

From: Beth Socoski [<mailto:bsocoski@gatewayhealthplan.com>] **On Behalf Of** Medicare Compliance Officer

Sent: Monday, August 31, 2015 3:09 PM

To: FDRCommunications

Subject: Downstream entities - Gateway Health FDR Communication - 2015 Volume 8 (August)

Hello,

First Tier Entities are responsible for monitoring the compliance of the entities with which they contract (“downstream” entities) to assure compliance with all applicable laws and regulation. The Centers for Medicare & Medicaid Services (CMS) defines a downstream entity in the Medicare Managed Care Manual, Chapter 21, Section 20 as: “any party that enters into an acceptable written arrangement, acceptable to CMS, with persons or entities involved with the Medicare Advantage (MA) benefit or Part D benefit, below the level of the arrangement between an Medicare Advantage Organization (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 health and administrative services.”

First Tier Entities that utilize downstream entities must disclose this to Gateway HealthSM. Downstream entities are held to the same oversight standards as Gateway Health’s First Tier Entities, including but not limited to:

- Screenings of Office of Inspector General (OIG) and Government Services Administration (GSA)
- Development & Distribution of Written Policies, Procedures and Standards of Conduct
- Effective Training & Education - New Hire and Annual Trainings for Compliance & Fraud, Waste & Abuse
- Effective Systems for Routine Monitoring, Auditing and Identification of Compliance Risks

CMS holds Gateway Health responsible for the actions taken by all First Tier, Downstream and Related Entity's (FDRs).

Unsure if a subcontractor is a downstream entity as described by CMS? Email Gateway Health's Medicare Compliance Department for assistance. We can help provide guidance to make the determination and discuss the requirements to stay compliant.

You received this email from MedicareComplianceOfficer@GatewayHealthPlan.com because CMS requires ongoing communication between Gateway Health's Medicare Compliance Officer and First Tier, Downstream and Related Entities (FDRs) to raise awareness of potential compliance issues and risks to organizations. This is the **eighth communication** sent this year. Please share this communication with your staff and downstream entities.

Gateway Health is committed to achieving compliance with CMS rules and regulations. Thank you for supporting Gateway Health's Medicare Compliance Initiatives!

Angela Jackson

Medicare Compliance Officer

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