



IMCare

ITASCA MEDICAL CARE (IMCare)
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Compliance Program Requirements for First Tier and Downstream Entities **(42 CFR § 422.503(b)(vi) and 42 CFR § 423.504(b)(vi))**

First Tier, Downstream and Related Entities Defined

First Tier Entity – A party that enters into a written arrangement with Itasca Medical Care (IMCare) to provide administrative services or health care services to Medicare and Medical Assistance (Medicaid)-eligible members.

Downstream Entity – A party that enters into a written agreement with a First Tier entity for the provision of administrative services or health care services to a Medicare and Medicaid-eligible member.

What are the Compliance Program Requirements?

All IMCare First Tier entities are required to comply with all applicable Federal and State laws and regulations to prevent, detect and correct fraud, waste and abuse and noncompliance in a timely and well-documented manner. Noncompliance may include inaccurate and untimely payment or delivery of items or medical services, complaints from members, illegal activities and unethical behavior. IMCare requires the implementation of a compliance program as a condition of contractual requirements. These requirements include the following:

- Distribute written compliance policies and procedures to workforce
- Distribute code of conduct to workforce
- Provide workforce with General Compliance Training and Fraud, Waste and Abuse training within 90 days of initial hire and annually thereafter
- Maintain a system to receive, respond to and track questions or reports of suspected or detected noncompliance or potential fraud, waste and/or abuse from employees and to IMCare
- Completing Office of Inspector General (OIG) and General Services Administration's System for Award Management (SAM) exclusion screenings
- Reporting and requesting the use of offshore operations
- Monitoring and auditing First Tier, Downstream and related entities that provide administrative or health care services to IMCare members to ensure they comply with all requirements (e.g., training, exclusion screening, etc.) and any applicable laws, rules and regulations
- Operational oversight – conducting internal oversight of the services performed for IMCare to ensure that compliance is maintained with applicable laws, rules and regulations
- Retain documentation of all compliance/training efforts

Administrative services include, but are not limited to, the following:

- Member and provider services
- Membership functions
- Utilization Management
- Claims Administration, processing and coverage adjudication
- Pharmacy benefits manager

- Hotline operations
- Bid preparation
- Licensing and credentialing

Action You Must Take

An authorized representative from your organization must verify your compliance with the requirements listed above upon initial contracting (within 30 days) with IMCare and annually thereafter (by December 31st) by completing an Attestation of Compliance. To complete the attestation, go to www.imcare.org.

Documentation Requirements

You must maintain documentation of your compliance according to Federal regulations, which is no less than 10 years. You may be required to produce evidence that you comply with the above requirements. Failure to produce this evidence may result in contractual remedies such as corrective action plan, and up to contract termination.