



Offshore Subcontracting Attestation Part D Subcontractor

If you are a Part D subcontractor, indicate your business name below, then list the entities for which you are completing this attestation in the next box.

Name Of Part D Subcontractor

Entities for which you are completing this attestation:

Enter your name, your title and the date that you completed this attestation:

Name:

Title:

Signature:

Date:

Do you utilize offshore subcontractors?

Centers for Medicare and Medicaid Services defines an offshore subcontractor as the following: The term “subcontractor” refers to any organization that a Medicare Advantage Organization or Part D sponsor contracts with to fulfill or help fulfill requirements in their Part C and/or Part D contracts. Subcontractors include all first-tier, downstream and/or related entities. The term “offshore” refers to any country that is not one of the fifty 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 of the United States or foreign-owned companies with their operations performed outside of 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.

Response:
Yes
No

We engage in offshore subcontracting that involves receiving, processing, transferring, handling, storing, or accessing protected health information (PHI).

If “Yes,” continue completing the form below.
If “No,” the survey is complete. Please provide a copy to:

Health Net of California Inc.
Dana Slavett
Contracts Administration
21281 Burbank Blvd
Woodland Hills, CA 91367
You may also fax it to Dana Slavett at (818) 676-5701

Response:
Yes
No

If a new offshore subcontractor is added, the full document must be completed and sent to Health Net within 20 days at the information provided above.



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Part I. Offshore Subcontractor Information	
Offshore Subcontractor Name:	
Offshore Subcontractor Country:	
Offshore Subcontractor Address:	
Describe Offshore Subcontractor Functions:	
State Proposed or Actual Effective Date for Offshore Subcontractor: (Month, Day, Year: Example January 15, 2009)	

Part II. Precautions for PHI	
Describe the PHI that will be provided to the offshore subcontractor:	
Discuss why providing PHI is necessary to accomplish the offshore subcontractor objectives:	
Describe alternatives considered to avoid providing PHI, and why each alternative was rejected:	



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Part I. Attestation of Safeguards to Project Beneficiary Information in the Offshore Subcontract		
Item	Attestation	Response: Yes No
I.1.	Offshore subcontracting arrangement has policies and procedures in place to ensure that Medicare beneficiary PHI and other personal information remains secure	
I.2.	Offshore subcontracting arrangement prohibits subcontractor's access to Medicare data not associated with the sponsor's contract with the offshore subcontractor	
I.3.	Offshore subcontracting arrangement has policies and procedures in place that allow for immediate termination of the subcontract upon discovery of a significant security breach	
I.4.	Offshore subcontracting arrangement includes all required Medicare Part C and D language such as record retention requirements, compliance with all Medicare Part C and D requirements, etc.	

Part II. Attestation of Audit Requirements to Ensure Protection of PHI		
Item	Attestation	Response: Yes No
II.1.	Organization will conduct an annual audit of the offshore subcontractor	
II.2.	Audit results will be used by the Organization to evaluate the continuation of its relationship with the offshore subcontractor	
II.3.	Organization agrees to share offshore subcontractors audit results with CMS upon request	