

INSTRUCTIONS FOR COMPLETING PROVIDER DISCLOSURE FORM

Once this form has been fully completed, please email it to:

<<LME/PIHP>>

According to the Code of Federal Regulations Title 42, Part 455, §§ 100-106, all providers enrolled or enrolling with <<LME/PIHP>> must complete this Provider Disclosure Statement.

The definitions below are designed to clarify certain questions on the Provider Disclosure Form. If you cannot report all of the necessary information in a designated section of the Form because of space limitations, please provide the information on a separate paper.

Definitions:

- a. Provider means a Medicaid provider that is contracted or applying to be contracted with <<LME/PIHP>>.
- b. Disclosing entity means a Medicaid provider other than an individual practitioner, or a fiscal agent.
- c. An entity that does not participate in Medicaid, but is required to disclose certain ownership and control information because of participation in any of the programs established under Title V of the Act (Maternal and Child Health Services Block Grant Program), Title XVIII of the Act (Health Insurance for the Aged and Disabled) or Title XX of the Act (Block Grants to the States for Social Services and Elder Justice) means:
 - Any hospital, skilled nursing facility, home health agency, independent clinical laboratory, renal disease facility, rural health clinic, or health maintenance organization that participates in Medicare (Title XVII);
 - Any Medicare intermediary or carrier; and
 - Any entity (other than an individual practitioner or group of practitioners) that furnishes, or arranges for the furnishing of, health-related services for which it claims payment under any plan or program established under Titles V or XX of the Act.
- d. Agent means any person who has been delegated the authority to obligate or act on behalf of a provider.
- e. Managing employee means a general manager, business manager, administrator, director, or other individual who exercises operational or managerial control over, or who directly or indirectly conducts the day-to-day operation of an institution, organization, or agency.
- f. Ownership interest means the possession of equity in the capital, the stock, or the profits of the Provider.
- g. Indirect ownership interest means an ownership interest (as defined herein) in an entity that has an ownership interest in the Provider.
- h. Person with an ownership or control interest means a person or corporation that:
 - Has an ownership interest totaling 5 percent or more in the Provider;
 - Has an indirect ownership interest equal to 5 percent or more in the Provider;
 - Has a combination of direct or indirect ownership interests equal to 5 percent or more in the Provider;
 - Is an officer or director of the Provider that is organized as a corporation; or
 - Is a partner in the Provider that is organized as a partnership?

- i. Significant business transaction means any business transaction or series of transactions that, during any one fiscal year, exceed the lesser of \$25,000 and 5 percent of a provider's total operation expenses.
- j. Subcontractor means:
 - An individual, agency or organization to which a disclosing entity has contracted or delegated some of its management functions or responsibilities of providing care to its patients; or
 - An individual, agency, or organization with which a fiscal agent has entered into a contract, agreement, purchase order, or lease (or leases of real property) to obtain space, supplies, equipment, or services provided under the Medicaid agreement.
- k. Supplier means an individual, agency, or organization from which a provider purchases goods and services used in carrying out its responsibilities under Medicaid (e.g. a commercial laundry, a manufacturer of hospital beds, or a pharmaceutical firm).
- l. Wholly owned supplier means a supplier whose total ownership interest is held by a provider or by a person, persons, or other entity with an ownership or control interest in a provider.

Pursuant to Title 42, Code of Federal Regulation, Part 455, Sections 104-106, whoever knowingly and willfully makes or causes to be made a false statement or representation in the Disclosure Form may be subject to adverse legal consequences under applicable federal and/or State laws. Further, knowingly and willfully failing to fully and accurately disclose the information requested may result in denial of a request to participate or, where the provider already participates, a termination of its Procurement Contract with <<LME/PIHP>>.