



## 2020 Integrated Home Care Services, Inc. (IHCS)

### Integrated's First Tier, Downstream & Related Entities and Affiliates

#### Compliance Attestation

**IHCS's commitment to compliance includes ensuring that our First Tier, Downstream and Related Entities (FDRs) are in compliance with applicable state and federal regulations.** IHCS's contracts with FDRs to provide administrative or healthcare services to our enrollees; we are ultimately responsible for fulfilling the terms and conditions with our contract with the Center for Medicare & Medicaid services (CMS) and meeting the Medicare and Medicaid program requirements. Therefore, IHCS has developed a process to validate that each contracted FDR and Affiliate have also met the requirements. **Each FDR and Affiliate must complete the Attestation below to confirm compliance with the IHCS's FDR compliance requirements at onset of contracting and annually thereafter.**

Starting in January 2016, CMS required all FDRs to utilize the training content issued via CMS' Medicare Learning Network (MLN) for General Compliance and FWA Training. FDRs have the option to either complete the required training via the web-based modules located on MLN, or to download and incorporate the content of the MLN training modules into their existing compliance training materials.

However, beginning January 1, 2019 CMS **no longer requires** plan sponsors to ensure that their FDR's **only use** and complete the CMS-published training modules.

Current versions of CMS' MLN training content can be found at:

- Medicare Parts C & D General Compliance Training Download available at:  
<https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf>
- Combating Medicare Parts C & D FWA Training Download available at: <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/CombMedCandDFWAdownload.pdf>

# *Integrated Home Care Services, Inc.* **FDR/Affiliate Compliance**

## **What is an "FDR" or "Affiliate"?**

An **FDR** is a First Tier, Downstream or Related Entity. An FDR provides administrative or health care services relating to IHC's Medicare contracts. IHCS's FDRs may include hospitals, providers, ancillaries, and some vendors.

**First Tier Entity:** Any party that enters into a written arrangement, acceptable to CMS, with a MAO or Part D plan sponsor or applicant to provide administrative services or health care services to a Medicare eligible individual under the MA program or Part D program.

**Downstream Entity:** any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with the MA benefit or Part D benefit, below the level of the arrangement between a MAO 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.

**Related Entity:** any entity that is related to a MAO or Part D sponsor by common ownership or control and

1. Performs some of the MAO or Part D plan sponsor's management functions under contract or delegation;
2. Furnishes services to Medicare enrollees under an oral or written agreement; or
3. Leases real property or sells materials to the MAO or Part D plan sponsor at a cost of more than \$2,500 during a contract period.

Affiliate is a person, provider or entity who provides care, services or supplies under the Medicaid program, or a person who submit claims for care, services or supplies for or on behalf of another person or provider for which the Medicaid program is or should be reasonably expected by a provider to be a substantial portion of their business operations.

## **What is required of FDRs?**

The FDR and Affiliate Requirements are detailed in the FDR Compliance Program Guide  
The requirements include:

- Distribution of a Code of Conduct and Compliance Policies
- Fraud Waste and Abuse Training
- Exclusion Screening OIG/GSA performed prior to hiring and monthly thereafter
- Fraud, Waste, Abuse and Compliance Concerns Reporting

In addition, all FDRs must complete the Compliance Attestation Form below **annually**.

### **Instructions:**

This form must be completed by an authorized representative (i.e., a Compliance Officer, Chief Medical Officer, Practice Manager/Administrator, an Executive Officer, Provider, or Owner) to attest to compliance with the Integrated (IHCS) FDR and Affiliate Compliance Policy annually.

**Step One:** All four items must be completed.

# *Integrated Home Care Services, Inc.* FDR/Affiliate Compliance

## 1. Standards of Conduct, Compliance Policies, and Compliance Information (Required)

I have reviewed and understand the IHCS FDR Compliance Program Guide. My organization will abide by the IHCS compliance policies. In addition,

My organization **has established and publicized** compliance policies, Standards of Conduct, and compliance reference material that meet the requirements set forth by CMS in 42 CFR § 422.503(b)(4)(vi)(A) and 42 CFR § 423.504(b)(4)(vi)(A). This information is disseminated to employees and contractors upon hire and annually thereafter. A record of all employees and contractors' receipts of the policies, Standards of Conduct, and information is maintained for a period of ten years and can be provided upon request.

- The compliance policies and/or Standards of Conduct reflect a commitment to preventing, detecting, and correcting non-compliance.
- The compliance reference material includes, at minimum, information on the Deficit Reduction Act of 2005 and the False Claims Act.

Medicare Parts C & D General Compliance Training Download available at:

<https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf>

My organization **does not have established** compliance policies and/or Standards of Conduct. The IHCS Compliance FDR and Affiliate Guide has been disseminated to all employees and contractors. It includes: The IHCS Compliance Code of Conduct, compliance policies, and information on select regulations, including but not limited to, the Deficit Reduction Act of 2005 and the False Claims Act. A record of all employees and contractors' receipts of the IHCS Compliance FDR and Affiliate Guide will be maintained for a period of ten years and can be provided upon request.

