

Compliance Program Guide

FOR: CIRCULATION & FDR SUBCONTRACTORS

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COMPLIANCE@CIRCULATION.COM | 617-982-3504
93 SUMMER ST. BOSTON, MA 02110 (ATTN: COMPLIANCE OFFICER)

INTRODUCTION

This Compliance Program Guide (the “CPG”) applies to all Circulation employees, whether full time, part time, or temporary contractors. In addition, the policies and procedures set forth in this CPG must be followed by Circulation’s vendors and subcontractors.

The purpose of the CPG is to promote and provide guidance to our community of executives, officers, managers, employees, and business associates on honest, ethical, and legal conduct in all areas of our business, including:

1. Expectations that all personal and related entities comply with all applicable Federal and State standards and principles as set forth in this document and Circulation’s Standards of Conduct
2. Ensuring effective implementation and operation of the compliance program
3. Guidance for employees and others on dealing with suspected, detected or reported compliance issues
4. Established channels to communicate compliance issues to appropriate compliance personnel
5. Policies and procedures for how suspected, detected or reported compliance issues are investigated and resolved by Circulation
6. Our strict non-intimidation and non-retaliation policy for good faith participation in this compliance program

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COMPLIANCE PROGRAM OVERVIEW

COMPONENTS OF COMPANY'S COMPLIANCE PROGRAM

Circulation serves as a subcontractor to Medicare Part C and Part D, providing transportation benefit administration services to plan members. As such, Circulation may in certain circumstances be classified by CMS as a First Tier, Downstream and Related Entity ("FDR"). This CPG was developed to ensure Company and subcontractor's compliance with applicable CMS regulations as defined under **42 C.F.R. §§ 422.503(b)(4)(vi)(A)** and **423.504(b)(4)(vi)(A)**.

Core components of this program include:

- Completion of the CMS *Combating Medicare Parts C and D Fraud, Waste, and Abuse Training* and the CMS *Medicare Parts C and D General Compliance Training* modules
- Code of conduct/compliance program policy distribution
- Exclusion list screenings
- Reporting FWA and compliance concerns
- Offshore operations and CMS reporting
- Specific federal and state compliance obligations
- Monitoring and auditing of First Tier, Downstream and Related Entities

STAFF RESPONSIBLE FOR PROGRAM ADMINISTRATION AND OVERSIGHT

The Company's Compliance Officer ("CO") is responsible for overseeing the Program and compliance with its requirements.

Understanding the critical need for oversight by all executive management, the Company's Board of Directors oversees a Compliance Program Committee that meets annually and is sub-committee of the Board of Directors.

The Compliance Officer and Compliance Committee are responsible for certain duties related to the administration of the compliance program. Those responsibilities include:

- Developing and/or reviewing policies and procedures that implement the compliance program
- Attending operations staff meetings
- Monitoring compliance performance by operational areas
- Enforcing disciplinary standards and ensuring consistency of discipline
- Implementing a system for assessment of risk
- Developing an auditing work plan
- Reviewing auditing and monitoring reports
- Coordinating with Human Resources
- Monitoring effectiveness of corrective actions

DISTRIBUTION OF THIS CPG AND STANDARDS OF CONDUCT AND ETHICS

All Circulation employees and subcontractors shall receive a copy of this guide upon initial onboarding/hiring. Additionally, this document will be posted electronically and distributed annually or when materially updated.

RECORD RETENTION POLICY AND PROCEDURE

All documentation involving transactions related to MA, PDP or MAPD contract including but not limited to books, contracts, medical records, patient care documentation, subcontractors (downstreams) is retained at minimum ten (10) years from the final date of the contract period or from the date of the completion of any audit, or for such longer period provided for in 42 CFR §422.504(e)(4) or other applicable law, whichever is later.



POLICY FOR DOWNSTREAM FDR COMPLIANCE, TRANSPORTATION PROVIDERS

OVERVIEW

At initial contracting and annual re-credentialing, we verify, and when applicable, have FDRs attest compliance with necessary regulatory requirements and the policies and procedures outlined in this CPG. It is expected that all FDRs maintain, and on request, make available for inspection a comparable CPG document and policies.

VERIFICATION OF COMPLIANCE

We require our transportation providers to have documented driver training programs that include appropriate medical credentialing and patient sensitivity and behavioral health training.

We verify that network transportation providers and their executive team members are not listed on any OIG, SAM, or CMS exclusion lists. All providers are required to maintain a documented policy and records that these checks have been performed for drivers. In the case of services fulfilled through Lyft, Lyft runs this check for drivers when onboarding them onto the network. In the even a Lyft driver is excluded (s)he will be restricted from fulfilling rides for Circulation.

