



ACO Participant Compliance Training Policy

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Purpose

The purpose of such training is to communicate CareMax's commitment to compliance and the role that each Accountable Care Organization (ACO) Participant has in identifying risk of noncompliance, which may also reduce the potential for fraud, waste, and abuse.

Scope

This policy applies to all CareMax, Inc. (CareMax) ACO Participants, including participants of CareMax Accountable Care Network, LLC (CACN), CareMax National Care Network, LLC (CNCN), and CareMax Health Partners, LLC (CHP).

Policy

In accordance with 42 CFR § 425.300 and the ACO Participation Agreements, it is the policy of CareMax to ensure compliance training is provided to all ACO Participants.

Procedure

Annual ACO Participant Compliance Training

- A. Annual CACN, CNCN, and CHP compliance training content is prepared by CareMax in collaboration with the CareMax Compliance Department. Content is reviewed and revised (as needed) at least annually to reflect changes in regulations and/or compliance requirements related to the Medicare Shared Savings Program (MSSP) and ACO Realizing Equity, Access, and Community Health Model (ACO REACH).
- B. Annual CACN, CNCN, and CHP compliance training content includes, but is not limited to, information from and/or regarding the following:
 - a. Applicable federal and state laws, regulations, and sub regulatory guidance;
 - b. ACO Participation Agreement requirements;
 - c. The CareMax Code of Business Conduct and Ethics; and
 - d. Elements from the CACN, CNCN, and CHP Compliance & Privacy Program Descriptions including:
 - i. What constitutes program violations;
 - ii. How to recognize violations; and
 - iii. How to report compliance issues and possible violations.
- C. All ACO Participants receive training content annually during the Performance Year and are notified that it is their responsibility to complete the training by the end of the Agreement period. The training content and associated notice are delivered via one or more methods including email, newsletter, in-person sessions, ACO Participant onboarding materials, website publication, and/or other published material.
- D. ACO Participants added to the ACO Participant list during a Performance Year are also expected to complete the training requirement by the end of the Agreement period.

- E. CACN, CNCN, and CHP documents all training activity including dissemination efforts and associated dates, and reports progress to the respective ACO Compliance Committees and the Boards of Directors at regularly scheduled meetings.

Annual ACO Participant Compliance Training Completion Expectations

It is the expectation of CACN, CNCN, and CHP and their respective Boards of Directors that all ACO Participants complete the annual ACO Participant Compliance Training by the end of the Agreement period in compliance with 42 CFR § 425.300 and the Agreement. CACN, CNCN, and CHP reserve the right to request confirmation of training completion for their respective ACO Participants. Failure to comply could result in remedial action, including imposition of a corrective action plan and/or termination of the Agreement.

Record Retention Expectations

CACN, CNCN, and CHP retain all ACO Participant training records for their respective ACO Participants and expect ACO Participants to retain all training records for a period of 10 years from the final date of the ACO Participant Agreement period or from the date of completion of any related audit, evaluation, or inspection, whichever is later, in accordance with 42 CFR § 425.314 and *COMP-019-Record Retention Policy*.

Specialized Training for ACO Participants

1. During the Performance Year, additional, specialized training may be provided to all or certain ACO Participants based on specific functions for which the training applies (e.g., payment rule waivers employed by the ACO in accordance with 42 CFR § 425.612) and/or due to changes to laws, regulations, and/or sub regulatory guidance.
2. Specialized training content may be delivered via one or more methods including email, newsletter, in person sessions, ACO Participant onboarding materials, website publication, and/or other published material.
3. CACN, CNCN, and CHP document all specialized training activity including dissemination efforts and associated dates for their respective ACO Participants, and report progress to their respective Compliance Committees and Boards of Directors at regularly scheduled meetings.

Definitions

Accountable Care Organization (ACO): a legal entity that is recognized and authorized under applicable state, federal, or tribal law, is identified by a Taxpayer Identification Number (TIN), and is formed by one or more ACO Participant(s) that is/are defined at 42 CFR § 425.102(a) and may also include any other ACO Participants described at 42 CFR § 425.102(b).

ACO Participant: an entity identified by a Medicare-enrolled billing TIN through which one or more ACO Providers/Suppliers bill Medicare, that alone or together with one or more other ACO Participants compose an ACO, and that is included on the list of ACO Participants that is required under 42 CFR § 425.118.

ACO Provider: a hospital, skilled nursing facility, outpatient rehabilitation facility, home health agency, or hospice that is Medicare-enrolled and bills for items and services furnished to Medicare fee-for-service beneficiaries under a Medicare billing number assigned to the TIN of an ACO Participant in accordance



with applicable Medicare regulations, and is included on the list of ACO Providers/Suppliers that is required under 42 CFR § 425.118.

ACO Supplier: a physician or other practitioner, or an entity other than a provider, who is Medicare-enrolled and bills for items and services furnished to Medicare fee-for-service beneficiaries under a Medicare billing number assigned to the TIN of an ACO Participant in accordance with applicable Medicare regulations, and is included on the list of ACO Providers/Suppliers that is required under 42 CFR § 425.118.

ACO Participant Agreement: the written agreement (as required by 42 CFR § 425.116) between the ACO and ACO Participant in which the ACO Participant agrees to participate in, and comply with, the requirements of the ACO.

Performance Year: the 12-month period beginning on January 1 of each year during the Agreement period.

Reference

- 42 CFR § 425.102(a) & (b); § 425.116; § 425.118; § 425.300; § 425.314; § 425.612
- P&P-COMP-019-Record Retention Policy

Change Log

Version	Major/Minor Revision?	Date	Name	Comments
1.0	Major	April 3, 2023	Chief Compliance Officer	Original version
1.0	None	March 11, 2024	Chief Compliance Officer	Annual review; no edits