State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

Dear Provider:

Your request to enroll as an individual doula provider in the Medicaid/NJ FamilyCare (NJFC) program has been received. The attached packet must be completed to be approved for participation in the Medicaid/NJFC program. Please answer all questions. If a question does not apply to you, just enter "N/A."

The next page describes what is in the individual doula provider application packet, as well as copies of information needed to complete the enrollment.

If you have not received a response within 1 month, please contact the Gainwell Technologies Provider Enrollment Unit at 609-588-6036, or njmmisproviderenrollment@gainwelltechnologies.com

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

INDIVIDUAL DOULA PROVIDER APPLICATION PACKET

This application is for doulas interested in enrollment as fee-for-service providers within the NJFC program. Every doula within NJFC must be enrolled as an individual provider, even if the doula chooses to provide services and bill under an affiliation with a NJFC-enrolled group agency. In that case, a doula must be affiliated with a group agency using either the Doula Addendum or the Doula-Only Agency Provider Application, as appropriate.

This application packet includes the following:

1. The **Doula Qualifications Form** which identifies specific materials needed for a doula applicant.

2. The **Signature Authorization Form** which identifies those individuals authorized to sign a claim form on your behalf.

3. The **Authorization Agreement for Automatic Deposits of State Payments** Form is completed for the State to deposit payments into your bank account.

4. The **Individual Provider Application (Sections I & II)** – this is the application for enrollment in the Medicaid/NJFC program, including reporting of the required National Provider Identifier (NPI).

   If you have not requested an NPI for yourself, go to https://nppes.cms.hhs.gov to request a Type 1 NPI. Report your NPI on the **Individual Doula Provider Application. Note: The Taxonomy Code established for a provider of doula services is 374J00000X.**

5. The **Provider Certification** – requires that a provider applicant comply with all federal and State laws and regulations.

6. The **Provider Agreement between the New Jersey Division of Medical Assistance and Health Services and yourself.**

7. The **Notice to Enrollees** – identifies the individual or entity enrolling in the Medicaid/NJFC program.

8. A **Request for Paper Updates –** this Form is a way for you to decide if you want to receive communications from Medicaid/NJFC in the form of paper.

9. The **Disclosure of Ownership and Control Interest Statement –** identifies ownership interest in a business entity.

10. The **W-9 Request for Taxpayer Identification Number and Certification** – this Form is used to report your Tax ID Number to the Medicaid/NJFC Program. Provide a copy of your **Social Security Card if applying as an individual** or a copy of your 147C letter from the IRS or copy of the IRS CP-575 form if applying as a business. Report your name or that of your business as reported to the IRS. **If you are an individual provider, and a Social Security Number is the primary means of identity, you may be requested to submit a copy of your Social Security Card.**

11. The **Affirmative Action Survey –** an optional survey to better understand the diversity of the Medicaid/NJFC provider network and the needs of Medicaid/NJFC clients

12. An **Agreement of Understanding** – this Form advises you that information found in the application package is the property of the State of New Jersey .

13. Detailed information regarding regulations quoted in the application packet – no action is necessary regarding these documents.

DOULA QUALIFICATIONS FORM

Important! Prior to completing this application, please see the **Approved Trainings** document at https://www.state.nj.us/humanservices/dmahs/info/doula.html to confirm that your doula training meets the community doula training requirements for NJ FamilyCare providers.

1. Doula providers must be at least 18 years old

Legal Name	Doula Professional Title	Social Security Number	Date of Birth

2. Documentation of community doula training: **Attach a copy of certificate(s)** demonstrating the completion of doula training, and provide up-to-date contact information that can be used to verify that training.
NJ FamilyCare's community doula training requirements include core competency training, NJ-specific community-based/cultural competency training, HIPAA training, and adult/infant CPR certification.

Training Program Name

Training Program Contact **E-mail Address** **Telephone No.**

Site where Training was completed:

Street

City **State** **Zip**

3. Provide information about active professional liability insurance (**minimum coverage of $1,000,000 per incident/$3,000,000 aggregate**). Any insurance obtained by the provider shall not limit the provider's indemnification of the State and enrollees.

Name of Current Professional Liability Insurance Carrier

Street

City **State** **Zip**

Policy No.

Period of Coverage

Amount of Coverage Per Occurrence **Amount of Coverage Per Aggregate**

4. Upon submission of this application, the doula will receive instructions for completion of a fingerprint-based criminal background check, to be completed by New Jersey Department of Human Services Central Fingerprinting Unit, at no cost to the applicant.

For Gainwell Technologies Internal Use Only

Provider Name: _____ Provider ID #: _____

Doc Type: _____ Provider Type: _____ Provider Specialty: _____

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

SIGNATURE AUTHORIZATION FORM

If you are authorizing someone, other than yourself, to sign Medicaid/NJFC claims (and other documents), their signature on the claim must be the same as signed below. If no one, other than yourself, will be signing claims, **you** must sign this Signature Authorization Form. If you use a billing agency to send in claims, please contact Gainwell Technologies Provider Enrollment at 609-588-6036.

Provider Name	Your NPI Number

Please print full name	Please sign with full signature

AUTHORIZATION AGREEMENT FOR AUTOMATED DEPOSITS OF STATE PAYMENTS

I (we) authorize Gainwell Technologies, on behalf of the State of New Jersey, to deposit any Medicaid/NJFC payments into the bank account indicated below.