RECORD RETENTION, AUDITING, & AVAILABILITY

We maintain all network provider-related records, documentation, fleet, driver, service coverage and corporate details in a customized Salesforce database. This information is reviewed quarterly and updated continually per reporting and notification policies and procedures in place with all providers.

TRAINING PROGRAM

GENERAL COMPLIANCE AND FRAUD, WASTE AND ABUSE (FWA) TRAINING

To ensure all employees and related entities who work directly on MA, PDP or MAPD related business on behalf of Circulation, including temporary employees, interns, volunteers, consultants, sub-contractors, (downstream) receive General Compliance and Fraud, Waste and Abuse (FWA) Training upon initial hire/contracting (within 90 days) and annually thereafter.

Employee General Compliance and FWA training will include unmodified content from the Center of Medicare and Medicaid Services (CMS) Medicare Learning Network (MLN).

Access to these required training modules is available at <https://learner.mlnlms.com>.

Employee General Compliance and FWA training documentation will be retained for a period of at least 10 years to support initial (within 90 days of hire or CPG inception) and annual training on FWA topics occurred for all employees who work directly on MA, PDP or MAPD related business. Documentation will consist of copies of FWA training materials to include but not limited to the following:

1. Current employee listing including hire/contracting dates
2. Method of Training Documentation (Evidence)
 - a. Certificate of Employee FWA Training Completion
 - b. Snapshot of employee's training web portal page showing FWA training completion
 - c. Employee Signed/Dated FWA Training Completion Certificate

HIPAA SECURITY AND PRIVACY TRAINING PROGRAM

All Circulation Employees and Associates shall receive one hour of formal HIPAA training on an annual basis, including the updates to HIPAA found in the HITECH Act. The annual training shall be approved by the Compliance Officer, utilizing the Security Training Presentation incorporated by reference in Section 1.4(D), as may be updated from time to time. Certain additional trainings shall, at the discretion of the Compliance Officer, be provided exclusively to Authorized Workforce Members related to their PHI access.

Please reference the Circulation HIPAA Policies & Procedures Manual for detailed HIPAA-related policies and procedures.

AUDITING AND MONITORING

OIG AND GSA (SAM) EXCLUSION SCREENINGS

To ensure all employees who work directly on MA, PDP or MAPD related business including temporary employees, interns, volunteers, consultants, governing body members, FDR, sub-contractors (downstreams) are not included on either the Office of Inspector General (OIG) and General Services Administration (GSA) System for Award Management (SAM) List of Parties Excluded from Federal Programs.

All individuals/entities who work directly on MA, PDP or MAPD related business are screened against both the OIG listing and the GSA (SAM) listing prior to hire (contracting) and at least monthly thereafter. Any individual or entity found on either exclusion listing will not be offered a position and/or hired directly related to MA, PDP, or MAPD business. Documentation to support employee screenings against the OIG listing and GSA listing prior to hire (contracting) and monthly thereafter will be maintained for a minimum of 10 years.

Any individual/entity found on either exclusion listing the individual/entity will be immediately removed from all MA, PDP, or MAPD business and the appropriate Plan Sponsor will be notified of the finding.

OIG Exclusion List screenings to be conducted through the Online Searchable Exclusions Database at <http://exclusions.oig.hhs.gov>

GSA (SAM) Exclusion List screenings to be conducted through the Online Searchable Exclusion Database at <https://www.sam.gov>

REPORTING COMPLIANCE ISSUES AND FWA

To the extent Circulation is subject to Medicare compliance requirements, the following administrative policies shall govern:

CHANNELS FOR INCIDENT REPORTING

Workforce members must promptly report any potential Medicare non-compliance and fraud, waste, and abuse to the Privacy Officer. If any Company employee or related FDR knows of, or suspects, an issue of noncompliance or FWA, they are required to report the incident to Circulation within two business days of discovery. Reports should be made by either:

- Emailing an Incident Report or concern to compliance@circulation.com
- Writing Circulation at ATTN: Compliance, 93 Summer Street, 3rd Floor, Boston, MA 02110
- **Submission via third party Compliance Hotline & Ethics Hotline (Company's ID # 6745202057):**
 1. Submitting a report via web form (allows for anonymous submission)
<https://safehotline.com/SubmitReport>
 2. Via SMS text message or phone call to 1-855-662-SAFE (must include Company ID # if texting)

NON-RETALIATION POLICY

Workforce members who in good faith report violations or suspected violations of Medicare non-compliance and FWA may not be fired, coerced to resign, or otherwise retaliated against for reporting. Such retaliation itself is a violation of Circulation policy, will not be tolerated, and should be reported immediately to a supervisor or via the reporting channels listed above.

