



EFFECTIVE DATE: *June 1, 2016*

POLICY TITLE:

Beneficiary Inducements

REVIEW BY: *May 30, 2019*

POLICY

Trinity Health ACO will not provide gifts or other remuneration to Beneficiaries except as permitted under the NGACO Model program.

PROCEDURE

1. General Prohibitions

- a. Trinity Health ACO and its Participants, Preferred Providers, and other individuals or entities performing functions or services related to ACO activities will not provide gifts or other remuneration to Beneficiaries as inducements for receiving items or services from the ACO, Participants, or Preferred Providers, or to induce them to continue to receive items or services from the ACO, Participants or Preferred Providers.
- b. No cash, cash equivalents, or items or services unrelated to health care may be offered or provided to Beneficiaries at any time. There are no exceptions to this requirement.

2. Exceptions

- a. Trinity Health Participants, Preferred Providers, and other individuals or entities performing functions or services related to Trinity Health ACO activities may provide Beneficiaries limited In-kind Items or Services for free or below cost provided all of the following criteria are met:
 - i. There is a reasonable connection between the In-Kind Items or Services to the medical care of the Beneficiary; and
 - ii. The In-Kind Items and Services must either be:
 - 1. Preventative care in nature; or

2. Advance a clinical goal of the Beneficiary such as assisting a Beneficiary in adherence to a treatment regime, drug regime, a follow-up care plan, or the management of a chronic disease or condition.
 - b. Any programs providing In-Kind Items and Services to Beneficiaries will be approved by the Trinity Health ACO Board of Directors or a committee authorized to consider and act upon such programs.
3. Recordkeeping Requirements
 - i. Trinity Health ACO Participants and Preferred Providers will maintain the following information for each In-kind Item or Service provided to a Beneficiary:
 - 1.The nature of the In-kind Item or Service;
 - 2.The identity of each Beneficiary who 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.

DEFINITIONS

Beneficiary means an individual enrolled in Medicare who is aligned to the ACO for a given performance year during the term of the NGACO Model Participation Agreement.

In-kind Items and Services means any goods, commodities or services, but not cash or cash equivalents.

Participants means a Medicare enrolled provider or supplier that is identified on the required Participant List and, pursuant to a written agreement, has agreed to participate in Trinity Health ACO.

Participant List means the list that identifies each Participant that is approved by CMS for participation in Trinity Health ACO, as updated from time to time in accordance with the NGACO Model Participation Agreement.

Preferred Provider means an individual or entity that is a Medicare enrolled provider or a supplier that is identified on the Preferred Provider List and, pursuant to a written agreement, has agreed to participate in Trinity Health ACO.

Preferred Provider List means the list of Preferred Providers that are approved by CMS for participation in Trinity Health ACO, as updated from time to time in accordance with the NGACO Model Participation Agreement.

POLICY CONTACT

For questions regarding this policy, please contact the Trinity Health ACO Integrity and Compliance or Legal Departments.

RELATED PROCEDURES AND OTHER MATERIALS

- NGACO Model Participation Agreement Section V.H. *Prohibition on Beneficiary Inducements*

APPROVALS

Initial Approval: Trinity Health ACO Leadership & Operations Team – May 26, 2016

Subsequent Review/Revision(s): *[insert dates of all subsequent reviews/revisions]*