

Beneficiary Financial Incentives for Gifts, Promotions or Rewards

Effective Date: 01/01/2018

Policy

- A. It is the policy of the ACO to ensure compliance with state and federal regulations prohibiting the ACO, its Next Generation Participants, Preferred Providers, Next Generation Professionals, and other individuals or entities performing functions or services related to the ACO's activities from providing any remuneration to Beneficiaries as inducements for receiving, or continuing to receive, items or services from the ACO, Next Generation Participants, or Preferred Providers, or to induce them to continue to receive items or services from the ACO, Next Generation Participants or Preferred Providers.

Applicability

This policy and procedure is applicable to all Next Generation Participants, Preferred Providers, Next Generation Professionals and other individuals or entities performing functions or services related to the ACO's activities (hereinafter referred to as "the ACO").

Procedure

- A. Consistent with the requirements of the Next Generation ACO Model Participation Agreement and all other applicable laws and regulations, the ACO shall not provide gifts or other remuneration to Beneficiaries as inducements for:
 1. receiving, or continuing to receive, items or services from the ACO,
 2. influencing a Beneficiary's decision to complete or not complete a Voluntary Alignment Form, or
 3. receiving the Coordinated Care Reward or to influence a Beneficiary's decision to qualify for the Coordinated Care Reward.
- B. The ACO may provide in-kind items or services to beneficiaries only if:
 1. There is a reasonable connection between the items and services and the medical care of the Beneficiary; **and**,
 2. The items or services are preventive care items or services or advance a clinical goal for the Beneficiary, including adherence to a treatment regime, adherence to a drug regime, adherence to a follow-up care plan, or management of a chronic disease or condition.
- C. For each in-kind item or service provided by a Next Generation Participant or Preferred Provider under this Policy, the ACO shall maintain records of the following:
 1. The nature of the in-kind item or service;

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2. The identity of each Beneficiary that received the in-kind item or service;
 3. The identity of the individual or entity that furnished the in-kind item or service; and
 4. The date the in-kind item or service was furnished.
- D. If the ACO wishes to engage in a new activity or initiative involving Beneficiary Incentives, the ACO's Executive Director (ED) must discuss the applicability and scope of the proposed activity with the Compliance Officer. The Compliance Officer will determine whether or not the activity/initiative is appropriate and can be conducted compliantly.
1. The Compliance Officer will work with the ED, or other designee, to draft a Beneficiary Incentives Proposal.
 2. The Proposal must be reviewed and approved by the Compliance Officer.
 3. Once approved by the Compliance Officer, the Proposal must be reviewed and approved by the ACO's Governing Body.
 - a. The Governing Body may approve a Proposal during the normal course of business at a general meeting, during a special meeting, or via Unanimous Written Consent (UWC).
 4. Proposals must be reviewed and approved by the Governing Body before any part of any activity covered by the Proposal is started.
- E. The ED, or other designee, should send Compliance a copy of the signed Proposal or UWC and a copy of the meeting minutes containing the approval vote (if applicable).
- F. All plans for Marketing Materials and Activities related to rewards and incentives must be submitted to the ACO's Executive Director (ED) or designee. The ED or designee shall then work with CHS Marketing and Compliance for approval of the material and/or activity.

Reporting

- A. N/A

Related Documentation

- A. Next Generation ACO Model Participation Agreement Sections V.C.2.a, V.H and XIII.
- B. Voluntary Alignment Policy
- C. Coordinated Care Reward Policy
- D. Oversight of Marketing Materials Policy