NAME OF MY BANK _____ **WHICH BRANCH** _____

CITY _____ **STATE** _____ **ZIP CODE** _____

MY BANK TRANSIT NO. _____ **MY BANK ACCT NO.** _____

Should I (we) change my (our) bank or bank account, this authorization may be changed by sending Gainwell Technologies a request in writing.

NAME ON YOUR BANK ACCOUNT _____
(Print the full name on your account)

PROVIDER NAME _____
(Please leave blank)

PROVIDER NO. _____ **TELEPHONE NO.** _____
(Please leave blank)

NPI No. _____

PAY TO ADDRESS _____

_____

_____

Printed Name _____ **Signature** _____ **Date** _____

IF YOU HAVE A JOINT ACCOUNT, INDICATE THE OTHER OWNER'S NAME & SIGNATURE BELOW

Printed Name _____ **Signature** _____ **Date** _____

- **Please Attach a BLANK, VOIDED CHECK**
- **Payments are deposited each Friday at 9:00 AM.**
- **About 4 weeks is needed before Gainwell Technologies can deposit payments to your account.**
- **Until Gainwell Technologies is ready, you will receive paper checks.**
- **Please copy this Form before mailing to Gainwell Technologies.**

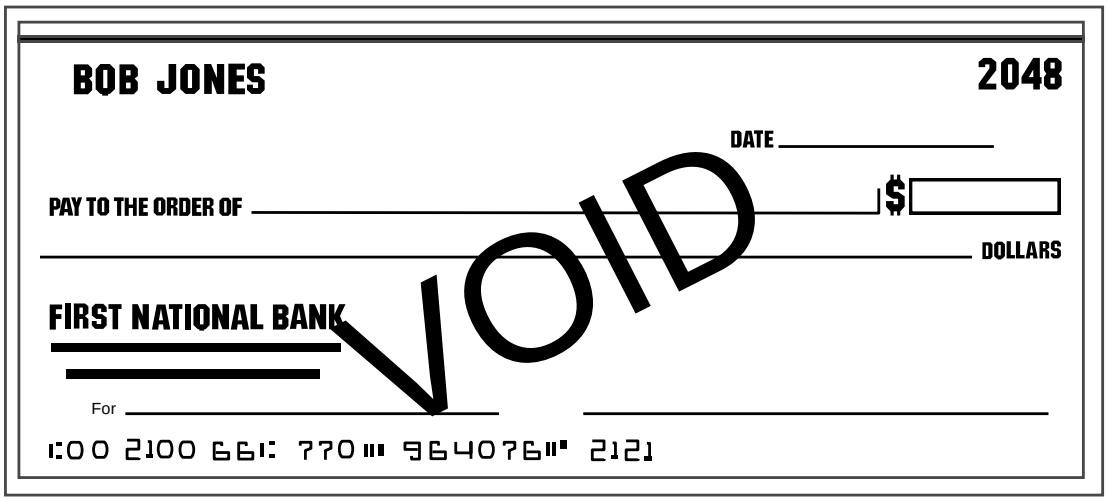
PROVIDER INSTRUCTIONS FOR COMPLETING AUTHORIZATION AGREEMENT FORM

1. DEPOSITORY NAME ..... Name of bank servicing your checking account.
2. BRANCH ..... Name of bank branch.
3. CITY ..... City or town location of bank branch.
4. STATE ..... State location of bank branch.
5. ZIP ..... Zip code of bank branch.
6. BANK TRANSIT/ABA NUMBER ..... Bank routing number (see below, voided check example).
7. BANK ACCOUNT NUMBER ..... Checking account number (see below, voided check example).
8. BANK ACCOUNT NAME ..... Actual account name per your bank's records.
9. PROVIDER INFORMATION ..... Provider name, Medicaid/NJ FamilyCare Provider No., telephone No., address, date prepared and signature.

MAIL THE COMPLETED AUTHORIZATION AGREEMENT AND VOIDED CHECK TO:

Provider Enrollment Unit
Gainwell Technologies
P.O. Box 4804
Trenton, NJ 08650-4804

NOTE: Attach blank, voided check per below sample.



Bank Transit No. (ABA No.) Bank Account No.

For Gainwell Technologies Internal Use Only

Provider Name: _____ Provider ID #: _____

Doc Type: **CHNGREQ** Provider Type: _____ Provider Specialty: _____

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

INDIVIDUAL DOULA PROVIDER APPLICATION
SECTION I – PROVIDER IDENTIFICATION

Legal Name	Professional Title	Social Security Number	DOB
	Doula		

Medicare Provider No. (If applicable) **UPIN No. (if applicable)**

NPI Number **Telephone No.** **Fax No.**

E-mail Address

Pay To Address *(for Checks/Remittance Advice Statements):*

Street

City **State** **Zip**

Mail To Address *(For Newsletters/Correspondence):*

Street

City **State** **Zip**

Is this a Transfer of Ownership? ☐ Yes/ ☐ No: If Yes, what are the 7-digit Medicaid Provider ID, NPI and Tax ID numbers of the previous owner:

