

**QHP Issuer Compliance Plan and Organizational Chart
COVER SHEET TEMPLATE**

Issuers will be asked to submit a Compliance Plan as part of the application process for certification of qualified health plan(s). Compliance Plans will be reviewed for completeness and adequacy based on the criteria listed below. Issuers should respond to the evaluation question and, where applicable, state the page number where language supporting the response can be found. This initial evaluation and review cover sheet will be used to evaluate the adequacy of the Compliance Plan and will assist in the ongoing monitoring of issuer compliance.

Certification of a health plan does not prevent CMS from identifying or addressing weaknesses in the Compliance Plan submitted by an issuer as part of its application at a later date.

Evaluation Criteria	Yes	No	Page Number
Attestations			
Applicant attested that it has a Compliance Plan that adheres to all applicable laws, regulations, and guidance, that the Compliance Plan is ready for implementation and that the applicant agrees to adhere to the Compliance Plan submitted with its application.			
Applicant attested that it will inform CMS of any significant changes to the organizational chart submitted with its application.			
Applicant attested that it will notify and obtain CMS approval prior to making any change in ownership that involve the entity(ies) which directly impact the applicant.			
Applicant attested that it will notify and obtain CMS approval prior to making any change in ownership that involve the entity(ies) which directly impact the QHP issuer.			
Compliance Plan and Organizational Chart Submissions			
Applicant uploaded a copy of its Compliance Plan.			
Applicant uploaded a copy of the Organizational Chart.			

Evaluation Criteria	Yes	No	Page Number
Compliance Plan Contents			
<p>1. Does the Compliance Plan include written policies, procedures, and standards of conduct?</p> <p>Are the following elements included in the written policies, procedures and standards of conduct:</p> <ul style="list-style-type: none"> • A statement that articulates the issuer’s commitment to comply with all applicable Federal and State rules, regulations and standards. • A description of compliance expectations for employee standards of conduct. • Implementation of the operation of a compliance program. • Guidance for employees, contractors, subcontractors, or other applicable entities on dealing with potential compliance issues • An explanation as to how compliance issues should be communicated to appropriate compliance personnel. • Description of how potential or suspected compliance issues are investigated and resolved. • A policy of non-intimidation and non-retaliation for good faith participation in the Compliance Plan, including, but not limited to: reporting potential issues, investigating issues, conducting self-evaluations, audits and remedial actions, and reporting to appropriate officials. 			
<p>2. Does the Compliance Plan designate a Compliance Officer and a compliance committee?</p>			
<p>a. Does the submitted Organizational Chart document that the Compliance Officer reports directly to the Board of Directors (or other senior governing body)?</p>			

Evaluation Criteria	Yes	No	Page Number
<p>3. Does the Compliance Plan include a compliance training and education component?</p> <p>Are the following elements included as part of the training and education component:</p> <ul style="list-style-type: none"> • A description of training program contents or agendas. (These descriptions may include items such as reviewing the organization’s compliance policies and procedures, reviewing disciplinary guidelines for non compliant behavior, reviewing procedures for how to ask compliance questions or report potential noncompliance, an overview of HIPAA and the importance of maintaining the confidentiality of Personal Health Information, and an overview of the monitoring and auditing work plan of the organization.) • Clarification about which employees or entities will receive the training. • Information about the frequency with which such training is held. 			
<p>4. Does the compliance plan address the establishment or development of effective lines of communication within the issuer’s organization.</p> <p>Effective lines of communication may include, but are not limited to, measures such as:</p> <ul style="list-style-type: none"> • Ensuring confidentiality between the compliance officer, members of the compliance committee, employees, managers and governing body, and related entities. • Adequate Compliance Officer availability and accessibility. • Providing a channel for compliance issues to be reported, such as a method for anonymous and confidential good faith reporting of potential compliance issues as they are identified. 			

Evaluation Criteria	Yes	No	Page Number
<p>5. Does the Compliance Plan contain well publicized disciplinary standards?</p> <p>Disciplinary standards may include, but are not limited to, policies such as:</p> <ul style="list-style-type: none"> • The articulation of expectations for reporting compliance issues and providing assistance in their resolution. • The identification of non-compliant or unethical behavior. • The provision for the timely, consistent, and effective enforcement of the defined standards when noncompliance or unethical behavior is occurs. 			
<p>6. Does the Compliance Plan include a system for routine monitoring and the identification of compliance risks?</p> <p>Routine monitoring to identify compliance risks may include the following:</p> <ul style="list-style-type: none"> • Is there a provision that addresses internal monitoring and/or audits? • Is there a provision for external audits to evaluate the organization and the overall effectiveness of the compliance program? 			
<p>7. Does the Compliance Plan include procedures and a system for prompt responses to compliance issues?</p> <p>Evidence of procedures and/or a system to promptly respond to compliance issues may be identified by the following provisions:</p> <ul style="list-style-type: none"> • Self-evaluations and audits. • Conducting timely and reasonable inquiries into any evidence of misconduct. • Implementing appropriate corrective actions, in response to the potential or actual violation that occur. • Procedures to voluntarily self-report potential fraud, misconduct, or other types of non-compliance. 			