



Medicare Compliance Program Self-Assessment Tool for First Tier, Downstream and Related Entities (FDR)

Objective: To confirm an organization’s compliance with the Medicare Compliance Program requirements. The requirements are described in detail within the [FDR Guide](#).

Organization name: _____

Date completed: _____

Instructions:

1. Review documentation and determine whether or not there is evidence to confirm the organization’s compliance with the listed requirements.
 - Under “Documentation reviewed,” list the materials reviewed and applicable sections or page numbers that show compliance.
 - Make notes in the section titled “comments.”
2. Determine whether or not the documentation reviewed supports compliance with the requirement.
 - Check “Met” if the documentation evidences compliance.
 - Check “Not Met” if the documentation does not evidence compliance with the requirements.
3. For any item listed as “Not Met,” complete a root cause analysis. Then develop a corrective action plan to address the root cause and bring your organization into compliance.

| Requirement | Met | Not Met |
|---|--------------------------|--------------------------|
| The terms “Employee” and “Downstream Entity” refer only to those FDR employees and Downstream Entities that support Aetna’s Medicare business. | | |
| Code of Conduct (COC) and/or compliance policies | | |
| FDR provided Code of Conduct (COC) and/or compliance policies to employees within 90 days of hire. (§ 50.1.3) Documentation reviewed: <i>e.g. Policy 101 – Employee Training (Section 2, page 3);</i> Comments: <i>e.g. Employees get the code of conduct</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| FDR provided COC and/or compliance policies to employees annually and when updates are made. (§ 50.1.3) Documentation reviewed: Comments: | <input type="checkbox"/> | <input type="checkbox"/> |
| Record retention | | |
| FDR retains training records of their employees for ten (10) years including key data elements such as time, attendance, topic, certificates of completion and test scores as applicable. (§ 50.3.2) Documentation reviewed: Comments: | <input type="checkbox"/> | <input type="checkbox"/> |

| Requirement | Met | Not Met |
|--|--------------------------|--------------------------|
| <p>The terms "Employee" and "Downstream Entity" refer only to those FDR employees and Downstream Entities that support Aetna's Medicare business.</p> <p>Exclusion list screenings: Office of Inspector General List of Excluded Individuals and Entities (OIG) and General Services Administration System for Award Management (GSA SAM)</p> | | |
| <p>FDR screened employees against the OIG <i>and</i> GSA SAM exclusion lists prior to hire, validated any potential initial matches and did not utilize positively matched individuals for Aetna Medicare products. (§ 50.6.8)</p> <p>Documentation reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>FDR screens employees against the OIG <i>and</i> GSA SAM exclusion lists monthly, validated any potential matches and immediately removed any positively matched individuals from the Aetna Medicare products. (§ 50.6.8)</p> <p>Documentation reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Reporting mechanisms</p> | | |
| <p>FDR has communicated to employees their reporting mechanisms, obligation to report and non-retaliation policy for the reporting of non-compliance and potential FWA. (§ 50.4.2)</p> <p>Documentation reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>FDR reports compliance concerns and potential FWA that impact Aetna's Medicare products to Aetna. (§ 50.4.2)</p> <p>Documentation Reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Downstream oversight</p> <p><input type="checkbox"/> Not Applicable. These requirements are not applicable if you have not contracted with any Downstream Entities OR do not use Downstream Entities for Aetna's Medicare products.</p> | | |
| <p>FDR oversees the compliance of subcontractors (i.e., Downstream Entities) they use for Aetna's Medicare products which ensures (§ 50.6.6, § 50.7.2):</p> <ul style="list-style-type: none"> • Downstream Entities are compliant with Medicare regulations and requirements such as the Medicare Compliance Program requirements as listed in above elements. [FDRs must make sure that their Downstream Entities have the necessary education and information to be compliant.]; • Downstream Entities are meeting performance expectations; AND • Corrective actions for remediation of Downstream Entity deficiencies and disciplinary actions/ramifications (e.g., Downstream Entity contract term, etc.) for failure to satisfactorily remediate are enforced as appropriate. <p>Documentation reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>FDR screens Downstream Entities against the OIG <i>and</i> GSA SAM exclusion lists prior to contracting, validated any potential matches and did not use or immediately removed any positively matched entities from the Aetna Medicare products. (§ 50.6.8)</p> <p>Documentation reviewed: Comments:</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>FDR screens Downstream Entities against the OIG <i>and</i> GSA SAM exclusion lists monthly, validated any potential matches and did not use or immediately removed any positively matched entities from the Aetna Medicare products. (§ 50.6.8)</p> | <input type="checkbox"/> | <input type="checkbox"/> |

| Requirement | Met | Not Met |
|---|-----|---------|
| <p>The terms "Employee" and "Downstream Entity" refer only to those FDR employees and Downstream Entities that support Aetna's Medicare business.</p> <p>Documentation reviewed:</p> <p>Comments:</p> | | |

As used above, "Aetna" refers to a subsidiary company of CVS Health, including but not limited to Aetna Health companies, Aetna Better Health companies, Aetna Life Insurance Company, Coventry Health and Life Insurance Company, Coventry Health Care companies, First Health Life & Health Insurance Company, SilverScript Insurance Company, and those joint venture entities in which a CVS Health subsidiary company has ownership interests who offer or administer, under contract with CMS, Medicare Advantage, Medicare-Medicaid Plans (MMPs), Dual Special Needs Plans (DSNPS), and Medicare prescription drug plans (PDP) ("Aetna Medicare business")