

2023 Medicare Compliance Program Guidelines Attestation

Anderson Healthcare, Anderson Hospital, Community Hospital of Staunton, Maryville Imaging, LLC, Anderson Medical Group, LLC, Anderson Surgery Center, Anderson Real Estate, LLC, and Maryville Medical Services, LLC (together “Anderson Healthcare”) are First Tier, Downstream and Related Entities (FDR)¹. We provide administrative and or health care services for Medicare Advantage Products⁴. Your organization is a Downstream Entity of Anderson Healthcare. This attestation confirms your commitment to comply with the Centers for Medicare & Medicaid Services (CMS) requirements². These requirements are below and apply to all services your organization, as Anderson Healthcare’s Downstream Entity³, provides for Medicare Advantage Products⁴. They also apply to any of the Downstream Entities you use for Medicare Advantage Products.

1. Standards of Conduct and/or Compliance Policies

My organization has Standards of Conduct and/or Compliance Program policies that explain its commitment to comply with federal and state laws, ethical behavior, and Compliance Program operations. They are distributed to employees within 90 days of hire, upon revision, and annually thereafter.

2. Training

My organization trains all employees who provide Administrative or Health Care Services for Medicare Advantage Products on Medicare Parts C and D General Compliance, security, and privacy within 90 days of hire and annually thereafter. If my organization is *not* a Deemed Entity, it also trains all such employees on Fraud, Waste, and Abuse within 90 days of hire and annually thereafter.

3. OIG and SAM Exclusion Screening

My organization screens the US Department of Health & Human Services Office of Inspector General ([OIG](#)) and the General Services Administration’s System for Award Management ([SAM](#)) exclusion lists prior to hire or contracting, and monthly thereafter, for our employees and Downstream Entities. My organization immediately removes any person/entity from working on Medicare Advantage Products if found on either of these lists.

4. Reporting Mechanisms

My organization communicates to employees how to report suspected or detected noncompliance or potential Fraud, Waste, or Abuse, and that it is their obligation to report without fear of retaliation or intimidation against anyone who reports in good faith. My organization either requests employees report concerns directly to Anderson Healthcare or maintains confidential and anonymous mechanisms for employees to report internally. In turn, we report these concerns to Anderson Healthcare, when applicable.

5. Offshore Operations

For any work my organization performs that involves the receipt, processing, transferring, handling, storing, or accessing of Protected Health Information (PHI), my organization either does not do the work offshore, does not have Downstream Entities that do the work offshore, or does the work offshore (ourselves or through a Downstream Entity) but has submitted Anderson Healthcare’s [Offshore Services Attestation: Required Information](#) form and obtained approval from an authorized Aetna representative to do so.

6. Downstream Entity Oversight

My organization either does not use Downstream Entities or uses Downstream Entities for Medicare Advantage Products and conducts oversight to ensure that they abide by all laws, rules, and regulations that apply to me as a Downstream Entity. This includes ensuring that my organization’s:

- Contractual agreements with Downstream Entities contain all CMS-required provisions
- Downstream Entities comply with the Medicare compliance program requirements described in this attestation
- Downstream Entities comply with any applicable Medicare operational requirements

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7. Operational Oversight

My organization conducts internal oversight of the services that we perform for Medicare Advantage Products to ensure that compliance is maintained with applicable laws, rules, and regulations including CMS regulatory/sub-regulatory guidance.

I certify, as an authorized representative of my organization, that the statements made above are true and correct to the best of my knowledge. Also, we agree to maintain documentation supporting those statements. We will maintain this documentation in accordance with federal regulations, which is no less than 10 years. We will produce this evidence upon request. We understand the inability to produce this evidence may result in a Corrective Action Plan or other contractual remedies such as contract termination.

Authorized Representative Printed Name and Title

Signature of Authorized Representative

Date

Organization Name Printed

Organization Mailing Address

Tax ID# (TIN)/Employer ID# (EIN)

¹ A FDR is any party that enters into a written arrangement, acceptable to CMS, with a Medicare Advantage Organization or Part D plan sponsor or applicant to provide administrative services or health care services to a Medicare eligible individual under the Medicare Advantage program or Part D program. (See 42 C.F.R. §§ 422.500 & 423.501.)

² CMS guidance for Medicare Advantage organizations and Part D sponsors are published in both Pub. 100-18, Medicare Prescription Drug Benefit Manual, Chapter 9 and in Pub.100-16, Medicare Managed Care Manual, Chapter 21, and are identical in each.

³ A Downstream Entity is any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with the Medicare Advantage benefit or Part D benefit, below the level of the arrangement between a Medicare Advantage Organization or applicant or a Part D plan sponsor or applicant and a first tier entity. These written arrangements continue down to the level of the ultimate provider of both health and administrative services. (See 42 C.F.R. §§ 422.500 & 423.501.)

⁴ For purposes of this attestation, "Medicare Advantage Products" includes any Aetna, Blue Choice, Essence, Wellcare, or UHC Medicare Advantage Plans (MA), Prescription Drug Plans (PDP and MAPD), and/or Medicare-Medicaid Plan (MMP) product lines under contract with CMS. Within the attestation, the terms "employee" and "Downstream Entity" refer only to those supporting Medicare Advantage products.