

ADMINISTRATIVE CONTRACTING REQUIREMENTS FOR MANAGEMENT/DELEGATION OF CONTRACTS AND/OR AGREEMENTS

For contracts and/or agreements that directly relate to MA Organization's core functions under its contract with CMS

NAME OF CONTRACTOR (FIRST TIER & DOWNSTREAM)			
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Person or entity must agree to comply with all applicable Medicare laws, regulations, and CMS instructions. 422.502(i)(4)(v)			
Agrees to comply with all state & Federal requirements for accuracy & confidentiality of enrollee records, including the requirements established by the MAO and the MA program. 422.118; 422.502(a)(13)			
Agrees to grant HHS, etc. the right to inspect information related to the contract for up to 6 years from the final date of the contract period and in certain instances described in the MMA regulation, periods in excess of 6 years or more. 422.502(e)(2); 422.502(e)(3); 422.502(e)(4); 422.502(i)(2)(ii)			
Contract must clearly state the responsibilities of the administrative services provider and its reporting arrangements. 422.502(a)(8)			
MAO has the right to revoke the contract if any first tier and/or downstream entity does not perform the services satisfactorily and if reporting and disclosure requirements are not timely. 422.502(i)(4)(ii)			
Any services performed will be consistent with and comply with the MAO's contractual obligations with CMS. 422.502(i)(1); 422.502(i)(3)(iii)			
If credentialing is delegated, the entity must meet all MAO credentialing requirements, and the credentials of medical professionals will be either reviewed by the MAO or the credentialing process will be reviewed, approved, & audited by the MAO. on an ongoing basis. 422.502(i)(4)(iv)(A)/(B)			
If MAO delegates selection of providers written arrangements must state that the MAO retains the right to approve, suspend, or terminate any such arrangement. 422.502(i)(5)			
The contract must acknowledge that the responsibilities performed by an administrative services entity and/or any delegated administrative service entities are monitoring by the MAO on an ongoing basis and that the MAO is ultimately responsible to CMS for the performance of all services. 422.502(i)(1) & (4)			
Contracts between MAOs and first tier entities and first tier entities and downstream entities must contain provisions specifying MAO delegation requirements specified at section 422.502(i)(3)(iii) and section 422.502(i)(4). 422.502(i)(5)			

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Dated & signed. OPL 2000.077			