CIRCULATION'S OBLIGATION TO UPSTREAM ENTITIES

In some cases, Circulation has an obligation to report Incidents to upstream entities with which it is contracted. In all cases, Circulation will report to the applicable entity or regulatory agency as required by policy or statute.

STANDARDS OF CONDUCT AND ETHICS

GENERAL OVERVIEW

Circulation is committed to creating and maintaining a culture that continually reinforces high ethical standards. We believe honesty and integrity are essential to our mission and to ensuring we always provide extraordinary services to our clients and the members they serve. We embrace these standards of ethics and integrity because it is the right thing to do for our employees, clients and their patients/members.

The purpose of this Standards of Conduct and Ethics Guide provide clear guidelines and expectations about our standards.

General Ethics Standards

1. **Commitment to honesty, service excellence, accountability, integrity, and respect.**
2. **Performance of our jobs, roles, and assignments to the highest standards of which we would expect as healthcare consumers.**
3. **We treat each other, our patients and members, business partners, suppliers, and competitors fairly.**
4. **We abide by, and understand the specific laws, policies, and procedures that apply to our jobs, roles and assignments, and to us as individual team members.**
5. **We voice concerns about compliance and ethics issues. Specifically, we report observed and suspected violations of laws or policies, and we agree to report any requests to do things we believe may be violations.**
6. **We are empowered and responsible to raise questions about potentially noncompliant or unethical practices.**
7. **If we have questions or are unclear about a situation, we ask for help. Team members may always feel comfortable approaching executive leadership with any concerns.**

**APPENDIX A.
ANNUAL EMPLOYEE COMPLIANCE REVIEW FORM**

STATEMENT:

I have read and understand the Circulation Compliance Program Guide and Standards of Conduct (“CPG”). Additionally, I have been given an opportunity to ask questions about it, and as such, agree to comply with it. I understand that my failure to comply with the CPG will be a basis for disciplinary action, including suspension or possible termination of employment.

Except as stated in the Disclosure statement provided below:

- A. I know of no acts or omissions committed by anyone which conflict with any provision of the CPG or any suspected violations of law relating to the Company.
- B. I have not committed any violations of the provisions of the CPG or any laws relating to my duties at the Company.

DISCLOSURE:

The following information discloses circumstances which may possibly be a violation of law or the provisions of the CPG:

AGREEMENT:

I will immediately report to my supervisor or the Compliance Officer, any suspected violations of law or of the CPG as they may arise during the course of my employment. I also acknowledge that I may anonymously report and suspected violation in writing at the address indicated in the CPG.

Employee Signature: _____

Employee Name: _____

Date Completed: _____

INTERNAL COMPLIANCE USE ONLY:

Employee Hire Date: _____

(re)Training Date: _____

Exclusion List Pass: Yes. No.



APPENDIX B.

FDR GENERAL COMPLIANCE AND FRAUD, WASTE AND ABUSE (FWA) TRAINING ATTESTATION

I, _____, hereby certify that I am an authorized representative of the FDR named below and have confirmed the following representations are accurate and true, based upon current information and reasonable belief, for those employees supporting Circulation and its upstream Medicare Advantage plans, Medicare Advantage Prescription Drug Benefit, and/or Medicare-Medicaid Program (MMP) business.

1. The FDR complies with all Centers for Medicare and Medicaid Services (CMS) Compliance and FWA Training requirements, including ensuring all employees supporting Circulation and its upstream affiliates' Medicare Advantage plans, Medicare Advantage Prescription Drug Benefit, and/or Medicare-Medicaid Program (MMP) business receive both General Compliance and FWA Training within 90 days of hire and annually thereafter.
2. The FDR maintains supporting documentation for a period of 10 years after training completion for all employees supporting Anthem and its affiliates' Medicare Advantage plans, Medicare Advantage Prescription Drug Benefit, and/or Medicare-Medicaid Program (MMP) business and can furnish the documentation upon request.
3. The FDR utilizes the General Compliance and FWA Training content issued by CMS via the CMS Medicare Learning Network (MLN) to provide General Compliance and FWA Training to all employees per CMS requirements. The FDR utilizes the following method:

General compliance and/or FWA training is completed using the web-based modules located on the CMS MLN.

The content of the CMS standardized training modules is downloaded and incorporated from the CMS MLN into our organizations' existing compliance and FWA training materials/systems. The training content from CMS was not modified by the FDR.

FDR Name: _____

By: _____

Name: _____

Title: _____

Date: _____

