

POLICY SUBJECT:***Compliance with CMS Data Use Agreement*****EFFECTIVE DATE: Jan. 1, 2013***To be reviewed every 3 years by
KentuckyOne Health Partners
Board of Managers*

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REVIEW BY: Jan. 1, 2016**POLICY**

It is the policy of KentuckyOne Health Partners (the “ACO”) to comply with regulations issued by the Center for Medicare and Medicaid Services (CMS) related to participation in the Medicare Shared Savings Program (MSSP), including those regulations related to compliance with the terms of the CMS Data Use Agreement.

PURPOSE

The purpose of this Policy is to outline the requirements for compliance with the CMS Data Use Agreement and the MSSP regulations.

SCOPE

This policy applies to the operations of the ACO with respect to its participation in the MSSP.

DEFINITIONS

- None

PROCEDURES

This policy outlines the requirements for compliance with the CMS Data Use Agreement in relation to the ACO’s participation in the MSSP.

(a) Before requesting or receiving any beneficiary identifiable data from CMS, the ACO shall enter into a Data Use Agreement with CMS. The ACO (and its ACO participants, ACO provider/suppliers, and other individuals or entities performing functions or services related to ACO activities) shall comply with the limitations on use and disclosure that are imposed by HIPAA, the applicable Data Use Agreement, and the statutory and regulatory requirements of the MSSP.

(b) ***Participants, Providers/Suppliers and other Individuals/Entities.*** The ACO shall ensure that its agreements with its ACO participants, ACO provider/suppliers, and other individuals or entities performing functions or services related to ACO activities, require such individuals and entities to agree to comply with the terms of the applicable Data Use Agreement as provided in this policy and 42 CFR § 425.710.

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ATTACHMENT(S) or EXHIBIT(S)

- N/A

AMENDED [if applicable]

- N/A

REFERENCES

- 42 C.F.R. § 425.710