>.
 - F. Have appropriate screening and non-discrimination policies that comply with:
 - 1. [Title VI of the Civil Rights Act of 1964](#).
 - 2. [Americans with Disabilities Act \(ADA\) of 1990](#).
 - 3. [Age Discrimination Act of 1975](#).
 - 4. [Section 504 of the Rehabilitation Act of 1973](#).
 - 5. [Title IX of the Education Amendments of 1972](#).
 - 6. Accessible services to persons with limited English proficiency and speech or sensory impairments as noted in [Texas Administrative Code \(TAC\), Title 1, Part 15, Chapter 395, Subchapter B](#).
 - G. Have appropriate internal and external signage:
 - 1. Applicable and current HHS [civil rights posters](#) displayed where Clients and the public can easily see them. These posters notify Clients of the civil rights, how to file a discrimination complaint, and how to request accommodation or language assistance.
 - 2. Display signage related to suicide prevention, including the 988 Suicide and Crisis Lifeline. This signage must be displayed in areas where Clients and the general public can easily see them, such as lobbies, waiting rooms, front reception desks, and locations where people apply for and receive services.
 - 3. Display signage related to human trafficking.
 - 4. Appropriate exterior signage to identify funded entity as a healthcare facility.
 - H. Have written policies and procedures in compliance with all State and federal guidelines to address:
 - 1. Screening and reporting related to:
 - a. Child abuse and neglect ([Texas Family Code, Chapter 261](#)).
 - b. Abuse, neglect, and exploitation of the elderly or adults with disabilities ([Texas Human Resources Code, Chapter 48](#)).

- c. Domestic and intimate partner violence ([Centers for Disease Control and Prevention](#)).
 - d. Human trafficking (Trafficking Victims Protection Act of 2000 ([\[22 USC Chapter 78, Trafficking Victims Protections\]](#))).
- I. Have written policies and procedures in compliance with all State and federal guidelines to ensure:
- 1. Space for clinical and administrative staff.
 - 2. Maintenance of medical records and related policies and procedures that are compliant with the [Health Insurance Portability and Accountability Act \(HIPAA\) of 1996](#).
 - 3. Locked storage for charts, records, medications, and medical supplies.
 - 4. Proper storage and disposal of hazardous materials.
 - 5. [Clinical Laboratory Improvement Amendments \(CLIA\)](#) certification for level of tests performed.
 - 6. Clinic sites that are geographically close to target population(s) and compliant with the appropriate [ADA Standards](#).
 - 7. Clean and well-maintained facilities where services can be delivered with exam rooms, space for Client intake, and a place for Clients to wait.
 - 8. Appropriate policies, procedures and supplies to address clinical emergencies, as applicable.
 - 9. Appropriate use of interpreter services and language translation based on Client needs (including resources for both).
 - 10. Financial management systems and secure data storage.
- J. Have a general ledger from Grantee's computerized system that has accounts assigned to track financial transactions for the Grant Agreement that may include assets, liabilities, equity, revenue and expenses.
- K. Cooperate fully with System Agency investigations or monitoring reviews regarding Grantee's FPP services, and when applicable as determined by System Agency and any other entity on behalf of System Agency, develop a corrective action plan to address identified issues.
- L. Maintain an emergency response plan that complies with all applicable local, State, and federal laws, rules and regulations governing provision of services during the term of the Grant.
- M. Participate in all System Agency scheduled meetings and mandatory trainings and webinars to discuss the Program.

2.6.3 Program Eligibility

Grantee must:

- A. Determine program eligibility of every individual at enrollment and annually thereafter in accordance with Program rules and the requirements established in the Program Policy Manual.
- B. Develop a policy outlining Grantee procedures for how staff will screen for individual eligibility for FPP services, and review and ensure staff are trained on this policy.
- C. Ensure Clients eligible for multiple System Agency-funded programs are screened for program eligibility based on their primary need.
- D. Use System Agency-developed eligibility forms unless an alternative form is submitted to and approved by System Agency.
- E. Perform an FPP eligibility screening assessment on all individuals who present for services. Individuals must be screened for Medicaid, Healthy Texas Women (HTW), and any other System Agency-funded health programs for which the Grantee holds a Grant Agreement. If an individual is eligible for Medicaid or HTW, they are not eligible for FPP. Any other System Agency-funded health program for which the Grantee holds a Grant Agreement, the individual can be enrolled into the program that best matches their primary need.
- F. Verify and document residency in the individual record, without jeopardizing the delivery of services.
- G. Verify and document income in the individual record. If the methods used for income verification jeopardize the individual's right to confidentiality or impose a barrier to receipt of services, Grantee governs final determination of eligibility. Justifiable reasons for waiving verification of income must be noted in the individual record.
- H. Consider individuals as automatically income-eligible for services at an initial or renewal eligibility determination if the person provides proof of active enrollment for themselves or a member of their household in one of the following programs:
 1. Children's Health Insurance Program (CHIP)
 2. Children's Health Insurance Program – Perinatal (CHIP-P);
 3. Special Supplemental Nutrition Program for Women, Infants and Children (WIC);
or
 4. Supplemental Nutrition Assistance Program (SNAP).
- I. Establish a process to determine the individual's actual household FPL that includes determining individual's household size and monthly income amount and adjust annually based on the current U.S. Federal Poverty Guidelines as set forth in <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>. FPL amounts are updated annually.

2.6.4 Family Planning Services

Grantees must:

- A. Provide or assure the provision of covered services in accordance with 1 TAC §382.113 and the Program Policy Manual.
- B. Have an established referral relationship and sub-contract with a qualified provider of each covered service that the Grantee does not directly provide.
- C. Ensure follow-up of screening results occurs with all Clients. Grantee must make a good faith effort to document Client refusal and Clients lost to follow-up, as appropriate.
 1. Client refusal:
 - a. Grantee must attempt to obtain, in writing, and document in the Client record informed refusal from the Client if the Client fails to keep appointments or refuses recommended procedures.
 - b. If the Client cannot, or will not, sign an informed refusal, the Grantee must document verbal refusal.
 - c. Before closing the Client record as a refusal, a thorough review of the Client's plan, recommendations and navigator's actions must be conducted to ensure proper closure.
 2. Client lost to follow up:
 - a. Before a Grantee can consider a Client as lost to follow-up, the Grantee must have at least three documented attempts to contact the Client.
 - b. The Grantee must allow enough time between contact attempts for the Client to reply or respond to the Grantee.
 - c. Client contact attempts can be made by office visit, phone, text message, home visit, mail, or a combination of these methods.
 - d. Attempts to contact the Client must be written or presented verbally (when appropriate) in the Client's primary language (if the Client has limited English proficiency) and must include appropriate provisions for the visually and hearing impaired.
- D. In situations where Grantee holds more than one Grant Agreement for System Agency-funded health programs offering the same or similar services, consult the Program Policy Manual for limited instances where billing more than one Grant Agreement for the same Client is allowed. Grantee must seek System Agency approval for any instance not clearly defined in the Program Policy Manual.
- E. Administer a depression screening, such as the Patient Health Questionnaire-9 (PHQ-9) or other culturally relevant depression screening tool, at the initial visit and subsequent visits if deemed clinically necessary. Grantee must provide treatment, education and referrals as needed.

- F. Administer a substance use screening, such as Screening, Brief Intervention, and Referral to Treatment or other culturally relevant substance use screening tool at the initial visit and subsequent visits if deemed clinically necessary. Grantee must provide Client education and referrals as needed.
- G. If awarded funding for a dedicated FPP patient navigator, the FPP patient navigator must:
 - 1. Provide Application assistance and follow-up to Clients screening eligible for Healthy Texas Women, FPP, or Breast and Cervical Cancer Services and other State-administered benefit programs.
 - 2. Administer during initial and subsequent visits a System Agency-approved non-medical service needs assessment provided by the System Agency that identifies barriers to transportation, childcare, housing, food, and employment. Grantee may use a comparable, alternative tool with prior System Agency written approval.
 - 3. Provide the following other services:
 - a. Client education and support,
 - b. Resolution of Client barriers (for example, transportation and translation services, as feasible),
 - c. Tracking and follow-up to monitor progress in completing needed services and follow-up.
 - 4. Provide the name, email, phone number, and address of patient navigator to System Agency within thirty (30) Calendar Days of hire.
 - 5. Participate in System Agency training when mandated by System Agency.
- H. Engage in promotion and outreach activities in each of the counties designated as a service area in **Form D, Texas Counties Per Region** during the Grant Term, including developing an annual promotion and outreach plan. Grantee must make a plan available for monitoring purposes according to protocols and guidance specified in the Program Policy Manual.
- I. If awarded funding for Client travel, establish eligibility criteria and screen eligible individuals for travel support to and from clinic or mobile location(s). Criteria for financial travel support to Clients should be income based and may include other factors.

