



Policy No.: 201

Created: 6/2015

Reviewed: 6/2019

Revised: 7/2019

RELATIONSHIPS WITH BILLING ENTITIES

ETHICS & COMPLIANCE DEPARTMENT

SCOPE:

All Evolution Health colleagues. For purposes of this policy, all references to “colleague” or “colleagues” include temporary, part-time and full-time associates, independent contractors, clinicians, officers and directors.

PURPOSE:

To provide guidance for all Evolution Health (the “Company”) colleagues on the requirements for the use of external billing entities.

POLICY:

All work performed by external consultants must conform to the Company’s policies and procedures.

PROCEDURE:

Consultants

- External reimbursement, coding, and billing consultants may be used in the following situations:
 1. When our internal coding or billing operations are at capacity and cannot be increased with the available staff.
 2. Post-acquisition, we will continue to utilize the coding or billing operation of the previous owner until internal coding or billing operations are able to increase capacity and/or develop expertise in a new market.
 3. Our internal coding or billing operations are unable to handle the current workload due to staff vacancies or other priorities.

Payment Arrangements

- For Government payors, our consultants may be compensated by an hourly fixed rate, a fixed fee, or a combination of an hourly rate and a fixed fee.
- Private payor claims may be based on a percentage of collection of fees, fixed fee or hourly rate.



Policy No.: 201	
Created: 6/2015	Reviewed: 6/2019 Revised: 7/2019

The Company's payment practices may deviate from the conditions for payment outlined above, for example, a billing or collection agreement where reimbursement is based on a percentage of amounts billed or collected. However, the agreement must provide for the deposit of all Medicare payments into a bank account in the name of and controlled by the provider. If the parties desire, the provider may direct that any funds in the bank account be transferred to another bank under another party's control, so long as the provider may modify or revoke the transfer order at any time.

All contracts or fee letters, regardless of what the external consultant is used for and how he/she is compensated, are subject to final approval by the CEO and the Legal Department. At a minimum, the contracts must include the following:

- The contract termination period should be clearly outlined and should not exceed 180 days.
- Specific language regarding errors and omissions and the consultants' responsibility must be clearly outlined.
- Language regarding confidentiality and retention of records. A Business Associate Agreement must be executed when applicable.
- The requirement to notify the Company of compliance issues, government investigations, training and education programs, and results of compliance audits.

The contract or fee letter will state that it is the responsibility of the consultant to notify the Legal Department and the Chief Compliance Officer of all findings (i.e. coding discrepancies, etc.). It is the responsibility of the Legal Department and Chief Compliance Officer to ensure that all findings are reported to the billing department regardless of whether such findings are favorable or detrimental to the Company.

Before contracting with an external consultant to provide services related to Medicare and any other third party payor, the minimum standards addressed below must be verified. If a company newly acquired by the Company is under contract with a consulting firm, the Chief Compliance Officer must verify the minimum standards within 90 days from the date of acquisition. At a minimum, a consultant must:

- Be aware of the Company's Compliance Program and relevant internal coding and billing policies applicable to the consultant's assignment.
- Not be excluded from the Medicare and Medicaid Programs or under investigation for a Program violation.
- Not be a former colleague of the Company who was terminated from the Company's employment "for cause."
- Demonstrate their qualifications or experience to perform such services being performed.



Policy No.: 201

Created: 6/2015

Reviewed: 6/2019

Revised: 7/2019

- Provide information for the Chief Compliance Officer to verify the consulting entity has an effective Compliance Program including an adequate Ethics and Compliance Education and Training Program.

A list of select consulting sources, which are believed to meet the minimum standards addressed above, can be obtained from the Chief Compliance Officer.

Contracts must be presented first to the CEO or CFO for discussion and agreement on the proposed work plan and compensation arrangement. The consulting entity is then reviewed by the Chief Compliance Officer to ensure the entity can meet the standards described above. All contracts will be submitted to the Legal Department for review and final approval by the CEO or designee prior to the start of work.

POLICY REVIEW

The Ethics & Compliance Department will review and update this Policy and all HIPAA policies when necessary in the normal course of its review of the Ethics & Compliance Program.