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## 42 C.F.R. § 600.410

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### Competitive contracting process.

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(a) *General requirement.* In order to receive initial HHS certification as described in § 600.120, the State must assure in its BHP Blueprint that it complies with the requirements set forth in this section.

(b) *Contracting process.* The State must:

- (1) Conduct the contracting process in a manner providing full and open competition consistent with the standards of 45 CFR 92.36(b) through (i);
- (2) Include a negotiation of the elements described in paragraph (d) of this section on a fair and adequate basis; and
- (3) Consider the additional elements described in paragraph (e) of this section.

(c) *Initial implementation exceptions.* (1) If a State is not able to implement a competitive contracting process described in paragraph (b) of this section for program year 2015, the State must include a justification as to why it cannot meet the conditions in paragraph (b), as well as a description of the process it will use to enter into contracts for the provision of standard health plans under BHP.

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