2.6.5 Personnel Standards and Requirements

Grantee must:

- A. Maintain qualified staff in accordance with Program rules and the requirements established in the Program Policy Manual.
- B. Establish, annually review, and train staff on FPP program requirements and policies, including any updates to the Program Policy Manual and required forms that occur during the Grant Term.

- C. Have an organizational structure and related management systems that provide oversight and lines of authority appropriate for the size and scope of the Grantee organization.
- D. Have current job descriptions for positions that will be fully or partially funded by this Grant, as well as key positions providing oversight to the administration and operations related to this Grant.
- E. Provide information on all personnel and locations that will serve FPP populations prior to the effective date of Grant Agreement using a System Agency-approved template.
- F. Ensure all personnel and technicians assigned to provide services outlined in this RFA have and maintain all licenses and certifications required by applicable law. Assigned personnel and technicians, who may include department directors or equivalent positions, providing services that, by law, require a professional licensure/certification, must hold a current, valid, and applicable Texas license and/or certification in good standing. Grantee is responsible for ensuring all staff and Subgrantees or vendors, if any, hold current, valid, and applicable licenses and/or certifications in good standing.
- G. Maintain all required licenses and certifications for the business during the term of the Grant. The Grantee or Grantee's personnel and Subgrantees or vendors, if any, must also maintain their individual required licenses and certifications during Grant Term.
- H. Notify in writing and provide updated contact information to System Agency of changes in CEO, CFO, program director or program manager within thirty (30) Calendar Days of change, whether funded under this Contract or not. Grantee must notify in writing and provide updated contact information to System Agency of changes to any grant-funded positions.
- I. Ensure at least one (1) representative, with responsibilities to disseminate information to program administrative and clinic staff attends a minimum of two (2) priority technical assistance webinars offered by the System Agency during the fiscal year. These specific webinars will be identified as "mandatory" in System Agency's electronic mail. To receive credit for participating, attendees must follow System Agency's directions including completion of any sign-in sheet, registration, and/or survey within the specified timeframe.
- J. Ensure at least one (1) representative, with responsibilities to disseminate information to program administrative and clinic staff, has access to the System Agency's web-based Applications (SharePoint site). Grantee must sign and submit a Family Clinical Services Extranet and Data Upload Security Agreement form for each staff person accessing the System Agency's web-based Applications (SharePoint site). Grantees must ensure users of System Agency's web-based Applications have an Outlook or Microsoft Office 365 account.

2.6.6 Co-pays and Fees

Grantee must:

- A. Must not charge Clients administrative fees for items such as processing and/or transfer of medical records, or copies of immunization records.
- B. May bill Clients for services outside the scope of allowable services if the service is provided at the Client's request and the Client is made aware of their responsibility for paying for the charges.
- C. May assess a Client co-pay in accordance with Program rules and requirements so that Clients with a household FPL at or below 100% must not be charged a co-pay, and Clients with a household FPL above 100% must not be charged a co-pay more than \$30 per visit.
- D. Must not deny a covered service due to inability to pay. Grantee shall waive the fee if a Client self-declares inability to pay.

2.6.7 Telehealth and Telemedicine Medical Services

- A. Grantee may use telehealth services and telemedicine medical services as defined in Texas Government Code §531.001(7) and (8) respectively (using the meaning assigned by Texas Occupations Code §111.001) as provided through Texas Medicaid.
- B. Grantee must comply with all of the following:
 - 1. Clients must give written consent that they agree to receive services via telehealth and telemedicine;
 - 2. Telehealth and telemedicine medical services must comply with all Texas Medicaid requirements for telehealth, as well as the licensure/practice act requirements for each provider; and
 - 3. Technology used to provide telehealth or telemedicine medical services must be compliant with the Family Educational Rights and Privacy Act of 1974 (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA).

2.6.8 Cost Reimbursement

Grant Agreement funds must be expended within the current State fiscal year award period. Rollover of unexpended funds to the succeeding State fiscal year award periods will not be allowed.

- A. Cost Reimbursement provides funds to Grantees that support the overall outcomes of Clients served through FPP FFS. These funds may be used for support services that enhance FFS Client service delivery. Cost Reimbursement awards may be used to fund personnel, staff travel, contractual services, Equipment, supplies, other Direct Costs, and Indirect Costs per State and federal requirements and must be reasonable, allowable and already allocated.

- B. System Agency, in its sole discretion, may approve fund transfer between Budget categories upon Grantee's written request that must include a detailed explanation that supports the need for the fund transfer. Grantee must seek System Agency's written approval prior to making any fund transfers.

2.6.9 FPP FFS Reimbursement

- A. Grantees are reimbursed on a FFS basis for direct Client services that have been provided to Clients.
- B. Grantees are required to submit claims for all direct Client services to the Texas Medicaid and Healthcare Partnership (TMHP), using the appropriate claim form found on the TMHP website, [Family Planning Program | TMHP](#).

2.6.10 Reimbursements and Invoicing Processes

- A. System Agency will reimburse Grantee for all charges determined and invoiced in accordance with the terms and conditions of this Grant Agreement. All payments by System Agency under this Grant Agreement will be made in accordance with the "Texas Prompt Payment Act," Chapter 2251 of the Texas Government.
- B. The Cost Reimbursement payment method is based on an approved Budget and the submission of expense reimbursement requests. Grantees are required to finance upfront operational costs and request reimbursement for costs incurred. Payments are made by System Agency to reimburse the Grantees for actual cash disbursements in accordance with supporting documentation.
- C. Grantee must submit Monthly Voucher Packet (MVP) with supporting documentation to System Agency for review in a secure, non-alterable electronic format to the email address on the MVP with the Grantee's full name, month and year of invoice in the subject line. Vouchers will not be paid until all forms within the monthly voucher packet and supporting documentation are received and approved by System Agency.
- D. FFS claims must be filed to TMHP within 95 Calendar Days of the date of service using the appropriate claim form found on the TMHP website. The Texas Medicaid Provider Procedure Manual (TMPPM) provides detailed instructions on how to complete the form.
- E. All services shall be performed to the satisfaction of System Agency. System Agency shall not be liable for any payment for services that System Agency deems unsatisfactory, that fail to adhere to the terms of the Grant Agreement, or that have not been approved by System Agency.
- F. Grantee must comply with System Agency's rules, policies, Grant Agreement provisions, and applicable instruction manuals regarding the collection and timely submission of complete and accurate data.

2.7 READINESS REVIEW

Readiness Reviews conducted by the System Agency are required for any New Grantee who has not been awarded a Grant Agreement for FPP within the past five (5) years, or for any Grantee who has had a previous FPP Grant Agreement that was either suspended or terminated within the past five (5) years. Readiness Reviews will occur within the first 90 Calendar Days of the Grant Term. The System Agency will contact the Grantee to schedule Readiness Reviews. The System Agency may elect to provide technical assistance to a new Grantee, or Grantees suspended or terminated within the past five (5) years, to correct deficiencies discovered during the Readiness Review. The System Agency retains the right to terminate the Grant Agreement if a Readiness Review determines the Grantee fails the assessment below.

System Agency may also require Grantee to submit detailed policies and procedures that document day-to-day business activities related to Grant Agreement requirements for System Agency review and approval.

During the review, the following will be assessed:

- A. Eligibility Policy – Grantee’s Eligibility Policy must outline the Grantee’s procedures for determining eligibility and who is responsible for eligibility screening. The policy must include documentation of household and family composition, date of birth, residency, income, presumptive eligibility, calculation of the Grantee’s federal poverty level percentage, and correct eligibility forms.
- B. Co-Pay Policy and Co-Pay Table– This policy must outline the Grantee’s procedures for the collection of any co-pays or other fees for FPP Clients or provide documentation that confirms the organization does not charge FPP Clients copays. This table must adhere to the requirements outlined in the Program Policy Manual.
- C. Client Record Management Policy – This policy must outline the Grantee’s procedures to ensure medical records are kept confidential, secure, and include how records are retained, including record retention.
- D. Facility Certificates – All clinic sites providing x-rays must have an active certificate of registration from the Texas Department of State Health Services Radiation Control Program. All clinic sites providing laboratory testing must have an active Clinical Laboratory Improvement Amendment (CLIA) certificate.
- E. Prescriptive Authority Agreement (PAA) and Policy – This policy must outline the Grantee’s procedures for ensuring properly executed PAAs are in place for each advanced practice registered nurse (APRN) or physician assistant (PA). The PAA must meet all the requirements delineated in the Texas Occupations Code, Chapter 157 and the Program Policy Manual. Professional Licensure/Certification – Grantee must provide copies of all medical, nursing, and technician staff licensure and certification. Standing Delegation Order (SDO) and Policy – This policy must outline the Grantee’s

procedures for developing, annually reviewing, properly storing and training staff on SDOs for unlicensed and licensed personnel (not APRN or PA) in accordance with the Program Policy Manual.