Medicaid Provider ID **NPI** **Tax ID**

SECTION II – PROVIDER IDENTIFICATION

1. **Have you ever been approved as a provider of services under the Medicaid/NJFC program or the Medicaid program of any other state or jurisdiction? ☐ Yes ☐ No. If yes, list the types of services provided and current status. If you were approved as a provider at one time and you no longer participate, please explain below.**

2. **Have you ever been the subject of any past or pending license suspension, revocation or other adverse action by any licensing authority, including but not limited to any fine, penalty, reprimand, disciplinary action or probationary period (even if paid and/or resolved) imposed by any licensing authority (excluding motor vehicle violations) in this State or any other jurisdiction?**
☐ Yes ☐ No If yes, please explain:

3. **Have you ever been indicted, charged, convicted of or pled guilty or no contest to any federal or state crime or disorderly persons offense in this State or any other jurisdiction (even if this resulted in pre-trial intervention)?**
☐ Yes ☐ No If yes, please explain:

4. **Have you ever been the subject of any past or pending suspensions, debarments, disqualifications, recovery actions or criminal convictions involving Medicaid, Medicare, any other federally-funded or state-funded health care program, any private or non-profit health insurance plan or program in this State or any other jurisdiction or any other programs administered in whole or in part by DMAHS?**
☐ Yes ☐ No If yes, explain and indicate current status of action:

5. **Does any person (or any member of such person's immediate family) or entity required to be named in response to any questions in this application ever owned or had an interest in, or any relationship (including an employment relationship) with, any other corporation, partnership or other entity providing services under Medicaid, Medicare, any other federally or state-funded health care program or any private or non-profit health insurance plan or program in this State or in any other jurisdiction?**
☐ Yes ☐ No If yes, explain:

6. **Are you employed by the State of New Jersey in any capacity? ☐ Yes ☐ No If yes please explain:**

7. **NOTE: There are federal and State statutes and regulations governing kickbacks and referral practices which may apply to you, as the applicant, and to those individuals and entities listed in this application. These statutes and regulations include, but are not limited to: the Federal Medicare and Medicaid Anti-Kickback Statute (42 USC 1320a-7b(b)); the Federal Safe Harbor Regulations (42 CFR 1001.952: the Stark Laws (42 USC 1395nn, 42 USC 1396b(s) and implementing regulations); the State Medicaid Anti-Kickback Statute (NJS 30:4D-17(c)); and the Codey Law (NJS 45:9-22.4 et. Seq.) and its implementing regulations (NJAC 13:35-6.17)). Applicants should carefully review and understand these legal requirements and prohibitions, because signing this Agreement is a representation that there is full compliance with all of these statutes and regulations.**

Applicants shall never have a relationship with another individual for the sole purpose of providing a payment to that individual in exchange for receiving a referral to provide doula services.

Signature	Print Name	Title	Date
_____	_____	_____	_____

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

PROVIDER CERTIFICATION

For the purpose of becoming a provider to receive payments from the Medicaid/NJFC program provided to eligible beneficiaries under the New Jersey Medicaid (Title XIX) Program and other programs administered in whole or in part by the Division of Medical Assistance and Health Services (DMAHS), **I certify on behalf of the applicant that the information provided in this application is TRUE, ACCURATE AND COMPLETE.**

I am aware and by signing this application gave consent on behalf of the applicant that I represent, that DMAHS and/or the Medicaid Fraud Division (MFD) of the Office of the State Comptroller, may verify the accuracy of any and all information, documentation submitted in connection with this application, including, but not limited to conducting a civil and/or criminal background investigation relating to any of the individuals or entities mentioned in this application or in any supporting documents.

I am aware that if any statements made by me in this application are false or fraudulent or if the results of the background investigation are unsatisfactory, this application may be denied, and I and the applicant are subject to punishment, including, but not limited to: criminal prosecution under applicable Statutes, including N.J.S. 30:4D-17 and N.J.SA. 2C28-3; suspension, debarment or disqualification from the Medicaid/NJFC p Program and all other programs administered in whole or in part by DMAHS in accordance with N.J.A.C. 10:49-11.1(d)22; termination of any agreement under N.J.A.C. 10:49-3.2(f); and recovery under applicable statutes and regulations, including N.J.S. 30:4D-7.h and N.J.S. 30:4D-17.

I also understand that all questions in this application must be answered and that failure to do so may result in denial of this application.

I further understand that if this application is denied, a new application cannot be resubmitted for a period of one year from the date of denial.

I agree to notify (in writing) the fiscal agent's provider enrollment unit immediately of any updates or changes to any of the information that is being provided in this application and in any supporting documents.

Signature	Print Name and Title	Date

FOR DIVISION AND/OR FISCAL AGENT USE ONLY

[ ] Approve [ ] Disapprove [ ] Other _____ _____
Initial Date

FD-429 (110220)

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

PROVIDER AGREEMENT
BETWEEN
NEW JERSEY DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
AND

_____

PROVIDER NAME

PROVIDER AGREES:

1. **To comply with all applicable State and federal laws, policies, rules and regulations;**

2. **To keep such records as are necessary to fully show services provided to individuals who received doula services paid for by the Division of Medical Assistance and Health Services (DMAHS) and to provide any DMAHS-authorized employee or agent copies of requested records free of charge;**

3. **To provide DMAHS, the Secretary of the U.S. Department of Health and Human Services and the Medicaid Fraud Section of the Division of Criminal Justice requested information regarding any payments claimed for providing doula services under DMAHS;**

