

Definitions:

Downstream entity – Any party that enters into a provider agreement with a first-tier entity, below the level of the agreement between Health Net and a first-tier entity, to provide administrative services to Health Net or health care services to Health Net’s MA members. These provider agreements continue down to the level of the ultimate provider of health care and administrative services.

First-tier entity – Any party that enters into a provider agreement with Health Net to provide administrative services to Health Net or health care services to Health Net MA members.

Health Net – The term “Health Net,” for the purpose of this definition, is applicable to Health Net and its various subsidiaries. The term also includes delegates, such as providers, third-party administrators, and other entities who have been delegated responsibility for activities defined in this policy.

Medicare-related work – Medicare-related work encompasses what offshore subcontractors do when they process, handle or access beneficiary PHI while helping Health Net fulfill its Medicare Part C contract requirements. Examples of Medicare-related work include claims processing, claims data entry services, scanning paper claims to create electronic records, receipt of beneficiary calls, and any situation where the offshore subcontractor may have access to Health Net MA member PHI. Health Net prohibits the transfer or storage of data outside the United States.

Offshore – Refers to any country that is not within the United States or one of the United States territories (American Samoa, Guam, Northern Marianas, Puerto Rico, and Virgin Islands). Examples of countries that meet the definition of offshore include Mexico, Canada, India, Germany, and Japan. Subcontractors that are considered offshore can be either American-owned companies with certain portions of their operations performed outside the United States or foreign-owned companies with their operations performed outside the United States. Offshore subcontractors provide services that are performed by workers located in offshore countries, regardless of whether the workers are employees of American or foreign companies.

Protected health information (PHI) – PHI, whether it is written, oral or electronic, must be protected at all times and in all settings. Disclosure of PHI must have prior written member authorization. Health Net providers may only release PHI without authorization when needed for payment, when necessary for treatment or coordination of care, when used for health care operations (including, but not limited to, HEDIS[®] reporting, appeals and grievances, utilization management, quality improvement, and disease or care management programs), and where permitted or required by law.

Provider – A first-tier entity or downstream entity that provides health care services to Health Net members.

Provider agreement – The agreement through which a provider agrees to render health care services to Health Net members, either via a first-tier entity or downstream entity contract.

Subcontractor – Any organization with which a first-tier or downstream entity contracts to fulfill or help fulfill requirements in their MA contracts.