2.8 REQUIRED REPORTS

The System Agency will monitor Grantee’s performance, including, but not limited to, thorough review of financial and programmatic reports and performance measures, under any Grant Agreement awarded as a result of this RFA. Each Grantee awarded a Grant Agreement as a result of this RFA must submit the following reports by the noted due dates:

REPORT	DUE DATE
Monthly Voucher Packet and supporting documentation	By the last Business Day of the month following the month in which expenses were incurred or services provided. Final voucher is due 45 Calendar Days after the end of the Grant Term.
Financial Status Report (FSR)	30 Calendar Days after the end of each Quarter. Final FSR due within 45 Calendar Days after the end of the Grant Term.
Financial Reconciliation Report (FRR)	60 Calendar days after the end of the Grant Term.
Mental Health and Substance Use Screening Report	Within 30 Calendar Days after the end of each fiscal quarter.
Performance Measures Report	Within 30 Calendar Days after the end of each State fiscal quarter.
Promotion and Outreach Surveys	Twice a year survey responses are due 15 Calendar Days after the end of the reporting period, as outlined in the Program Policy Manual.
Patient Navigator Report	Within 30 Calendar Days after the end of each fiscal quarter, if applicable.

Clinic Locator Survey	Ten (10) Calendar Days after requested by System Agency
-----------------------	---

Grantee shall provide all applicable reports in the format and manner specified by System Agency in an accurate, complete, and timely manner and shall maintain appropriate supporting backup documentation. Failure to comply with submission deadlines for required reports or other requested information may result in System Agency, in its sole discretion, placing the Grantee on financial hold without first requiring a corrective action plan in addition to pursuing any other corrective or remedial actions under the Grant Agreement.

2.9 PERFORMANCE MEASURES AND MONITORING

The System Agency will look solely to Grantee for the performance of all Grantee obligations and requirements in a Grant Agreement resulting from this RFA. Grantee shall not be relieved of its obligations for any nonperformance by its Subgrantees or Subcontractors, if any.

Grant Agreements awarded as a result of this RFA are subject to the System Agency's performance monitoring activities throughout the duration of the Grant Term. This evaluation may include a reassessment of Project activities and services to determine whether they continue to be effective throughout the Grant Term.

Grantees must regularly collect and maintain data that measures the performance and effectiveness of activities under a Grant Agreement resulting from this RFA in the manner and format, and within the timeframes specified in this RFA and resulting Grant Agreement, or as otherwise specified by System Agency. Grantees must submit the necessary information and documentation regarding all requirements, including reports and other deliverables as designated in the Grant Agreement.

System Agency will negotiate performance measures with Applicants before final selection.

Grantee must submit a quarterly narrative in the Performance Measures Report that addresses one or more of the following outcome measures (as indicated in **Form C, Work Plan**):

- A. Improving health outcomes:
 - 1. Increased screening rates; and
 - 2. Managing chronic disease.
- B. Reducing healthcare costs:
 - 1. Avoidable emergency department visits;

2. Hospitalizations and hospital re-admission rates;
3. Symptom-free days; and
4. Quality-adjusted life years.

C. Other outcome measures proposed by applicant and approved by System Agency.

If requested by System Agency, the Grantee shall report on the progress towards completion of the Grant Project and other relevant information as determined by System Agency during the Grant Term. To remain eligible for renewal funding, if any, the Grantee must be able to show the scope of services provided and their impact, quality, and levels of performance against approved goals, and that Grantee's activities and services effectively address and achieve the project's stated purpose.

2.10 FINANCIAL STATUS REPORTS (FSRs)

Except as otherwise provided, for Grant Agreements with categorical Budgets, Grantee shall submit quarterly FSRs to System Agency by the last Business Day of the month following the end of each State fiscal quarter for System Agency review and financial assessment. Through submission of a FSR, Grantee certifies that (1) any applicable invoices have been reviewed to ensure all grant-funded purchases of goods or services have been completed, performed or delivered in accordance with Grant Agreement requirements; (2) all Grantee-performed services have been completed in compliance with the terms of the Grant Agreement; (3) that the amount of the FSR added to all previous approved FSRs does not exceed the maximum liability of the grant award; and (4) all expenses shown on the FSR are allocable, allowable, actual, reasonable, and necessary to fulfill the purposes of the Grant Agreement.

2.11 FINAL BILLING SUBMISSION

Grantee shall submit a final MVP reimbursement request not later than 45 Calendar Days following the end of the Grant Term. FFS claims shall be submitted within 45 Calendar Days for reimbursement through TMHP. Reimbursement or payment requests received after the deadline will not be paid.

2.12 DATA USE AGREEMENT

By submitting an Application in response to this RFA, Applicant agrees to be bound by the terms of **Exhibit D, HHS Data Use Agreement v.8.5** or **Exhibit D-1, Governmental Entity Version HHS Data Use Agreement v.8.5**, including but not limited to the terms and conditions regarding **Exhibit D-2, Texas HHS System-Data Use Agreement-Attachment 2, Security and Privacy Inquiry (SPI)**, attached to this RFA.

2.13 LIMITATIONS ON GRANTS TO UNITS OF LOCAL GOVERNMENT

Pursuant to the General Appropriations Act, Article IX, Section 4.04,

- A. In each Grant Agreement with a unit of local government, grant funds appropriated under the General Appropriations Act will be expended subject to limitations and reporting requirements similar to those provided by:
 - 1. Parts 2, 3, and 5 of Article IX of the General Appropriations Act (except there is no requirement for increased salaries for local government employees);
 - 2. §§556.004, 556.005, and 556.006, Government Code; and
 - 3. §§2113.012 and 2113.101, Government Code.
- B. In this section, "unit of local government" means:
 - 1. A council of governments, a regional planning commission, or a similar regional planning agency created under Chapter 391, Local Government Code;
 - 2. A local workforce development board; or
 - 3. A community center as defined by Health and Safety Code, §534.001(b).

Section III. Applicant Eligibility Requirements

3.1 LEGAL AUTHORITY TO APPLY

By submitting an Application in response to this RFA, Applicant certifies that it has legal authority to apply for the Grant Agreement that is the subject of this RFA and is eligible to receive awards. Further, Applicant certifies it will continue to maintain any required legal authority and eligibility throughout the entire duration of the Grant Term, if awarded. All requirements apply with equal force to Applicant and, if the recipient of an award, Grantee and its Subgrantees or Subcontractors, if any.

Each Applicant may only submit one Grant Application.

3.2 APPLICATION SCREENING REQUIREMENTS

In order to be considered an Applicant eligible for evaluations, Applicant must meet the following minimum requirements:

- A. Applicant must be a governmental entity (health department, hospital district, university medical center, and other State or local agency), a federally qualified health center ("FQHC") (which is a safety net provider that provides services typically given in an outpatient clinic), or a nonprofit entity, with 501(c)(3) status.

- B. Applicant must have a Texas address. A post office box may be used when the RFA is submitted, but the Applicant must conduct business at a physical location in Texas prior to the start of the Grant Term.
- C. Applicant must be able to provide a general ledger from Applicant's computerized system that has accounts assigned to track financial transactions for the Grant that may include assets, liabilities, equity, revenue, and expenses.
- D. Applicant must be a Texas Medicaid provider or provide evidence with its Application that a Medicaid provider enrollment Application has been submitted, see **Form A, Face Page**. The National Provider Identification number provided must be for the organization itself, and not for individual providers associated with the organization.

An Applicant that does not meet these minimum requirements will be disqualified and not considered for a grant. HHSC expressly reserves the right to review and analyze the documentation submitted, request additional documentation, and/or determine the Applicant's eligibility to compete for the Grant Agreement award.

3.3 GRANT AWARD ELIGIBILITY

By submitting an Application in response to this RFA, Applicant certifies that:

- A. Applicant and all of its identified subsidiaries intending to participate in the Grant Agreement are eligible to perform grant-funded activities, if awarded, and are not subject to suspension, debarment, or a similar ineligibility determined by any State or federal entity;
- B. Applicant is in good standing under the laws of Texas and has provided HHSC with any requested or required supporting documentation in connection with this certification;
- C. Applicant shall remain in good standing and eligible to conduct its business in Texas and shall comply with all applicable requirements of the Texas Secretary of State and the Texas Comptroller of Public Accounts;
- D. Applicant is currently in good standing with all licensing, permitting, or regulatory bodies that regulate any or all aspects of Applicant's operations; and
- E. Applicant is not delinquent in taxes owed to any taxing authority of the State of Texas as of the effective date of the Grant Agreement.

3.4 GRANTS FOR POLITICAL POLLING PROHIBITED

Pursuant to the General Appropriations Act, Article IX, Section 4.03, none of the funds appropriated by the General Appropriations Act may be granted to or expended by any entity which performs political polling. This prohibition does not apply to a poll

conducted by an academic institution as part of the institution’s academic mission that is not conducted for the benefit of a particular candidate or party. By submitting a response to this RFA, Applicant certifies that it is not ineligible for a Grant Agreement pursuant to this prohibition.

Section IV. Grant Term

4.1 GRANT TERM

The Grant Term is **September 1, 2025** through **August 31, 2030**.