4. **To comply with the requirements of Title VI of the Civil Rights Acts of 1964 and Section 504 of the Rehabilitation Act of 1973 and any related amendments and Section 1909 of Public Law 92-603, Section 2428 making it a crime and sets the punishment for persons who have been found guilty of making any false statement or representation of a material fact in order to receive any benefit or payment under the Medicaid Program.**

5. **To comply with the disclosure requirements specified in 42 CFR 455.100 through 42 CFR 455.107.**

6. **To accept Title XIX payments as payment in full and not institute collection activities, including but not limited to billing, balance billing and litigation, against Title XIX beneficiaries for the payment of claims that have been denied in whole or in part by DMAHS or its fiscal agent, except as permitted by NJSA 30:4D-6.c., or otherwise permitted or required by State or federal law.**

The provider or DMAHS may, on 60 days written notice to the other party, terminate this Agreement without cause.

_____

DATE **SIGNATURE OF PROVIDER**

_____

PRINT NAME AND TITLE

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services

NOTICE OF ENROLLEE(S)

In an effort to properly set-up the identity of an individual or an entity as a Medicaid/NJFC provider, the Division of Medical Assistance and Health Services requires that when a social security number is the primary means of identity, you may be requested to submit a copy of your social security card.

If you are an entity, you are required to submit a copy of your 147C letter from the Internal Revenue Service (IRS) or a copy of the IRS CP-575 Form.

Your application to become a Medicaid/NJFC provider shall not be completed without the submission of the appropriate document to the State fiscal agent as part of the provider enrollment application response.

REQUEST FOR PAPER UPDATES

DIRECTIONS: Enter the requested information below, sign your name, and send the completed form to the address at the bottom of this form.

Provider Name: _____ Provider Number: _____

Contact Name: _____ Telephone Number: _____

FAX Number: _____

Mail To Address: _____

_____

_____

I would like to receive printed (paper) copies of updates and distributions.

_____

Provider/Authorized Representative Signature

_____

Date

MAIL THIS COMPLETED FORM TO:

Provider Enrollment Gainwell Technologies
P.O. Box 4804 Trenton, NJ 08650

EMAIL THIS COMPLETED FORM TO njmmisproviderenrollment@gainwelltechnologies.com

OR FAX THIS COMPLETED FORM TO GAINWELL TECHNOLOGIES PROVIDER RELATIONS AT:
Fax Number: (609) 584-1192

INSTRUCTIONS FOR COMPLETING DMAHS DISCLOSURE OF OWNERSHIP AND CONTROL INTEREST STATEMENT

Completion and submission of this form is a condition of participation, certification, or recertification in the programs administered in whole or in part by the Division of Medical Assistance and Health Services (DMAHS). A full and accurate disclosure of ownership and financial interest is required. This form must be updated within 35 days for any changes in ownership. Failure to provide the required disclosures may result in payments to the disclosing entity being recovered by DMAHS, and may result in DMAHS not authorizing an individual/entity to be a provider in the Medicaid/NJ FamilyCare program.

General Instructions

Please answer all questions as of the current date. If the YES line for any item is checked, list requested additional information under the Remarks section on the last page, referencing the item number to be continued. If additional space is needed use an attached sheet. Return the original to DMAHS and keep a copy for your files. This form may be required to be completed annually and must be completed when there is a change in ownership or control greater than or equal to 5%. Any substantial delay in completing the form may result in the individual/entity not being authorized to participate in the Medicaid/NJ FamilyCare program.

Definitions:

An "**Affiliation**" exists when a provider, owner, or managing employee/organization of the provider has been or is in one of the following roles within the previous 5 years with a currently or formerly enrolled Medicare, Medicaid/NJ FamilyCare or Children's Health Insurance Program (CHIP) provider that had a disclosable event described below:

1. A 5 percent or greater direct or indirect ownership interest that an individual or entity has in another organization; or
2. A general or limited partnership interest, regardless of the percentage, that an individual or entity has in another organization; or
3. An interest in which an individual or entity exercises operational or managerial control over, or directly or indirectly conducts, the day-to-day operations of another organization (including sole proprietorships) either under contract or through some other arrangements, regardless of whether or not the managing individual or entity is a W-2 employee of the organization; or
4. An interest in which an individual is acting as an officer or director of a corporation; or
5. Any payment assignment relationship under 42 CFR 447.10(g).

"**Disclosable event**" means any of the following:

1. Currently has an uncollected debt to Medicare, Medicaid/NJ FamilyCare or CHIP regardless of
   a. The amount of the debt;
   b. Whether the debt is currently being repaid (for example, as part of a repayment plan); or
   c. Whether the debt is currently being appealed; or
2. Has been or is subject to a payment suspension under a federal health care program regardless of when the payment suspension occurred or was imposed; or
3. Has been or is suspended or excluded by the Office of Inspector General (OIG) from participation in Medicare, Medicaid/NJ FamilyCare, or CHIP; regardless of whether the suspension or exclusion is currently being appealed or when the suspension or exclusion occurred or was imposed; or
4. Has had its Medicare, Medicaid/NJ FamilyCare or CHIP enrollment or participation suspended, denied, revoked or terminated, regardless of:
   a. The reason for the suspension, denial, revocation, or termination;
   b. Whether the suspension, denial, revocation, or termination is currently being appealed; or
   c. When the suspension, denial, revocation, or termination occurred or was imposed.

