

By signing this attestation, you confirm that as a First Tier, Downstream and Related Entity (FDR) and/or Affiliate (FDR/Affiliate), you do not contract with any Downstream Entities to complete CPHL work and you comply with the Centers for Medicare & Medicaid Services (CMS), Office of the Medicaid Inspector General (OMIG), and New York State Department of Health (NYSDOH) requirements. These requirements are listed below, and apply to all services you provide for CPHL. Your signature on this attestation confirms that you, the FDR/Affiliate, will provide proof of compliance to CPHL upon request.

- 1. Code of Conduct and/or Compliance Program** – 42 CFR 422.503 and 423.504 (b)(4)(vi)(A)
FDR/ Affiliate attests to utilization of CPHL’s Code of Conduct, which is available on our website at www.centersplan.com/providers (second Quick Link on the right). It is also available on our Fraud, Waste, and Abuse (FWA) reporting website at www.centersplan.ethicspoint.com.
- 2. Compliance and FWA Training** – 42 CFR 422.503 and 423.504(b)(4)(vii)(C)
FDR/Affiliate completes all Compliance and FWA (Fraud, Waste and Abuse) trainings provided and required by CPHL within 90 days of initial hire/contracting and annually thereafter.
- 3. Exclusion Screenings and Conflicts of Interest** – 42 CFR 422.503, 422.752(a)(8), 423.504(b)(4)(vi)(F), and 423.752(a)(6)
FDR/Affiliate understands that CPHL screens FDR/Affiliates using the US Department of Health & Human Services Office of Inspector General (OIG) and General Services Administration’s System for Award Management (SAM) exclusion lists prior to hire/contracting, and monthly thereafter. If FDR/Affiliate is contracted to service CPHL’s Managed Long Term Care Plan (MLTCP), FDR/Affiliate understands that CPHL also screens FDR/Affiliate prior to hire/contracting and monthly thereafter using the exclusion screening resources of the Office of the Medicaid Inspector General (OMIG), National Plan and Provider Enumeration System (NPPES), List of Excluded Individuals and Entities (LEIE) or the Medicare Excluded Database (MED), the United States Department of the Treasury’s Office of Foreign Assets Control Sanctions List, and any other databases the NYS Secretary prescribes. If found on any of these lists, FDR/Affiliate understands that CPHL immediately removes FDR/Affiliate from working on CPHL business and ensures appropriate corrective actions are taken.

FDR/Affiliate attests that no member of its organization has been convicted of, or charged with a criminal offense related to health care, nor has been listed in a federal agency as debarred, excluded or otherwise ineligible for participation in federally funded health care programs.

FDR/Affiliate attests that there are no conflicts of interest.

4. Reporting Noncompliance/Disciplinary Actions – 42 CFR 422.503 and 423.504(b)(4)(vi)(E) FDR/Affiliate maintains a system to receive, respond to, and track questions related to, or reports of, suspected or detected noncompliance or potential FWA. This reporting system enables anonymous compliance reporting and encourages confidential good faith reporting of potential compliance issues as they are identified. FDR/Affiliate communicates to its organization:

- Everyone’s obligation to report known or suspected noncompliance and/or FWA;
- How to navigate the FDR/Affiliate’s reporting system; and
- How to report to CPHL.

If FDR/Affiliate does not have its own noncompliance and FWA reporting system, FDR/Affiliate attests to utilizing CPHL’s FWA reporting website, which is www.centersplan.ethicspoint.com. CPHL has developed an anonymous reporting program that provides a variety of ways to notify us of such issues and begin a confidential review process. Anyone can report suspected or confirmed noncompliance or FWA using any of the methods below:

- You can report anonymously or by name on our Report It Hotline, hosted by third-party hotline provider EthicsPoint, via:
 - Phone at 1-855-699-5046, or
 - Web at www.centersplan.ethicspoint.com
- You can send an EMAIL to:
 - FWA@centersplan.com (to report FWA) and/or
 - Compliance@centersplan.com (to report non-compliance)
- You can send a LETTER to the following address:

Centers Plan for Healthy Living
Attn: Compliance Department
75 Vanderbilt Avenue, 7th floor
Staten Island, NY 10304

FDR/Affiliate reports promptly to CPHL any identified occurrences of noncompliance with the contractual agreement, or any actual or suspected FWA so that CPHL can assess the situation and decide if a corrective action plan (CAP) is warranted. If requested, FDR/Affiliate will provide documentation to verify compliance, at no cost to CPHL.

FDR/Affiliate reports suspected violations of any laws and regulations to CPHL and understands that any violation of any laws and regulations is grounds for disciplinary action, up to and including termination of contractual status. FDR/Affiliate is aware that it is protected from retaliation from False Claims Act complaints, as well as any other applicable non-retaliation protections.



First Tier, Downstream, and Related Entity (FDR) & Affiliate 2023 Annual Compliance Attestation: 1099

5. Record Retention – 422 CFR 422.503 and 423.504(b)(4)(vii)(C)

FDR/Affiliate understands that CPHL requires comprehensive, accurate records and retains records of compliance and training efforts for ten (10) years, including but not limited to exclusion screenings, employee attendance, and certificates of completion. FDR/Affiliate acknowledges that any and all member records, or any other clinical or business records created by FDR/Affiliate in the course of performing services on behalf of CPHL, remain the exclusive property of CPHL.

6. Operational Oversight

FDR/Affiliate conducts oversight of the services they perform on behalf of CPHL to the best of FDR/Affiliate's professional abilities to ensure compliance with federal and state laws, rules, and regulations. FDR/Affiliate shares with CPHL the results of any internal audits or other substantive evaluations of the delegated services.

7. Offshore Contractors

FDR/Affiliate does not perform work related to CPHL business operations or members offshore.

Please note, CPHL credits FDRs/Affiliates' completion of an Annual Compliance Attestation at the TIN/EIN level.

FDR/Affiliate Legal Name	
FDR/Affiliate Physical Address	
FDR/Affiliate Federal Tax ID Number (TIN)/EIN	

I certify that the statements made above are true and correct to the best of my knowledge; that I am aware of the CMS requirement to retain records for a period of no less than ten (10) years; and that I am complying with this requirement. I understand that noncompliance may result in a request by CPHL for a Corrective Action Plan (CAP) or other contractual remedies, up to and including contract termination.

Authorized Representative Name	
Authorized Representative Title	
Authorized Representative Phone	
Authorized Representative Email	
Authorized Representative Signature	
Date Signed	