Extension of Grant Term: The System Agency may, at its sole discretion, extend the Grant Term for one-month extensions up to one (1) year to allow for the full expenditure of awarded funding and completion of Grant activities. No additional grant funds will be awarded during the extension period.

4.2 PROJECT CLOSEOUT

System Agency will programmatically and financially close the grant award and end the Grant Agreement when System Agency determines Grantee has completed all applicable actions and work in accordance with Grant Agreement requirements. The Grantee must submit all required financial, performance, and other reports as required in the Grant Agreement. The project close-out date is 90 Calendar Days after the Grant Agreement end date, unless otherwise noted in the original or amended Grant Agreement. Funds not obligated by Grantee by the end of the Grant Agreement term and not expended by the project close-out date will revert to System Agency.

Section V. Grant Funding and Reimbursement Information

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of State and federal funding available for the FPP grant program is **\$316,176,790.00** for the entire Grant Term. The total amount of federal funding is \$9,403,640.00 and State funding is \$306,773,150.00. It is the System Agency's intention to make multiple awards to Applicants that successfully demonstrate the ability to deliver family planning services to Clients.

Applicants are strongly cautioned to only apply for the amount of grant funding they can responsibly expend during a State Fiscal Year to avoid lapsed funding at the end of the Grant Term. Successful Applications may not be funded to the full extent of Applicant’s

requested Budgets in order to ensure grant funds are available for the broadest possible array of communities and programs.

Reimbursement will only be made for actual, allowable, and allocable expenses that occur within the Grant Term. No spending or costs incurred prior to the effective date of the award will be eligible for reimbursement.

Grant Agreement funds must be expended within the current State Fiscal Year. Rollover of unexpended funds to the succeeding State Fiscal Years will not be allowed.

5.2 NOTICE TO PROCEED

The State Fiscal Year funding amounts are subject to increase or decrease as funds are appropriated throughout the Grant Agreement term from the federal government, Texas Legislature, or both. HHSC Contract Representative will issue a written Notice to Proceed (NTP) annually to Grantee on or around July 1 containing the award amount for the upcoming State Fiscal Year (September 1–August 31). HHSC reserves the right to modify the annual award amount at any time during the Grant Agreement term by issuing a written revised NTP to the Grantee. No expenses may be incurred, and no work may begin until HHSC issues an NTP to the Grantee. HHSC may send the NTP to the Grantee by regular mail, electronic mail, or facsimile transmission. Grantee will be notified of a change to the availability of funds through the NTP.

Although the NTP may issue a budget amount less than the total not to exceed amount of the Grant Agreement, the NTP must not effectuate a total budget of the Grant Agreement that results in a total not-to-exceed Grant Agreement amount that exceeds the amount specified in the Grant Agreement. Such changes to the total not-to-exceed amount specified in the Grant Agreement must be effectuated by amendment. Any expenditures made beyond the dollar amounts specified in the NTP(s) will be at Grantee's sole risk.

5.3 NO GUARANTEE OF REIMBURSEMENT AMOUNTS

There is no guarantee of total reimbursements to be paid to any Grantee under any Grant Agreement, if any, resulting from this RFA. Grantees should not expect to receive additional or continued funding under future RFA opportunities and should maintain sustainability plans in case of discontinued grant funding. Any additional funding or future funding may require submission of a new Application through a subsequent RFA.

Receipt of an Application in response to this RFA does not constitute an obligation or expectation of any award of a Grant Agreement or funding of a grant award at any level under this RFA.

5.4 COST SHARING OR MATCHING REQUIREMENTS

Cost Sharing or Match is not a requirement of this RFA.

5.5 GRANT FUNDING PROHIBITIONS

Grant funds may not be used to support the following services, activities, and costs:

- A. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- B. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- C. Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (cf. 18 U.S.C. § 1913), whether conducted directly or indirectly;
- D. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- E. Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;
- F. Entertainment, amusement, or social activities and any associated costs including but not limited to admission fees or tickets to any amusement park, recreational activity or sporting event unless such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
- G. Costs of promotional items, and memorabilia, including models, gifts, and souvenirs;
- H. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel, where pre-approved for working events, or where such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
- I. Membership dues for individuals;
- J. Any expense or service that is readily available at no cost to the Grant Project;
- K. Any activities related to fundraising;
- L. Equipment and other capital expenditures such as capital improvements, property losses and expenses, real estate purchases, mortgage payments, remodeling, the acquisition or construction of facilities, or other items that are unallowable pursuant to 2 CFR 200.439;
- M. Any other prohibition imposed by federal, State, or local law; and

- N. Other unallowable costs as listed under TxGMS, Appendix 7, Selected Items of Cost Supplement Chart and/or 2 CFR 200, Subpart E – Cost Principles, General Provisions for Selected Items of Cost, where applicable.

5.6 PAYMENT METHOD

Grant Agreements awarded under this RFA will be funded on a Cost Reimbursement and FFS basis. The Cost Reimbursement payment method is based on an approved Budget and the submission of expense reimbursement requests. Grantees are required to finance upfront operational costs and request reimbursement for costs incurred. Payments are made by System Agency to reimburse the Grantees for actual cash disbursements in accordance with supporting documentation.

The FFS payment method is based on the approved service code used with acceptable submission of all required documentation, forms, and/or reports. Grantees will be reimbursed using the FFS method by submitting claims for actual and eligible services provided to Clients, which will be reviewed and paid by System Agency. Service codes can be found in the [TMHP Static Fee Schedule](#). Applicants may search for fee information for specified procedure codes. The fee information is accurate for the current date or for a specified prior date of service.

Section VI. Application Exhibits and Forms for Submission

Note: Applicants must refer to **Section XIII, Submission Checklist**, for the complete checklist of documents that must be submitted with an Application under this RFA.

6.1 NARRATIVE PROPOSAL

Using **Forms C, Work Plan, Form D, Texas Counties Served by Region, Form E, Subcontracting Information** and **Form I, Family Planning Program Certification** attached to this RFA, Applicants must describe their proposed activities, processes, and methodologies to satisfy all objectives described in **Section II, Scope of Grant Project**, including the Applicant's background, readiness, Texas counties served, clinical service delivery, required certification and Subgrantee/Subcontracting information, if appropriate. Applicants should identify all proposed tasks to be performed, including all Project activities, during the Grant Term. Applicants must complete and submit all required forms and exhibits.

6.2 REQUESTED BUDGET

Applicants must complete the attached **Exhibit H, FY 2026 Family Planning Budget Workbook**, to support their proposed Project and in alignment with the requirements described in this RFA. Applicants must utilize the Budget workbook template provided to identify all Budget line items, Budget categories must be broken out into specific Budget line items that allow System Agency to determine if proposed costs are reasonable, allowable, and necessary for the successful performance of the Project. Applicants must enter all costs in the Budget tables and explain why the cost is necessary and how the cost was established. Applicants must include the total requested FFS amount in the Budget Workbook template.

Applicants must ensure that Project costs outlined in the Budget workbooks are reasonable, allowable, allocable, and developed in accordance with applicable State and federal grant requirements. Reasonable costs are those if, in nature and amount, do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. A cost is allocable to a particular cost objective if the cost is chargeable or assignable to such cost objective in accordance with relative benefits received. See 2 CFR Part 200.403 or TxGMS Cost Principles, Basic Considerations (pgs. 31-32), for additional information related to factors affecting allowability of costs.

If selected for a grant award under this RFA, only System Agency-approved Budget items in the Requested Budget may be considered eligible for reimbursement.

Submission of Exhibit H, FY 2026 Family Planning Budget Workbook, is mandatory. Applicants that fail to submit the requested Budget workbooks set forth in this RFA with their Application will be disqualified.

6.3 INDIRECT COSTS

Applicants must have an approved Indirect Cost rate (ICR) or request the de minimis rate to recover Indirect Costs. All Applicants are required to complete and submit **Form F, Texas Health and Human Services System Indirect Costs Rate (ICR) Questionnaire**, with required supporting documentation. The questionnaire initiates the acknowledgment or approval of an ICR for use with the System Agency cost-reimbursable Contracts. Entities declining the use of Indirect Cost cannot recover indirect costs on any System Agency award or use unrecovered Indirect Costs as match.

HHS typically accepts the following approved ICRs:

- A. Federally approved Indirect Cost Rate Agreement
- B. State of Texas approved Indirect Cost Rate

The System Agency, at its discretion, may request additional information to support any approved ICR agreement.

If the Applicant does not have an approved ICR agreement, the Applicant may be eligible for the 15% de minimis rate or may request to negotiate an ICR with HHS.

For Applicants requesting to negotiate an ICR with HHS, the ICR Proposal Package will be provided by the HHS Federal Funds Indirect Cost Rate Group to successful Grantees. The ICR Proposal Package must be completed and returned to the HHS Federal Funds Indirect Cost Rate Group no later than three (3) months post-award.