"Disclosing entity" means a provider including a managed care entity, individual practitioner, group of practitioners, or a fiscal agent under any of the programs administered in whole or in part by DMAHS.

"Federal health care program" is

(1) Any plan or program that provides health benefits, whether directly, through insurance, or otherwise, which is funded directly, in whole or in part, by the United States Government (other than the health insurance program under 5 USCS §§ 89015 USCS §§ 89015 USCS §§ 8901 et seq.; or

(2) Any State health care program, as defined in 42 USCS § 1320a-7(h).

"Indirect ownership interest" means an ownership interest in an entity that has an ownership interest in the disclosing entity. This includes an ownership interest in any entity that has an indirect ownership interest in the disclosing entity. The amount of indirect ownership in the disclosing entity that is held by any other entity is determined by multiplying the percentage of ownership interest at each level. An indirect ownership interest must be reported if it equates to an ownership interest of 5 percent or more in the disclosing entity. Example: if A owns 10 percent of the stock in a corporation that owns 80 percent of the stock of the disclosing entity, A's interest equates to an 8 percent indirect ownership in the disclosing entity and must be reported.

A **"Management Company"** is any organization that operates and manages a business on behalf of the owner of that business, with the owner retaining ultimate legal responsibility for operation of the business.

"Managing employee" means a general manager, business manager, administrator, director, trustee, 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.

"**Ownership interest**" means the possession of equity in the capital, the stock, or the profits of the disclosing entity.

"**Person with an ownership or control interest**" includes an individual or entity that:

1. Has an ownership interest totaling 5 percent or more in a disclosing entity; or
2. Has an indirect ownership interest equal to 5 percent or more in a disclosing entity; or
3. Has a combination of direct and indirect ownership interests equal to 5 percent or more in a disclosing entity; or
4. Owns an interest of 5 percent or more in any mortgage, deed of trust, note, or other obligation secured by the disclosing entity if that interest equals at least 5 percent of the value of the property or assets of the disclosing entity; or
5. Is an officer, director or trustee of a disclosing entity that is organized as a for-profit or not-for- profit corporation; or
6. Is a partner in a disclosing entity that is organized as a partnership.

"**Supplier**" means an individual, agency, or organization from which a provider purchases goods and services used in carrying out its responsibilities under Medicaid/NJ FamilyCare (e.g., a commercial laundry, a manufacturer of hospital beds, or a pharmaceutical firm).

"**Termination**" means:

(1) For a -

(i) Medicaid or CHIP provider, a State Medicaid program or CHIP has taken an action to revoke the provider's billing privileges, and the provider has exhausted all applicable appeal rights or the timeline for appeal has expired; and

(ii) Medicare provider, supplier or eligible professional, the Medicare program has revoked the provider or supplier's billing privileges, and the provider has exhausted all applicable appeal rights or the timeline for appeal has expired.

(2) **(i)** In all three programs, there is no expectation on the part of the provider or supplier or the State or Medicare program that the revocation is temporary.
(ii) The provider, supplier, or eligible professional will be required to reenroll with the applicable program if they wish billing privileges to be reinstated.

(3) The requirement for termination applies in cases where providers, suppliers, or eligible professionals were terminated or had their billing privileges revoked for cause which may include, but is not limited to fraud, integrity or quality.

(4) For purposes of an affiliation, situations in which the provider or affiliated provider or supplier voluntarily terminated its Medicare, Medicaid/NJ FamilyCare enrollment to avoid a potential revocation or termination. Other terms that may be used include "revoked," "revocation," or "terminated".

"**Uncollected Debt**" applies to the following:

1. Medicare, Medicaid/NJ FamilyCare, or CHIP overpayments for which CMS, OIG, DMAHS or the Medicaid Fraud Division (MFD) has sent notice of the debt to the affiliated provider or supplier; or
2. Civil money penalties imposed under Titles XVIII, XIX, XX, or XXI; or
3. Assessments imposed under Titles XVIII, XIX, XX or XXI

"**Undue Risk**" DMAHS in consultation with CMS determines whether any of the disclosed affiliations pose an undue risk of fraud, waste or abuse by considering the following factors:

1. The duration of the affiliation.
2. Whether the affiliation still exists, and if not, how long ago the affiliation ended.
3. The degree and extent of the affiliation.
4. If applicable, the reason for the termination of the affiliation.
5. Regarding the affiliated provider's or suppliers disclosable event, all of the following:
    a. The type of disclosable event.
    b. When the disclosable event occurred or was imposed.
    c. Whether the affiliation existed when the disclosable event occurred or was imposed.
    d. If the disclosable event is an uncollected debt –
        (1) The amount of the debt;
        (2) Whether the affiliated provider or supplier is repaying the debt; and,
        (3) To whom the debt is owed.
    e. If a denial, revocation, termination, exclusion, or payment suspension is involved, the reason for the disclosable event.
6. Any other evidence that DMAHS or MFD deems relevant to its determination.

If a particular affiliation poses an undue risk of fraud, waste, or abuse, it may result in, as applicable, the denial of the provider's initial enrollment in Medicaid/NJ FamilyCare or CHIP or the termination of the provider's enrollment in Medicaid/NJ FamilyCare or CHIP.

