Miami Jewish Health

First Tier, Downstream or Related Entity (FDR) Compliance Attestation

FDR Legal Name:	FDR Address:
Tax ID:	Attestation Year:

Email this attestation to lresch@miamijewishhealth.org OR fax to 305.762.1427 attention AVP Compliance & Policy.

The Centers for Medicare and Medicaid Services (CMS) requires First Tier, Downstream, and Related Entities (FDRs) to annually attest to specific compliance and fraud, waste, and abuse (FWA) requirements. If you or your organization provides administrative or health care services on behalf of Miami Jewish Health (MJH), you are considered an FDR, and MJH must ensure compliance with applicable CMS requirements, including the compliance and ethics program elements reflected in the *Medicare Managed Care Manual*, *Medicare Prescription Drug Benefit Manual*, and our Code of Conduct. As a condition of doing business with Miami Jewish Health, all FDRs must comply with these requirements and complete this annual attestation.

I attest to the following:

1. FDR maintains an effective compliance program that satisfies applicable CMS requirements for preventing, detecting, correcting, and reporting FWA, HIPAA privacy or security concerns, and other compliance or non-compliance issues related to services performed for Miami Jewish Health.
2. FDR confirms that it has received, reviewed, and uses the Miami Jewish Health First Tier, Downstream or Related Entities Compliance Guide, and has adopted and maintains either its own Code of Conduct and compliance policies or uses the Miami Jewish Health Code of Conduct and compliance policies, as applicable. FDR provides applicable standards of conduct and compliance policies to employees and contractors within 90 days of hire or engagement, when materially updated, and annually thereafter.
3. FDR conducts exclusion screenings prior to hire or contracting and monthly thereafter for employees, contractors, governing body members, and other individuals or entities involved in performing services for MJH, including screening against the OIG List of Excluded Individuals/Entities, SAM.gov, and applicable state Medicaid exclusion lists. FDR confirms that neither it nor any individual or entity performing services for MJH is excluded, suspended, debarred, or otherwise ineligible to participate in any federal or state health care program, including Medicare or Medicaid. If an exclusion is identified, FDR will promptly remove the individual or entity from work related directly or indirectly to federal health care programs and notify MJH as required.
4. FDR will notify MJH before using any offshore operation, subcontractor, or downstream arrangement that creates, receives, maintains, transmits, accesses, or stores MJH resident

protected health information, and will comply with applicable offshore protected health information reporting, approval, documentation, and oversight requirements.

FDR staff, contractors, and governing body members engaged in work supporting Miami Jewish Health residents complete initial and annual general compliance and FWA training satisfying applicable CMS requirements within 90 days of hire, contracting, appointment, or engagement and annually thereafter, and FDR maintains proof of completion. Training addresses, as applicable, FWA definitions, relevant federal and state laws, the Federal and State False Claims Acts, the Anti-Kickback Statute and Stark Law, HIPAA privacy and information security requirements, exclusion list requirements, FWA policies and procedures, reporting processes, and protections for individuals who report suspected misconduct or FWA.

5. If FDR enters into a written arrangement with a third party, subcontractor, or downstream entity to perform services necessary to fulfill FDR's contractual obligations to MJH, FDR monitors those entities for compliance with this attestation, the Miami Jewish Health First Tier, Downstream or Related Entities Compliance Guide, applicable laws and regulations, and MJH contractual requirements.
6. FDR maintains effective lines of communication and reporting mechanisms for suspected misconduct, violations, FWA, HIPAA privacy or security incidents, significant non-compliance, and other compliance concerns, including anonymous reporting where appropriate and protections against intimidation or retaliation. FDR maintains processes for timely review, investigation, correction, corrective action tracking, and prompt reporting to MJH's Compliance Officer. Reports may be made through the anonymous Miami Jewish Health Compliance Hotline at 1-877-604-6544 or by emailing lresch@miamijewishhealth.org.
7. FDR discloses actual, potential, or perceived conflicts of interest; promptly notifies MJH of the separation or role change of any workforce member or contractor with access to MJH systems, applications, data, or resident information; and complies with HIPAA Privacy and Security Rules, applicable state privacy and confidentiality requirements, and all other laws and regulations affecting services provided to MJH.
8. FDR agrees to maintain, for at least ten years, documentation sufficient to support each representation and attestation made in this document and, upon request, to provide such documentation to MJH, CMS, or any other authorized governmental or regulatory authority.

By signing below, I represent and attest that I am authorized to complete this attestation on behalf of the FDR identified above and that the information provided is true, accurate, and complete to the best of my knowledge.

Signature: _____ Effective Date: _____

Printed Name: _____ Title: _____

Email: _____ Phone: _____