The HHS Federal Funds Indirect Cost Rate group will contact applicable Grantees after Grant Agreement execution to initiate and complete the ICR process. Grantees should respond within 30 Business Days, or the request will be cancelled, and Indirect Costs may be disallowed.

Once HHS acknowledges an existing rate or approves an ICR, the Grantee will receive one of the three Indirect Cost approval letters: ICR Acknowledgement Letter, ICR Acknowledgement Letter – 15% De Minimis, or the ICR Agreement Letter.

If an Indirect Cost Rate Letter is required but it is not issued at the time of Grant Agreement execution, the Grant Agreement will be amended to include the Indirect Cost Rate Letter after the ICR Letter is issued.

Approval or acceptance of an ICR will not result in an increase in the amount awarded or affect the agreed-upon service or performance levels throughout the life of the award.

6.4 ADMINISTRATIVE APPLICANT INFORMATION

Using **Forms A, Face Page, Form B, Administrative Entity Information v.1, Form B-1, Governmental Entity, and Form B-2, Non-Profit or For-Profit Entity** through attached to this RFA, Applicant must provide satisfactory evidence of its ability as an organization to manage and coordinate the types of activities described in this RFA.

A. Litigation and Contract History

Using **Form H, Contract and Litigation History**, Applicant must include in its Application a complete disclosure of any alleged or significant contractual or grant failures.

In addition, Applicant must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Applicant or in which Applicant has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Applicant. See **HHS Solicitation Affirmations v. 2.6**. Applicant certifies it does not have any existing claims against or unresolved audit exceptions with the State of Texas or any agency of the State of Texas.

Application may be rejected based upon Applicant's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual or grant obligations.

B. Internal Controls Questionnaire

Applicant must complete **Form G, Internal Controls Questionnaire**, and submit with its Application.

Section VII. RFA Administrative Information and Inquiries

7.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Funding Announcement Posting Date Posted to HHS Grants RFA and Texas eGrants websites	November 25, 2024
Deadline for Submitting Questions or Requests for Clarification	December 6, 2024, by 5:00 p.m. Central Time
Tentative Date Answers to Questions or Requests for Clarification Posted	December 13, 2024
Deadline for Submission of Applications NOTE: Applications must be <u>RECEIVED</u> by HHSC by this deadline if not changed by subsequent Addenda to be considered eligible.	January 3, 2025, by 10:30 a.m. Central Time
Anticipated Notice of Award	June 2025
Anticipated Project Start Date	September 1, 2025

Applicants must ensure their Applications are received by HHSC in accordance with the Deadline for Submission of Applications (date and time) indicated in this

Schedule of Events or as changed by subsequent Addenda posted to the [HHS Grants RFA](#) website.

All dates are tentative and HHSC has the right to change these dates at any time. At the sole discretion of HHSC, events listed in the Schedule of Events are subject to scheduling changes and cancellation. Scheduling changes or cancellation determinations made prior to the Deadline for Submission of Applications will be published by posting an Addendum to the [HHS Grants RFA](#) website. After the Deadline for Submission of Applications, if there are delays that significantly impact the anticipated award date, HHSC, at its sole discretion, may post updates regarding the anticipated award date to the [Procurement Forecast](#) on the HHS Procurement Opportunities [web page](#). Each Applicant is responsible for checking the HHS Grants RFA website and Procurement Forecast for updates.

7.2 SOLE POINT OF CONTACT

All requests, questions or other communication about this RFA shall be made by email **only** to the Grant Specialist designated as HHSC's Sole Point of Contact listed below:

Name	Dedra Williams
Title	Grant Specialist, HHSC Procurement and Contracting Services
Address	Procurement and Contracting Services Building 1100 W 49th St. MC: 2020 Austin, TX 78756
Email	Dedra.Williams@hhs.texas.gov

Applicants shall not use the above e-mail address for submission of an Application. Follow the instructions for submission as outlined in Section VIII, Application Organization and Submission Requirements.

However, if expressly directed in writing by the Sole Point of Contact, Applicant may communicate with another designated HHS representative, e.g., during grant negotiations as part of the normal grant review process, if any.

Prohibited Communications: Applicants and their representatives shall not contact other HHS personnel regarding this RFA.

This restriction (on only communicating in writing by email with the sole point of contact identified above) does not preclude discussions between Applicant and agency personnel for the purposes of conducting business unrelated to this RFA.

Failure of an Applicant or its representatives to comply with these requirements may result in disqualification of the Application.

7.3 RFA QUESTIONS AND REQUESTS FOR CLARIFICATION

Written questions and requests for clarification of this RFA are permitted if submitted by email to the Sole Point of Contact by the Deadline for Submitting Questions or Requests for Clarification established in **Section 7.1, Schedule of Events**, or as may be amended in Addenda, if any, posted to the HHS Grants RFA websites.

Applicants' names will be removed from questions in any responses released. All questions and requests for clarification must include the following information. Submissions that do not include this information may not be accepted:

- A. RFA Number;
- B. Section or Paragraph number from this Solicitation;
- C. Page Number of this Solicitation;
- D. Exhibit or other Attachment and Section or Paragraph number from the Exhibit or other Attachment;
- E. Page Number of the Exhibit;
- F. Language, Topic, Section Heading being questioned; and
- G. Question

The following contact information must be included in the e-mail submitted with questions or requests for clarification:

- A. Name of individual submitting question or request for clarification;
- B. Organization name;
- C. Phone number; and
- D. E-mail address

Questions or other written requests for clarification must be received by the Sole Point of Contact by the Deadline for Submitting Questions or Requests for Clarification set forth in this **Section 7.1, Schedule of Events**, or as may be amended in **Addenda**, if any, posted to the HHS Grants RFA website.

HHSC may review and, at its sole discretion, may respond to questions or other written requests received after the Deadline for Submitting Questions or Requests for Clarification.

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

Applicants must notify the Sole Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in the RFA in the manner and by the Deadline for Submitting Questions or Requests for Clarification. Each Applicant submits its Application at its own risk.

If Applicant fails to properly and timely notify the Sole Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in the RFA, Applicant, whether awarded a Grant Agreement or not:

- A. Shall have waived any claim of error or ambiguity in the RFA and any resulting Grant Agreement;
- B. Shall not contest the interpretation by the HHSC of such provision(s); and
- C. Shall not be entitled to additional reimbursement, relief, or time by reason of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error or its later correction.

7.5 RESPONSES TO QUESTIONS OR REQUEST FOR CLARIFICATIONS

Responses to questions or other written requests for clarification will be consolidated and HHSC will post responses in one or more Addenda on the [HHS Grants RFA](#) website. Responses will not be provided individually to requestors.

HHSC reserves the right to amend answers previously posted at any time prior to the Deadline for Submission of Applications. Amended answers will be posted on the [HHS Grants RFA](#) website in a separate, new Addendum or Addenda. It is Applicant's responsibility to check the [HHS Grants RFA](#) website or contact the Sole Point of Contact for a copy of the Addendum with the amended answers.

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

HHSC reserves the right to change, amend, modify or cancel this RFA. All changes, amendments and modifications or cancellation will be posted by Addendum on the HHS Grants RFA website.

It is the responsibility of each Applicant to periodically check the HHS Grants RFA website for any additional information regarding this RFA. Failure to check the posting website will in no way release any Applicant or awarded Grantee from the requirements of posted Addenda or additional information. No HHS agency will be responsible or liable in any regard for the failure of any individual or entity to receive notification of any posting to the websites or for the failure of any Applicant or awarded Grantee to stay informed of all postings to these websites. If the Applicant fails to monitor these websites for any changes or modifications to this RFA, such failure will not relieve the Applicant of its obligation to fulfill the requirements as posted.

7.7 EXCEPTIONS

Applicants are highly encouraged, in lieu of including exceptions in their Applications, to address all issues that might be advanced by way of exception by submitting **Exhibit F, Exceptions** or questions or requests for clarification pursuant to **Section 7.3, RFA Questions and Requests for Clarification**.

No exception, nor any other term, condition, or provision in an Application that differs, varies from, or contradicts this RFA, will be considered to be part of any Grant Agreement resulting from this RFA unless expressly made a part of the Grant Agreement in writing by the System Agency.

Section VIII. Application Organization and Submission Requirements

8.1 APPLICATION RECEIPT

Applications must be received by HHSC by the Deadline for Submission of Applications specified in **Section 7.1, Schedule of Events**, or subsequent Addenda. HHSC will date and time stamp all Applications upon receipt. Applications received after the Deadline for Submission of Applications may be ruled ineligible. Applicants should allow for adequate time for submission before the posted Deadline for Submission of Applications.

No HHS agency will be held responsible for any Application that is mishandled prior to receipt by HHSC. It is the Applicant's responsibility to ensure its Application is received by HHSC before the Deadline for Submission of Applications. No HHS agency will be responsible for any technical issues that result in late delivery, non-receipt of an Application, inappropriately identified documents, or other submission issue that may lead to disqualification.