Detailed Instructions:

These instructions are designed to clarify certain questions on the form. Instructions are listed in question number order for easy reference. NO instructions have been given for questions considered self-explanatory. It is essential that all applicable questions be answered accurately, completely and that all information is current.

Item I - Under identifying information, specify the trade name and D/B/A of the disclosing entity

Items II and III - Self-explanatory.

Items IV through IX - See below, and the definitions above.

For Items IV through IX, "YES" is checked, list additional information requested in the Remarks section on the last page of the application. Clearly identify which item is being continued on separate pages.

Item IV - (a & b) If there has been a change in ownership or control within the last year or if you anticipate a change, indicate the date in the appropriate space.

Item V - If the answer is YES, list the name of the management firm and employer identification number (EIN) or other tax identification number, or the name of the leasing organization. A management company is defined as any organization that operates and manages a business on behalf of the owner of that business, with the owner retaining ultimate legal responsibility for operation of the business.

Items VI, VII, VIII, and IX - Self-explanatory.

DISCLOSURE OF OWNERSHIP AND CONTROL INTEREST STATEMENT

Nature of disclosing entity: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation
☐ Limited Liability Company (LLC) ☐ Non-Profit Organization
☐ Unincorporated Association ☐ Other (please specify)_____

I. Identifying Information:

Name of Disclosing Entity:_____

Trade Name and D/B/A:_____

Business Address (Street, City, County, State & Zip Code):

_____

_____

_____

Telephone Number:_____

Provider Number and/or NPI:_____

EIN or Other Tax ID Number:_____

II. Answer the following questions by checking "YES" or "NO". If any of the questions are answered “YES”, list names and addresses of individuals or entities, and supporting details, under Remarks on the last page. Identify each item number to be continued.

(a). Are there any individuals, entities, or affiliated providers having a direct or indirect ownership or control interest of 5 percent or more in the disclosing entity that have been charged with or convicted of a state or federal criminal offense related to the involvement of such persons or entities in any of the programs administered in whole or in part by DMAHS, or any of the programs established in New Jersey or any other State, or by the federal government, under titles XVIII, XIX, XX or XXI of the Social Security Act?
☐ YES ☐ NO

(b). Are there any directors, officers, agents, managing employees, trustees, or affiliated providers of the disclosing entity who have ever been charged with or convicted of a state or federal criminal offense related to their involvement in the programs administered in whole or in part by DMAHS, or any of the programs established in New Jersey or any other State, or by the federal government, under titles XVIII, XIX, XX or XXI of the Social Security Act?
☐ YES ☐ NO

(c). Are there any individuals or affiliated providers currently employed by the disclosing entity in a managerial, accounting, auditing, or similar capacity who were employed by the disclosing entity's Medicare fiscal intermediary or carrier within the previous 12 months? (Title XVIII providers only) ☐ YES ☐ NO

III. (a). In accordance with 42 CFR 455.104(b)(1)(i), list the name and address of any individual or entity with an ownership or control interest in the disclosing entity. The address for corporate entities must include as applicable primary business address, every business location, and P.O. Box address.

(b). In accordance with 42 CFR 455.104(b)(1)(ii), for each individual, list the date of birth and Social Security Number.

(c). In accordance with 42 CFR 455.104(b)(1)(iii), for corporations or other entities with an ownership or control interest in the disclosing entity or in any subcontractor in which the disclosing entity has a 5 percent or more ownership or control interest, list any other tax identification number.

Name	Address	Ownership or Control %	ID Number(s)	DOB (individuals only)
			SSN or Tax ID: NPI:	
			SSN or Tax ID: NPI:	
			SSN or Tax ID: NPI:	

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(d). In accordance with 42 CFR 455.104(b)(2), list whether any individual or entity with an ownership or control interest in the disclosing entity is related to another individual with ownership or control interest in the disclosing entity as a spouse, parent, child, or sibling;

or whether any individual or entity with an ownership or control interest in any subcontractor in which the disclosing entity has a 5 percent or more ownership or control interest is related to another individual with ownership or control interest in the disclosing entity as a spouse, parent, child or sibling.

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(e). In accordance with 42 CFR 455.104(b)(3), list the name of any other disclosing entity in which an owner of the disclosing entity has an ownership or control interest.

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(f). In accordance with 42 CFR 455.104(b)(4), list the name, address, date of birth, and Social Security Number of any managing employee or agent(s) of the disclosing entity.

Name and Title	Address	DOB	SSN

*If you need extra space please continue list under Remarks on the last page, indicating item number to be continued.

(g). In accordance with 42 CFR 455.105(b)(1) and (2), submit full and complete information about the following:

(1) The ownership or control of any subcontractor with whom the disclosing entity has had business transactions totaling more than $25,000 during the previous 12 months;

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(2) Any significant business transactions between the disclosing entity and any wholly owned supplier, or between the disclosing entity and any subcontractor, during the previous 5 years.

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(h). Affiliates: In accordance with 42 CFR 455.107, if you are not currently enrolled in Medicare, and you are enrolling in Medicaid/NJ FamilyCare, you have had a change in ownership, or you are revalidating your Medicaid**/**NJ FamilyCare enrollment information, please disclose any and all affiliations which you or any of your owning or managing employees or organizations has or, within the previous five (5) years, had with a currently or formerly enrolled Medicare, Medicaid or NJ FamilyCare provider or supplier that has a disclosable event. See definitions on pages 1-3.

