



ANNUAL FDR COMPLIANCE ATTESTATION ROADMAP

The Centers for Medicare and Medicaid Services (CMS) requires Medicare Advantage organizations to maintain effective Corporate Compliance Programs. This requirement is delegated to your entity through our health plan contracts and extends to all first tier, downstream and related entities (FDRs) in our network. As a contract provider in our network, your organization is considered a downstream entity and will be required to attest annually to the following requirements.

| Item/ Summary of CMS Requirement | Examples of evidence/documentation |
|---|---|
| <p>Training: Downstream entity requires employees to complete compliance training to include: General Compliance and FWA Training upon hire (within 90 days)/initial contracting and annually thereafter.</p> <p>Options for completion: develop your own FWA compliance training, CMS training linked below or other equivalent.</p> <p>Downloadable Materials:</p> <ul style="list-style-type: none"> • https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/CombMedCandDFWAdownload.pdf • https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf • https://www.cms.gov/outreach-and-education/medicare-learning-network-mln/mlnproducts/providercompliance.html | <ul style="list-style-type: none"> • Policy • Organization attestation confirming dissemination to employees and Employee attestations confirming receipt • MLN system generated certificates of completion or an attestation confirming that the Downstream Entity has completed the appropriate compliance and FWA training • Certificates or documentation of training completion such as certificates of completion, training logs, system generated reports, spreadsheets etc. |

Note: *This table is intended to be a list of examples only. The expectations listed are not intended to be all inclusive of CMS compliance requirements. Further, the examples of evidence listed are not intended to be a list of all items required to be in place nor a declaration of the maximum evidence needed to demonstrate compliance.*

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| <p>Written Standards: Downstream entity maintains and distributes a set of standards that communicates compliance expectations to employees.</p> | <ul style="list-style-type: none"> • Policy and Procedures • Code of Conduct • Employee attestations confirming receipt of policies and/or Code of Conduct • Attest to following the United Health Group Code of Conduct. https://www.unitedhealthgroup.com/content/dam/UHG/PDF/About/UNH-Code-of-Conduct.pdf |
| <p>Compliance Officer/Representative: Downstream entity maintains a designated compliance officer or representative.</p> | <ul style="list-style-type: none"> • Policy • Designated contact |
| <p>Reporting Mechanisms: Downstream entity provides employees reporting mechanisms for reporting potential or actual non-compliance and/or FWA.</p> | <ul style="list-style-type: none"> • Policy • Phone number • Messaging to employees • Code of Conduct content in trainings with training sign-in sheets, etc. |
| <p>Procedures and System for Prompt Response to Compliance Issues: Downstream entity maintains procedures and a system for promptly responding to compliance issues as they are raised.</p> | <ul style="list-style-type: none"> • Policy • Messaging to employees |
| <p>Exclusions: Downstream entity checks OIG & SAMs Lists for all employees prior to hire and monthly thereafter.</p> <p>OIG LEIE https://exclusions.oig.hhs.gov/ GSA: https://www.sam.gov/SAM/</p> | <ul style="list-style-type: none"> • Policy • Website screenshots of list checks • Automated results from acquired tools (e.g., Bridger, etc.) • Attestation from individual within organization that conducts these ongoing checks (e.g., Human Resources, etc.) |

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|--|---|
| <p>Offshoring: Downstream entity does not engage in offshore operations for HCP-related Medicare business without the express consent of an authorized HCP representative since these activities, if involving the receipt, viewing, processing, transferring, handling, storing or accessing of PHI, must be reported to CMS. HCP has been notified of any such offshore arrangements.</p> | <ul style="list-style-type: none"> • Attestation • Submitted list of offshore vendors |

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