Note: All Applications become the property of HHSC after submission and receipt and will not be returned to Applicant.

Applicants understand and acknowledge that issuance of this RFA or retention of Applications received in response to this RFA in no way constitutes a commitment to award Grant Agreement(s) as a result of this RFA.

8.2 APPLICATION SUBMISSION

By submitting an Application in response to this Solicitation, Applicant represents and warrants that the individual submitting the Application and any related documents on behalf of the Applicant is authorized to do so and binds the Applicant under any Grant Agreement that may result from the submission of an Application.

8.3 REQUIRED SUBMISSION METHOD

Applicants must submit their completed Applications by the Deadline for Submission of Applications provided in the **Section 7.1, Schedule of Events**, or subsequent Addenda, using one the approved methods identified below. Applications submitted by any other method (e.g., facsimile) will not be considered and will be disqualified.

Submission Option #1 HHS Online Bid Room: Applicants shall upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit G, HHS Online Bid Room Instructions**. **File Size Limitation:** Restriction to 250MB per file attachment.

- A. One (1) copy marked as “Original Application” that contains the Applicant’s entire Application in a Portable Document Format (“.pdf”) file.
- B. One (1) copy of the completed **Exhibit H, FY 2026 Family Planning Budget Workbook**, in its original Excel format.
- C. One (1) copy of the complete Application marked as “Public Information Act Copy,” if applicable, in accordance with **Section 12.1, Texas Public Information Act-Application Disclosure Requirements**, in a Portable Document Format (.pdf”) file.

Submission Option #2 Sealed Package with USB Drives: Applicants shall submit each of the following on separate USB drives:

- A. One (1) USB drive with the complete Application file marked as “Original Application” in a Portable Document Format (.pdf”) file. Include the USB in a separate envelope within the sealed Application package and mark the USB and envelope with “Original Application.” USB drive must include the completed **Exhibit H, FY2026 Family Planning Budget Workbook**, in its original Excel format.
- B. One (1) USB drive with a copy of the complete Application file marked as “Public Information Act Copy,” if applicable and in accordance with **Section 12.1, Texas Public Information Act-Application Disclosure Requirements**. The copy must be in a Portable Document Format (.pdf”) file. Include the USB in a separate envelope within the sealed package and mark the USB and envelope with “Public Information Act Copy” or “PIA Copy.”

Sealed packaged must be clearly labeled with the following:

- A. RFA Number;
- B. RFA Title;
- C. Deadline for Submission of Applications;
- D. Sole Point of Contact’s name; and
- E. Applicant’s legal name

Applicants are solely responsible for ensuring the USB drives are submitted in sealed packaging that is sufficient to prevent damage to contents and delivered by U.S. Postal Service, overnight or express mail, or hand delivery to the addresses below. No HHS agency will be responsible or liable for any damage.

Overnight/Express/Priority Mail	Hand Delivery
<p style="text-align: center;">Health and Human Services Commission ATTN: Dedra Williams Tower Building Room 108 1100 W. 49th St., MC 2020 Austin, Texas 78756</p>	<p style="text-align: center;">Health and Human Services Commission ATTN: Dedra Williams Procurement & Contracting Services Building 1100 W. 49th St., MC 2020 Austin, Texas 78756</p>

8.4 COSTS INCURRED FOR APPLICATION

All costs and expenses incurred in preparing and submitting an Application in response to this RFA and participating in the RFA selection process are entirely the responsibility of the Applicant.

8.5 APPLICATION COMPOSITION

All Applications must:

- A. Be responsive to all RFA requirements;
- B. Be clearly legible;
- C. Be presented using font type Verdana, Arial, or Times New Roman, font size 12 pt., with one (1) inch margins and 1.5 line spacing; the sole 12-point font size exception is no less than size 10 pt. for tables, graphs, and appendices;
- D. Include page numbering for each section of the proposal; and
- E. Include signature of Applicant’s authorized representative on all exhibits and forms requiring a signature. Copies of the Application documents should be made after signature.

8.6 APPLICATION ORGANIZATION

The complete Application file .pdf must:

- A. Be organized in the order outlined in the **Section XIII, Submission Checklist**, and include all required sections (e.g., “Administrative Information,” “Narrative Proposal,” “Exhibits to be Submitted with Application,” and “Addenda”)
 1. **Exhibit H, FY2026 Family Planning Budget Workbook** is to be submitted in its original Excel format.
 2. Each Application section must have a cover page with the Applicant’s legal name, RFA number, and Name of Grant identified.
- B. Include all required documentation, exhibits, and forms completed and signed, as applicable. Copies of forms are acceptable, but all copies must be identical to the original. All exhibits must be submitted and obtained directly from the posted RFA package; previous versions and copies are not allowed or acceptable.

8.7 APPLICATION WITHDRAWALS OR MODIFICATIONS

Prior to the Deadline for Submission of Applications set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda, an Applicant may:

- A. Withdraw its Application by submitting a written request to the Sole Point of Contact; or
- B. Modify its Application by submitting an entirely new submission, complete in all respects, using one of the approved methods of submission set forth in this RFA. The modification must be received by HHSC by the Deadline for Submission of Applications set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda.

No withdrawal or modification request received after the Deadline for Submission of Applications, set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda, will be considered. Additionally, in the event of multiple Applications received, the most timely received and/or modified Application will replace the Applicant’s original and all prior submission(s) in its entirety and the original submission(s) will not be considered.

Section IX. Application Screening and Evaluation

9.1 OVERVIEW

A three-step selection process will be used:

- A. Application screening to determine whether the Applicant meets the minimum requirements of this RFA;

- B. Scoring and review of qualifications; and
- C. Final selection based upon State priorities and other relevant factors, as outlined in **Section 10.1, Final Selection**.

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

All Applications received by the Deadline for Submission of Applications as outlined in **Section 7.1, Schedule of Events**, or subsequent Addenda, will be screened by HHSC to determine which Applications meet all the minimum requirements of this RFA and are deemed responsive and qualified for further consideration. See **Section 3.2, Application Screening Requirements**.

At the sole discretion of HHSC, in coordination with System Agency, Applications with errors, omissions, or compliance issues may be considered non-responsive and may not be considered. The remaining Applications will continue to the evaluation stage and will be considered in the manner and form as which they are received. HHSC reserves the right to waive minor informalities in an Application. A “minor informality” is an omission or error that, in the determination of HHSC if waived or modified, would not give an Applicant an unfair advantage over other Applicants or result in a material change in the Application or RFA requirements. **Note:** Any disqualifying factor set forth in this RFA does not constitute an informality (e.g., **Exhibit A, HHS Solicitation Affirmations v. 2.6**, or **Exhibit H, FY 2026 Family Planning Budget Workbook**).

HHSC, at its sole discretion, may give an Applicant the opportunity to submit missing information or make corrections at any point after receipt of Application. The missing information or corrections must be submitted to the Sole Point of Contact e-mail address in **Section 7.2, Sole Point of Contact**, by the deadline set by HHSC. Failure to respond by the deadline may result in the rejection of the Application and the Applicant’s not being considered for award.

9.3 QUESTIONS OR REQUESTS FOR CLARIFICATION FOR APPLICATIONS

System Agency reserves the right to ask questions or request clarification or revised documents for a submitted Application from any Applicant at any time prior to award. System Agency reserves the right to select qualified Applications received in response to this RFA without discussion of the Applications with Applicants.

9.4 EVALUATION CRITERIA

Applications will be evaluated and scored in accordance with the following scoring criteria using **Exhibit E, Evaluation Tool**.

Scoring Criteria: Qualified Applications shall be evaluated based upon:

- A. Local Unmet Needs (50%);
- B. Outreach to Eligible Service Areas (25%); and
- C. Performance Measure(s) (25%).

9.5 PAST PERFORMANCE

System Agency reserves the right to request additional information and conduct investigations as necessary to review any Application. By submitting an Application, the Applicant generally releases from liability and waives all claims against any party providing information about the Applicant at the request of System Agency.

System Agency may examine Applicant's past performance which may include, but is not limited to, information about Applicant provided by any governmental entity, whether an agency or political subdivision of the State of Texas, another state, or the Federal government.

System Agency, at its sole discretion, may also initiate investigations or examinations of Applicant performance based upon media reports. Any negative findings, as determined by System Agency in its sole discretion, may result in System Agency removing the Applicant from further consideration for award.

Past performance information regarding Applicants may include, but is not limited to:

- A. Notices of termination;
- B. Cure notices;
- C. Assessments of liquidated damages;
- D. Litigation;
- E. Audit reports; and
- F. Non-renewals of grants or Contracts based on Applicant's unsatisfactory performance.

Applicants also may be rejected as a result of unsatisfactory past performance under any grant(s) or Contract(s) as reflected in vendor performance reports, reference checks, or other sources. An Applicant's past performance may be considered in the initial screening process and prior to making an award determination.