Affiliated Provider or Supplier (Name, Address and D/B/A)	Individual/Entity from Disclosing Entity with an affiliation	Ownership or Control %	Identification Number(s) or DOB	Individual or Entity's Role in Affiliated Provider or Supplier
			SSN or Tax ID: NPI: DOB (individuals only)	
			SSN or Tax ID: NPI: DOB (individuals only)	
			SSN or Tax ID: NPI: DOB (individuals only)	
			SSN or Tax ID: NPI: DOB (individuals only)	

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(i). Do any persons with an ownership or control interest in the disclosing entity also have an ownership or control interest in a health care provider participating in a program administered in whole or in part by DMAHS? If YES, list names, addresses, provider numbers and/or NPIs of those health care providers.
☐ YES ☐ NO

Name & Address	Provider Number and/or NPI	Name and Title of person with ownership or control interest	Ownership or Control %

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

Change in Ownership or Control

Changes in ownership or control would include, but not be limited to, the following: a new officer; a change in the composition of the owning partnership even though, under applicable State law, a change in the composition of the owning partnership is not considered a change in ownership; the hiring or dismissing of any employees with 5 percent or more financial interest in the entity or parent company; or any other change of ownership.

IV. (a) Has there been a change in ownership or control within the last year? ☐ YES ☐ NO

If YES, give date and describe:_____

_____

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(b) Do you anticipate any change of ownership or control within the next year?

☐ YES ☐ NO If YES, give date and describe:_____

_____

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

(c) Has the disclosing entity filed for bankruptcy in the past seven (7) years?

☐ YES ☐ NO If YES, when? _____

(d) Is there a possibility the disclosing entity will be filing for bankruptcy within the next year?

☐ YES ☐ NO If YES, when? _____

V. Is the disclosing entity operated or fiscally managed by a management company, or leased in whole or part by another organization? ☐ YES ☐ NO If YES, provide us with the name, address, and tax ID# of the management company or other organization.

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

VI. Has there been a change in the Managing Employees, Executive Director, Director of Nursing or Medical Director within the last year? ☐ YES ☐ NO If YES, describe change(s)

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

VII. (a) Is the disclosing entity a subsidiary of a parent company? ☐ YES ☐ NO
If YES, list its name, address, and EIN or other Tax ID.

(b) If the answer to Question VII(a) is NO, was the disclosing entity ever affiliated with a parent company? ☐ YES ☐ NO
If YES, list the name, address, and EIN or other Tax ID of the chain.

VIII. Has the disclosing entity increased its bed capacity by 10 percent or more or by 10 beds, whichever is greater, within the last 2 years? ☐ YES ☐ NO

If YES, give year of change _____

Current number of beds: _____

Prior number of beds: _____

IX. Has disclosing entity or its affiliated providers been involved in a disclosable event as defined on PAGE 1? ☐ YES ☐ NO

If YES, List in detail all disclosable events. Identify the disclosable event, the individual, entity or affiliate involved in the event, and whether the event has been resolved and the outcome of the event.

Date	Individual/Entity Involved	NPI	Event	Debt Owed (amount & program)	Resolution (if any)

*If you need extra space please continue list under Remarks on the last page, indicating item to be continued.

CERTIFICATION

- For the purpose of establishing or maintaining eligibility to receive direct payment for services to beneficiaries under the New Jersey Medicaid/NJ FamilyCare program and the other programs administered in whole or in part by the Division of Medical Assistance and Health services (DMAHS), I certify on behalf of the applicant that the information furnished in this disclosure statement is true, accurate and complete.

- I am aware, and by signing this disclosure statement give consent on behalf of the applicant that I represent, that DMAHS, the Medicaid Fraud Division (MFD) of the Office of the State Comptroller, and/or the Medicaid Fraud Control Unit (MFCU) of the Division of Criminal Justice may verify the accuracy of any and all information and documentation submitted in connection with this disclosure statement, including, but not limited to, conducting a civil and/or criminal investigation relating to any of the individuals or entities mentioned in this application or in any supporting documents.

- I am aware that if any of the statements made by me in this disclosure statement are false or fraudulent, or if the results of the background investigation are unsatisfactory, participation may be denied or terminated, and I and the applicant are subject to punishment, including but not limited to: criminal prosecution under applicable statutes, including N.J.S. 30:4D-17 and N.J.S. 2C:28-3; suspension, debarment or disqualification from the New Jersey Medicaid/NJ FamilyCare program and all other programs administered in whole or in part by DMAHS in accordance with N.J.A.C. 10:49-11.1(d)22; termination of any provider agreement under N.J.A.C. 10:49-3.2(f); and recovery under applicable statutes and regulations including N.J.S. 30:4D-7.h and N.J.S. 30:4D-17.

- I also understand that all of the questions in this disclosure statement must be answered, and that failure to do so may result in denial or termination of participation.

- **I agree to notify (in writing) the fiscal agent's provider enrollment unit immediately of any updates or changes to any of the information being provided in this disclosure statement and in any supporting documents.**

- I also am aware that whoever knowingly and willfully makes or causes to be made a false statement or representation in this document may be prosecuted under applicable federal or state laws.