## 2. Fraud, Waste and Abuse Training (Required)

My organization has fulfilled the FWA training requirement via the CMS Fraud, Waste and Abuse (FWA) training. All employees and contractors have completed this FWA training within 90 days of hire/contract and refreshed annually thereafter.

The CMS FWA Training can be accessed at <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf> .

My organization has fulfilled the FWA training requirement via another or proprietary owned FWA training that meets or exceeds the requirements as outlined by CMS in 42 CFR § 422.503(b)(4)(vi)(C) and 42 CFR § 423.504(b)(4)(vi)(C). All employees and contractors have completed this FWA training **within 90 days of hire/contract and annually thereafter.**

My organization is "deemed" to have met the FWA training requirement through enrollment into Parts A or B of the Medicare program or through accreditation as the supplier of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS).

***Need an FWA Teaching Tool? View our Trainings available on the IHCS website!***

# *Integrated Home Care Services, Inc.* FDR/Affiliate Compliance

## 3. **OIG and GSA Exclusion Screening (Required)**

**Guidance:** All FDR employees working on behalf of IHCS and its affiliates' Medicare businesses (or any other Medicare, Medicaid, or Federal health care program work) must be screened against both the OIG and GSA exclusion lists. This includes temporary workers, interns, volunteers, contracted workers, and downstream contractors and vendors.

FDRs need to track and log OIG and GSA screenings conducted prior to hire and monthly *throughout the year* for each employee, including full name and the date in which the verification screening was completed against both OIG and GSA for each month. While a tracker spreadsheet is useful, FDRs also need to maintain documentation to support the dates the employees were screened. Examples of supporting documentation include: screenshots from the OIG and GSA websites showing the results of the employee search, or output reports from a third-party vendor or human resources department. Please ensure the date of the search and the employee's name are visible on your supporting documentation, as this information is critical to evidence the screening occurred.

- OIG's List of Excluded Individuals and Entities (LEIE): <https://exclusions.oig.hhs.gov/>
- GSA's Excluded List: [www.sam.gov](http://www.sam.gov)

My organization **currently performs exclusion screening** prior to hire and/or contract and best practice suggests **monthly thereafter** to confirm that employees and contractors are not are excluded to participate in Federally-funded health care programs according to the [OIG](#) and [GSA](#) exclusion lists. If an employee or contractor is on an exclusion list he or she shall be removed from any work related directly or indirectly to federal health care programs and appropriate corrective action will be taken.  
*Note: Lists are updated monthly by the OIG and IHCS encourages all providers to screen their employees monthly. Random audits will be conducted by IHCS to ensure compliance.*

My organization **does not currently perform exclusion screening** prior to hire and/or contract and monthly/annually thereafter. Within 60 days of receipt of this form, and monthly thereafter, a check will be done to confirm that employees and contractors are not are excluded to participate in Federally-funded health care programs according to the [OIG](#) and [GSA](#) exclusion lists. If an employee or contractor is on an exclusion list he or she will be removed from any work related directly or indirectly to federal health care programs and appropriate correction action will be taken.

## 4. **Fraud, Waste and Abuse and Compliance Issues Reporting Mechanisms (Required)**

My organization maintains a confidential FWA and Compliance reporting mechanism. It has been distributed and widely publicized for all employees and contractors within the organization to encourage reporting potential FWA and Compliance issues.

My organization does not maintain a confidential FWA and Compliance reporting mechanism. The **IHCS FWA and Compliance Confidential Hotline (954-381-7954)** has been distributed and widely publicized for all employees and contractors within our organization to encourage reporting potential FWA and Compliance issues.

---

**Step Two:** Complete the Attestation below.

# *Integrated Home Care Services, Inc.* **FDR/Affiliate Compliance**

I certify, as the authorized representative having responsibility directly or indirectly for all employees, contracted personnel, providers/practitioners, and vendors who provide health care or administrative services under Medicaid and/or Medicare, that the statements above are true and correct to the best of my knowledge. In addition, my organization agrees to maintain supporting documentation for a period of ten years and will furnish evidence of the above to IHCS upon request for monitoring and auditing purposes.

## **Authorized Representatives please fill out the form below:**

Name of Organization/Provider\*

First Name and Last Name (Printed)\*

Title\*

Phone Number\*

Email Address\*

Taxpayer Identification Number (TIN)\*

Comments

*Attestation Signature*

*Date*

If you have any questions, please contact the IHCS Compliance Department at [dgale@ihscorp.com](mailto:dgale@ihscorp.com) or 954-381-7951 Ext. 7494 or 7495 or 844-215-4264, Ext. 7494.