



## Centers for Medicare & Medicaid Services (CMS) Requirements For Downstream Entities

As an ATRIO Health Plans First Tier, you may choose to subcontract with Downstream Entities who provide administrative or health care services on the First Tiers' behalf for ATRIO's Medicare Advantage and Prescription Drug Plan product lines. If you choose to subcontract in this manner, your organization is required by CMS to make sure that your Downstream Entities abide by all laws and regulations that apply to them. This includes ensuring:

- Contractual agreements contain all CMS-required provisions
- They comply with all of the Medicare compliance program requirements
- They comply with any applicable Medicare operational requirements

As an ATRIO First Tier, you must conduct sufficient oversight (i.e., auditing and monitoring) to test and ensure that your Downstream Entities are compliant. You must retain evidence of oversight completion, ensure root-cause analysis is conducted for any deficiencies, and implement corrective actions or take disciplinary actions such as contract termination, as necessary, to prevent recurrence of noncompliance. These audit and monitoring results may be requested by ATRIO or CMS.

### Which of the First Tiers' subcontractors are Downstream Entities?

Not every subcontractor is considered a Downstream Entity. Only those entities who provide administrative or health care services for ATRIO's Medicare Advantage and Prescription Drug Plan products may be Downstream Entities. The grid below has examples of Downstream Entities. This is not a complete list. If you have questions about which entities would be considered Downstream Entities for your organization or if you have subcontractors that are not on this list, we can help. Just send an email to [compliance@atriohp.com](mailto:compliance@atriohp.com).

Examples of Downstream Entities	Examples of subcontractors who are not Downstream Entities
<ul style="list-style-type: none"> <li>• Contracted medical coding staff, medical records staff, medical or pharmacy directors</li> <li>• Contracted billing staff, including certified coders, and pharmacy or medical claim processors</li> <li>• Contracted organizations for administering ATRIO's medical or pharmacy benefits including customer service who answer benefit specific questions or staff making decisions on ATRIO's behalf (e.g. clinical decisions, medical organization determinations or pharmacy coverage decisions such as prior authorizations)</li> </ul>	<ul style="list-style-type: none"> <li>• Housekeeping and custodial organizations</li> <li>• Grounds and maintenance worker organizations</li> <li>• Temporary agencies supplying non-clinical administrative and clerical staff</li> <li>• Outsourced human resources or payroll companies</li> <li>• Machine repairmen</li> <li>• Mail service organizations</li> <li>• Organizations that are not used for ATRIO's Medicare product lines</li> </ul>