

FDR and Subcontractor Attestation

Dean Health Plan (Dean) contracts with state and federal governmental entities to provide health insurance coverage to Medicare and Medicaid beneficiaries. Dean requires the First Tier, Downstream and Related Entities (FDRs) and Subcontractors satisfy certain compliance program requirements. On an annual basis, Dean requires its business partners to attest to complying with the following compliance program requirements.

1. Code of Conduct and Ethics and Compliance Policies

Either Dean's Code of Conduct and Ethics and Compliance Policies or the FDR's/Subcontractor's comparable Code of Conduct and Compliance Policies are in place and is provided to all employees and FDRs within ninety (90) days of hire or contracting, upon revision, and annually thereafter.

2. General Compliance and Fraud, Waste, and Abuse (FWA) Training

The FDR's/Subcontractor's comparable training is provided to all employees and FDRs who are assigned to work on Dean's Medicare or Medicaid business. These trainings are provided within ninety (90) days of hire or contracting, upon revision, and annually thereafter.

3. Office of Inspector General (OIG)/General Services Administration (GSA) Exclusion Screenings

The FDR/Subcontractor employees and its FDRs that service Dean's Medicare or Medicaid beneficiaries are not sanctioned, debarred, suspended, excluded, or precluded from participation in Medicare or Medicaid under Sections 1128 or 1128A of the Social Security Act. The FDR/Subcontractor ensures this. by reviewing the HHS OIG, the GSA System for Award Management (SAM) exclusion lists, and the CMS preclusion list prior to hiring/contracting and monthly thereafter

4. Reporting Non-Compliance and FWA

Employees and Downstream Entities of FDRs/Subcontractors are aware of the obligation and mechanisms to report all potential/actual non-compliance or FWA for internal investigation. FDR's reporting mechanisms ensure confidentiality and allow for anonymity, as desired. In addition, FDR/Subcontractor does not allow retaliation or intimidation against anyone who reports in good faith. In turn, the FDR/Subcontractor immediately notifies Dean of all potential/actual non-compliance or FWA.

5. Offshore Operations

The FDR/Subcontractor does not engage in offshore operations for Dean's Medicare or Medicaid business without the express written consent of an authorized Dean Representative since these activities may be required to be reported to CMS if they involve the receipt, processing, transferring, storing, or accessing of Personal Health Information.

6. Auditing and Monitoring

The FDR/Subcontractor has strong oversight in place to ensure both it and its FDRs are in compliance with the above requirements and all other applicable laws and regulations.

7. Availability of Records and Record Retention

The FDR/Subcontractor maintains documentation supporting the above statements for a minimum of ten (10) years. The FDR/Subcontractor produces such documentation to Dean for state and federal governmental entities upon request. The FDR/Subcontractor acknowledges failure to provide such documentation may result in the imposition of a corrective action plan or other contractual remedies.

8. Business Impact Analysis and Business Continuity/Disaster Recovery Plan

The FDR conducts an annual Business Impact Analysis that identifies critical functions and establishes recovery time objectives to restore essential functions within 72 hours. A Business Continuity and/or Disaster Recovery plan is implemented that identifies recovery strategies and procedures to meet the recovery time objectives defined in the business impact analysis. In the event of a business disruption, Dean is notified as part of the communications plan.

Dean retains the right to audit any FDR/Subcontractor to confirm compliance with the above statements.

I certify, as an authorized representative of _____ (FDR's Legal Name), the above statements are true and correct to the best of my knowledge for calendar year 2020.

Signature of Authorized Representative

Date

Printed Name and Title of Authorized Representative

Doing Business as Name

Organization Mailing Address

Please email the completed attestation to: CFWAAdministrator@ssmhealth.com

i An FDR is deemed to have satisfied the FWA training requirements through enrollment into Parts A or B of the Medicare program or accreditation as a supplier of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS). Such FDRs are still required to complete the general compliance training requirement.