Reasons for which an Applicant may be denied a Grant Agreement at any point after application submission include, but are not limited to:

In addition to the reasons stated in Sections 9.2 and 9.4, an Applicant may be denied a Grant Agreement at any point after Application submission include, due to the following:

- A. If applicable, Applicant has an unfavorable report or grade on the CPA Vendor Performance Tracking System (VPTS). VPTS may be accessed at: <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>, OR,
- B. Applicant is currently under a corrective action plan through HHSC or DSHS, OR,
- C. Applicant has had repeated, negative vendor performance reports for the same reason, OR,
- D. Applicant has a record of repeated non-responsiveness to vendor performance issues, OR,
- E. Applicant has Contracts or purchase orders that have been cancelled in the previous 12 months for non-performance or substandard performance, OR
- F. Any other performance issue that demonstrates that awarding a Grant Agreement to Applicant would not be in the best interest of the State.

9.6 COMPLIANCE FOR PARTICIPATION IN STATE CONTRACTS

Prior to award of a Grant Agreement as a result of this RFA and in addition to the initial screening of Applications, all required verification checks will be conducted.

The information (e.g., legal name and, if applicable, assumed name (d/b/a), tax identification number, DUNS number) provided by Applicant will be used to conduct these checks. At System Agency's sole discretion, Applicants found to be barred, prohibited, or otherwise excluded from award of a Grant Agreement may be disqualified from further consideration under this Solicitation, pending satisfactory resolution of all compliance issues.

Checks include:

A. State of Texas Debarment and Warrant Hold

Applicant must not be debarred from doing business with the State of Texas (<https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>) or have an active warrant or payee hold placed by the Comptroller of Public Accounts (CPA).

B. U.S. System of Award Management (SAM) Exclusions List

Applicant must not be excluded from Contract participation at the federal level. This verification is conducted through SAM, the official website of the U.S. Government which may be accessed at:

<https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf>

C. Divestment Statute Lists

Applicant must not be listed on the Divestment Statute Lists provided by CPA, which may be accessed at:

<https://comptroller.texas.gov/purchasing/publications/divestment.php><https://comptroller.texas.gov/purchasing/publications/divestment.php>

1. Companies that boycott Israel;
2. Companies with Ties to Sudan;
3. Companies with Ties to Iran;
4. Foreign Terrorist Organizations; and
5. Companies with Ties to Foreign Terrorist Organizations.

D. HHS Office of Inspector General

Applicant must not be listed on the HHS Office of Inspector General Texas Exclusions List for people or businesses excluded from participating as a provider:

<https://oig.hhsc.texas.gov/exclusions>

E. U.S. Department of Health and Human Services

Applicant must not be listed on the U.S. Department of Health and Human Services Office of Inspector General's List of Excluded Individuals/Entities (LEIE), excluded from participation as a provider, unless a valid waiver is currently in effect:

<https://exclusions.oig.hhs.gov/>

Additionally, if a subrecipient under a federal award, the Grantee shall comply with requirements regarding registration with the U.S. Government's System for Award Management (SAM). This requirement includes maintaining an active SAM registration and the accuracy of the information in SAM. The Grantee shall review and update information at least annually after initial SAM registration and more frequently as required by 2 CFR Part 25.

For Grantees that may make procurements using grant funds awarded under the Grant Agreement, Grantee must check SAM Exclusions that contain the names of ineligible, debarred, and/or suspended parties. Grantee certifies through acceptance of a Grant Agreement it will not conduct business with any entity that is an excluded entity under SAM.

HHSC reserves the right to conduct additional checks to determine eligibility to receive a Grant Agreement.

Section X. Award of Grant Agreement Process

10.1 FINAL SELECTION

After initial screening for eligibility and Application completeness, and initial evaluation against the criteria listed in **Section 9.4, Evaluation Criteria**, the System Agency may apply other considerations such as program policy or other selection factors that are essential to the process of selecting Applications that individually or collectively achieve program objectives. In applying these factors, the System Agency may consult with internal and external subject matter experts. The funding methodology for issuing final Grant Agreements will include the following identified factors:

The 2024-25 General Appropriations Act, House Bill 1, 88th Legislature, Regular Session, 2023 (Article II, Health and Human Services, Rider 64) requires HHSC to use the following methodology to allocate funds for the Family Planning Program:

- A. First award public entities that provide family planning services, including state, county, local community health clinics, FQHCs, and clinics under the Baylor College of Medicine;
- B. Secondly, non-public entities that provide comprehensive primary and preventative care as a part of their family planning services; and
- C. Thirdly, non-public entities that provide family planning services but do not provide comprehensive primary and preventative care.

The rider further establishes, HHSC's compliance with federal law to ensure the distribution and allocation methodology for funds for the Family Planning Program, does not severely limit or eliminate access to services to any region. As a result, the following methodology will also be applied:

- A. The highest-ranking Applicant in each of the eleven State's [public health regions](#) will be considered for funded.
- B. If additional funds are available, the second highest ranking Applicant in each of the eleven State health regions will be considered for funding.
- C. If additional funds are available, the third highest ranking Applicant in each of the eleven State health regions will be considered for funding.

The System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, geographic distribution across the State, State priorities, reasonableness, availability of funding, cost-effectiveness, and other relevant factors.

All funding recommendations will be considered for approval by the HHSC Program Deputy Executive Commissioner, or their designee.

10.2 NEGOTIATIONS

After selecting Applicants for award, the System Agency may engage in negotiations with selected Applicants. As determined by System Agency, the negotiation phase may involve direct contact between the selected Applicant and HHS representatives by virtual meeting, by phone and/or by email. Negotiations should not be interpreted as a preliminary intent to award funding unless explicitly stated in writing by the System Agency and is considered a step to finalize the Application to a state of approval and discuss proposed grant activities. During negotiations, selected Applicants may expect:

- A. An in-depth discussion of the submitted Application and Requested Budget; and
- B. Requests from the System Agency for revised documents, clarification or additional detail regarding the Applicant's submitted Application. These clarifications and additional details, as required, must be submitted in writing by Applicant as finalized during the negotiation.

10.3 DISCLOSURE OF INTERESTED PARTIES

Subject to certain specified exceptions, Section 2252.908 of the Texas Government Code, Disclosure of Interested Parties, applies to a Contract of a State agency that has a value of \$1 million or more; requires an action or vote by the governing body of the entity or agency before the Contract may be signed; or is for services that would require a person to register as a lobbyist under Chapter 305 of the Texas Government Code.

One of the requirements of Section 2252.908 is that a business entity (defined as "any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation") must submit a Form 1295, Certificate of Interested Parties, to the System Agency at the time the business entity submits the signed Contract.

Applicant represents and warrants that, if selected for award of a Grant Agreement as a result of this RFA, Applicant will submit to the System Agency a completed, certified and signed Form 1295, Certificate of Interested Parties, at the time the potential Grantee submits the signed Grant Agreement.

The Form 1295 involves an electronic process through the Texas Ethics Commission (TEC). The on-line process for completing the Form 1295 may be found on the TEC public website at: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm.

Additional instructions and information to be used to process the Form 1295 will be provided by the System Agency to the potential Grantee(s). Grantee may contact Sole Point of Contact or designated Contract Manager for information needed to complete Form 1295.

If the potential Grantee does not submit a completed, certified and signed TEC Form 1295 to the System Agency with the signed Grant Agreement, the System Agency is prohibited by law from executing a Contract, even if the potential Grantee is otherwise eligible for award. The System Agency, as determined in its sole discretion, may award the Grant Agreement to the next qualified Applicant, who will then be subject to this procedure.

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT(S)

The System Agency intends to award more than one Grant Agreement as a result of this RFA. However, not all Applicants who are deemed eligible to receive funds are assured of receiving a Grant Agreement.

At any time and at its sole discretion, System Agency reserves the right to cancel this RFA, make partial award, or decline to award any Grant Agreement(s) as a result of this RFA.

The final funding amount and the provisions of the grant will be determined at the sole discretion of System Agency.

HHSC may announce tentative funding awards through an “Intent to Award Letter” once the HHSC Program Deputy Executive Commissioner and relevant HHSC approval authorities have given approval to initiate and/or execute grants. Receipt of an “Intent to Award Letter” does not authorize the recipient to incur expenditures or begin project activities, nor does it guarantee current or future funding.

Upon execution of a Grant Agreement(s) as a result of this RFA, HHSC will post a notification of all grants awarded to the [HHS Grants RFA](#) website and Readiness Reviews will be conducted in accordance with Section 2 of the RFA.

Section XI. General Terms and Conditions

11.1 GRANT APPLICATION DISCLOSURE

In an effort to maximize State resources and reduce duplication of effort, the System Agency, at its discretion, may require the Applicant to disclose information regarding the Application for or award of State, federal, and/or local grant funding to the Applicant or Subgrantee or Subcontractor (i.e. organization who will participate, in part, in the operation of the Project) within the past two years to provide family planning services.

