

## **EXHIBIT J**

### **Mitigation Letter**



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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September 30, 2014

Mr. Maydad Cohen  
Deputy Chief of Staff for Policy and Cabinet Affairs  
Office of the Governor  
Massachusetts State House  
Room 105  
Boston, MA 02133

RE: Health Insurance Exchange Accessibility Mitigation

Dear Mr. Cohen,

Introduction

The Massachusetts Office of Information Technology ("MassIT") seeks a waiver of compliance with MassIT's Enterprise IT Accessibility Standards ("MassIT accessibility standards") in order to facilitate the completion of an agreement (the "Agreement") between MassIT and OptumInsight, Inc. ("Optum").

Background

The Agreement involves building a new health insurance exchange/integrated eligibility system ("HIX/IES") based on the hCentive software .

This letter addresses only the use of the hCentive software and any additional pre-existing software that Optum proposes to present to External End Users and Internal End Users (as defined below) in connection with any of the projects it undertakes for MassIT.

There are three user groups of the system:

1. External End Users: This includes insurance carriers, providers, brokers, small business employers and employees, and several hundred thousand state citizens and residents. This group is expected to include about one million people.
2. Internal End Users: These are state employees (or contractors) who use the system to perform their job. This group is expected to include about one thousand people.
3. Technology Users: These are state employees (or contractors) who develop and maintain the system. They perform various functions to develop and maintain the system and will use software appropriate to those functions. The number of Technology Users will be less than 30.

Given the large numbers of External and Internal End Users, the success of this project will be measured in part by its degree of accessibility. The Agreement imposes a significant number of accessibility requirements on the system and its development.

The Agreement includes licenses for the following hCentive products:

1. WebInsure State – Individual Exchange (“Individual Exchange”), including:
  - a. ACA MAGI Eligibility
  - b. Shopping & Enrollment
  - c. Individual Broker/Navigator Portal
  - d. Direct Enrollment
  - e. Plan Management
  - f. Back Office Portal
2. WebInsure State – SHOP Exchange (“SHOP Exchange”), including:
  - a. Employee Portal
  - b. Employer Portal
  - c. SHOP Broker/Navigator Portal

Only Individual Exchange is included in the implementation scope of the Agreement.

#### Accessibility Assessment

MassIT conducted an accessibility assessment with insufficient information to produce a detailed mitigation and remediation plan. The following conditions are based only on the information that was made available to us in the form of VPATS and is not sufficient to evaluate accessibility for all components of this project.

Sarah Bourne of ITD's Assistive Technology Group reviewed the following information for Individual Exchange:

- hCentive Webinsure State 3.2.0 VPAT
- hCentive WebInsure State 3.1.20 VPAT
- hCentive WebInsure State 2.1 VPAT and notes from prior procurement
- Third party usability and accessibility test result reports from the State of Colorado's "Connect for Health Colorado" project, which used hCentive

No VPAT or other accessibility assessment information was provided by Optum for SHOP Exchange.

#### Conditions

MassIT grants you a waiver from the requirement that the software products included in the Agreement meet the MassIT Accessibility Standards as of the date of the execution of the Agreement, subject to the following conditions.

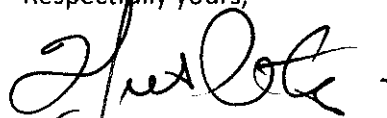
1. Nothing in this letter should be interpreting as waiving any requirements for accessibility included in the Agreement, except the date by which the system must be compliant with MassIT's accessibility standards.
2. MassIT will hire a third party accessibility tester from statewide contract ITS52DesignatedITD, Category A: Accessibility Audit Services ("ITS52 Category A").
3. Optum will use the information in the VPATs and Colorado test results to identify accessibility potential problems in order to identify critical issues and to fix or avoid them.

4. Using its own accessibility testers (which may be Optum employees, contractors, hCentive employees or hCentive contractors) , Optum will be responsible for testing deliverables against the MassIT accessibility standards and the AT/IT Environment List during the project for accessibility defects and sharing the testing results with MassIT.

If a change in implementation scope or a future project proposes the use of SHOP Exchange products, MassIT will have them tested by a third party accessibility tester from statewide contract ITS52 Category A if no VPATs have been provided by that time. All accessibility terms of the Agreement will apply to the implementation of SHOP.

5. Software products delivered under the Agreement will be configured and customized prior to production deployment. Due to the emergency nature of the Optum/MassIT contract and the associated project, , Optum will test all code deliverables related to user interfaces against eMassIT accessibility standards and the AT/IT Environment List after Final Acceptance. MassIT will, through its third party accessibility testers, perform the same testing. Optum will collaborate with MassIT's accessibility tester, the project Accessibility Advisory Committee, and MassIT to prioritize and resolve all substantive accessibility defects, whether or not they were reported in the VPAT or other accessibility reports provided.
6. By July 31, 2015, Optum will remedy any accessibility defects in interfaces for External and Internal End Users for any part of the system developed under the Agreement, whether or not such defects were reported in the VPATs or other accessibility reports provided in this bid.
7. Optum is encouraged to assess accessibility compliance with the World Wide Web Consortium's Web Content Authoring Guidelines, version 2, level AA, as allowed by the MassIT accessibility standards, Section 6. Waivers and Exemptions.

Respectfully yours,



William G. Oates  
Commonwealth Chief Information Officer  
Commonwealth of Massachusetts  
MassIT