11.2 TEXAS HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)

In procuring goods and services using funding awarded under this RFA, Grantee must use HUBs or other designated businesses as required by law or the terms of the State or federal grant under which this RFA has been issued. See, e.g., 2 CFR 200.321. If there are no such requirements, System Agency encourages Applicant to use HUBs to provide goods and services.

For information regarding the Texas HUB program, refer to CPA’s website:
<https://comptroller.texas.gov/purchasing/vendor/hub/>.

Section XII. Application Confidential or Proprietary Information

12.1 TEXAS PUBLIC INFORMATION ACT – APPLICATION DISCLOSURE REQUIREMENTS

Applications and resulting Grant Agreements are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request. Other legal authority also requires System Agency to post grants and Applications on its public website and to provide such information to the Legislative Budget Board for posting on its public website.

Under the PIA, certain information is protected from public release. If Applicant asserts that information provided in its Application is exempt from disclosure under the PIA, Applicant must:

A. **Mark Original Application:**

1. Mark the Original Application, at the top of the front page, with the words “CONTAINS CONFIDENTIAL INFORMATION” in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font); and
2. Identify, adjacent to each portion of the Application that Applicant claims is exempt from public disclosure, the claimed exemption from disclosure (NOTE: no redactions are to be made in the Original Application);

B. **Certify in Original Application – HHS Solicitation:** Certify, in the designated section of the **Exhibit A, HHS Solicitation Affirmations v. 2.6**, Applicant’s confidential information assertion and the filing of its Public Information Act Copy; and

C. **Submit Public Information Act Copy of Application:** Submit a separate “Public Information Act Copy” of the Original Application (in addition to the original and all copies otherwise required under the provisions of this RFA). The Public Information Act Copy must meet the following requirements:

1. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font);
2. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
3. Applicant must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in **Subsection (C) of this section** must be identical to those set forth in the Original Application as required in **Subsection A(2)**, above. The only difference in required markings and information between the Original Application and the “Public Information Act Copy” of the Application will be redactions – which can only be included in the “Public Information Act Copy.” There must be no redactions in the Original Application.

By submitting an Application under this RFA, Applicant agrees that, if Applicant does not mark the Original Application, provide the required certification in Exhibit A, HHS Solicitation Affirmations v. 2.6, and submit the Public Information Act Copy, the Application will be considered to be public information that may be released to the public in any manner including, but not limited to, in accordance with the Public Information Act, posted on the System Agency’s public website, and posted on the Legislative Budget Board’s public website.

If any or all Applicants submit partial, but not complete, information suggesting inclusion of confidential information and failure to comply with the requirements set forth in this section, the System Agency, in its sole discretion, reserves the right to (1) disqualify all Applicants that fail to fully comply with the requirements set forth in this section, or (2) to offer all Applicants that fail to fully comply with the requirements set forth in this section additional time to comply.

No Applicant should submit a Public Information Act Copy indicating that the entire Application is exempt from disclosure. Merely making a blanket claim that the entire Application is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable, and may make the entire Application subject to release under the PIA.

Applications should not be marked or asserted as copyrighted material. If Applicant asserts a copyright to any portion of its Application, by submitting an Application, Applicant agrees to reproduction and posting on public websites by the State of Texas, including the System Agency and all other State agencies, without cost or liability.

The System Agency will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this RFA, Applicant acknowledges that all information, documentation, and other materials submitted in its Application may be subject to public disclosure under the PIA. The System Agency does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Applicants are advised to consult with their legal counsel concerning

disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. The System Agency assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Applicants.

For more information concerning the types of information that may be withheld under the PIA or questions about the PIA, please refer to the Public Information Act Handbook published by the Office of the Texas Attorney General or contact the attorney general's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access the Public Information Act Handbook, please visit the attorney general's website at <http://www.texasattorneygeneral.gov>.

12.2 APPLICANT WAIVER – INTELLECTUAL PROPERTY

SUBMISSION OF ANY DOCUMENT TO ANY HHS AGENCY IN RESPONSE TO THIS SOLICITATION CONSTITUTES AN IRREVOCABLE WAIVER, AND AGREEMENT BY THE SUBMITTING PARTY TO FULLY INDEMNIFY THE STATE OF TEXAS AND HHS FROM ANY CLAIM OF INFRINGEMENT REGARDING THE INTELLECTUAL PROPERTY RIGHTS OF THE SUBMITTING PARTY OR ANY THIRD PARTY FOR ANY MATERIALS SUBMITTED TO HHS BY THE SUBMITTING PARTY.

Page Intentionally Left Blank

Section XIII. Submission Checklist

HHSC, in its sole discretion, will review all Applications received and will determine if any or all Applications which do not include complete, signed copies of these exhibits and/or addenda, will be disqualified or whether additional time will be permitted for submission of the incomplete or missing exhibits. If additional time is permitted, Applicants will be notified in writing of the opportunity to provide the missing documentation by a specified deadline. Failure by an Applicant to submit the requested documentation by the deadline WILL result in disqualification. Applications that do not include Exhibit A, HHS Solicitation Affirmations v. 2.6 (completed and signed), and Exhibit H, FY2026 Family Planning Budget Workbook (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

This Submission Checklist identifies the documentation, forms and exhibits that are required to be submitted as part of the Application.

The Application must be organized in the order below and include each required section and the forms and exhibits identified within a section:

A. Administrative Information

- 1. Form A, Face Page _____
- 2. Form B, Administrative Entity Information _____
- 3. Form B-1, Governmental Entity, if applicable _____
- 4. Form B-2, Non-Profit or For-Profit Entity, if applicable _____
- 5. Form G, Internal Controls Questionnaire _____
- 6. Form H, Contract and Litigation History _____

B. Narrative Proposal [The Narrative Proposal must be titled “Narrative Proposal” and include the Applicant’s Legal Name, the RFA No., and the name of the Grant Program. Use the titles below for each required section.]

- 1. Form C, Work Plan _____
- 2. Form D, Texas Counties Served by Region _____
- 3. Form E, Subcontracting Information _____
- 4. Form I, Family Planning Program Certification _____

C. Requested Budget

Exhibit H, FY2026 Family Planning Program Budget Workbook _____
The FY2026 Family Planning Budget Workbook is mandatory and must be submitted with the Application, in the original format (Excel), for the Application to be considered responsive. Applications received without the completed Budget workbook will be disqualified.

D. Indirect Costs

Form F, Texas Health and Human Services System Indirect Costs Rate (ICR) _____

E. Exhibits to be Completed, Signed, and Submitted with Application

1. Exhibit A, HHS Solicitation Affirmations v. 2.6 _____

Per Section 12.1, Texas Public Information Act – Application Disclosure Requirements, Exhibit A is mandatory and must be completed, signed and submitted for the Application to be considered responsive. Applications received without Exhibit A or with an unsigned Exhibit A may be disqualified.

2. Exhibit D, HHS Data Use Agreement v.8.5 or _____
Exhibit D-1, Governmental Entity Version HHS Data Use Agreement v.8.5, if applicable _____

3. Exhibit D-2, Texas HHS System Data Use Agreement- Attachment 2 Security and Privacy Inquiry (SPI) _____

4. Exhibit F, Exceptions, if applicable _____

5. Exhibit I, Federal Funding Accountability and Transparency Act (FFATA) Certification Form _____

6. Exhibit J, Assurances – Non-Construction Programs _____

7. Exhibit K, Certification Regarding Lobbying _____

F. Addenda: Each Addendum, if any, must be signed and submitted with the Application. _____

Section XIV. List of Exhibits and Forms Attached to RFA

Exhibits

- Exhibit A, HHS Solicitation Affirmations v. 2.6
- Exhibit B, HHS Uniform Terms and Conditions - Grant v.3.5
- Exhibit C, HHS Additional Provisions V.1.0 – Grant Funding
- Exhibit D, HHS Data Use Agreement v.8.5
- Exhibit D-1, Governmental Entity Version v.8.5 HHS Data Use Agreement, if applicable
- Exhibit D-2, Texas HHS System Data Use Agreement- Attachment 2 Security and Privacy Inquiry (SPI)
- Exhibit E, Evaluation Tool
- Exhibit F, Exceptions
- Exhibit G, HHS Online Bid Room Instructions
- Exhibit H, FY2026 Family Planning Budget Workbook (Excel)
- Exhibit I, Federal Funding Accountability and Transparency Act (FFATA) Certification Form
- Exhibit J, Assurances – Non-Construction Programs
- Exhibit K, Certification Regarding Lobbying

Forms

- Form A, Face Page
- Form B, Administrative Entity Information
- Form B-1, Governmental Entity
- Form B-2, Non-Profit or For-Profit Entity
- Form C, Work Plan
- Form D, Texas Counties Served by Region
- Form E, Subcontracting Information
- Form F, Texas Health and Human Services System Indirect Costs (ICR) Rate Questionnaire
- Form G, Internal Controls Questionnaire
- Form H, Contract and Litigation History
- Form I, Family Planning Program Certification