- Finally, I am aware that knowingly and willfully failing to fully and accurately disclose the information requested may result in denial of a request to participate, or where the disclosing entity already participates, a termination of its agreement or contract with the state agency, as appropriate.

Name of Authorized Representative of Disclosing Entity (Typed or Printed)	**Title**
Signature	**Date**

Remarks: (attach extra sheets if necessary)

Form **W-9**
(Rev. December 2000)

Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Please print or type

Name (See **Specific Instructions** on page 2.)

Business name, if different from above. (See **Specific Instructions** on page 2.)

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▸ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 2.

Note: *If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.*

Social security number

or

Employer identification number

Part II For U.S. Payees Exempt from Backup Withholding (See the Instructions on page 2.)

▸

Part III Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item **2** above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item **2** does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here **Signature of U.S. person** ▸ **Date** ▸

Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See **Pub. 515,** Withholding of Tax on Nonresident Aliens and Foreign Corporations.

Note: *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

What is backup withholding? Persons making certain payments to you must withhold and pay to the IRS 31% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. **Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester, or

2. You do not certify your TIN when required (see the Part III instructions on page 2 for details), or

3. The IRS tells the requester that you furnished an incorrect TIN, or

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to back up withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate **Instructions for the Requester of Form W-9.**

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willingly falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal Law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name. If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

Sole proprietor. Enter your **individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

Caution: *A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.*

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Part I - Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are **LLC** that is **disregarded as an entity** separate from its owner (see ***Limited liability company (LLC)*** above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

Note: *See the chart on this page for further clarification of name and TIN combinations.*

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5**, Application for a Social Security Care, from your local Social Security Administration office. Get **Form W-7,** Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN or **Form SS-4**, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS's Internet Web Site at **www.irs.gov**.

If you do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other type of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: *Writing "Applied For" means that you have already applied for a TIN* ***or*** *that you intend to apply for one soon.*

Part II-For U.S. Payees Exempt From Backup Withholding

Individuals (including sole proprietors) are **not** exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the separate Instructions for the Requester of Form W-9.

If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I, write "Exempt" in Part II, and sign and date the form.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

Part III-Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items.1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item **2** in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item **2** of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified state tuition program payments, IRA or MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 31% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account [1]
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor [2]
4. a The usual revocable savings trust (grantor is also trustee)	The grantor-trustee [1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner [1]
5. Sole proprietorship	The owner [3]
For this type of account:	**Give name and EIN of:**
6. Sole Proprietorship	The owner [3]
7. A valid trust, estate, or pension trust	Legal entity [4]
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

[4] List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: *If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.*

AFFIRMATIVE ACTION SURVEY (OPTIONAL)

Dear Provider:

The Department of Human Services, Division of Medical Assistance and Health Services, which administers the New Jersey Medicaid Program, is conducting an Affirmative Action Survey of its participating providers.

This survey is being used as a tool to better understand the diversity of our provider network and the needs of our clients. The completion of this survey is voluntary. The statistical data from this survey will be used for Affirmative Action purposes only and will be maintained separately from all other types of information.

Please refer to definitions below and check or fill in appropriate responses in space indicated:

From N.J.A.C. 4A:7-1.1(D):

"White, Not of Hispanic Origin"	Means persons having origins in any of the original Peoples of Europe, North Africa or the Middle East
"Black, not of Hispanic Origin"	Means persons having origins in any of the Black Racial Groups of Africa
"Hispanic"	Means persons of Mexican, Puerto Rican, Cuban, Central or South America or other Spanish Culture or origin, regardless of race.
"American Indian or Alaskan Native"	Means persons having origins in any of the original Peoples of North America, and who Maintain cultural identification through Tribal Affiliation Community Recognition.
"Asian or Pacific Islander"	Means persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent, or Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

1. How many direct service providers are of the following racial or ethnic background?

_____White _____Black _____Hispanic _____American Indian

_____Asian

2. How many of your support staff are of the following racial or ethnic background?

_____White _____Black _____Hispanic _____American Indian

_____Asian

3. How many of service provider(s) speak the following languages?

_____English _____Spanish Please list language & numbers

_____ _____
_____ _____
_____ _____

4. How many of the support staff speak the following languages?

_____English _____Spanish Please list language & numbers

_____ _____
_____ _____
_____ _____

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services
P.O. Box 712
Trenton, NJ 08625-0712

SARAH ADELMAN
Commissioner

GREGORY WOODS
Assistant Commissioner

*Agreement of Understanding

To the Person Submitting this Enrollment Packet:

I understand that upon receipt of this enrollment packet to Gainwell Technologies, it becomes property of the State of New Jersey. The enrollment packet and any documents that are generated as result of the submission of this application, such as but not limited to, an enrollment letter or a denial letter are subjected to the Open Public Records Act (OPRA see NJSA Section 47:1A).

Before any documents are sent to someone requesting this information, all personal information such as tax Id and social security numbers would be redacted.

It is the responsibility of the person signing this Agreement of Understanding to convey this information to all of individuals who are named in this application to become a New Jersey Medicaid provider. Although the request for enrollment information is uncommon, it does fall under the Open Public Records Act.

I have read this Agreement of Understanding and acknowledge that once I submit these documents for processing that they will become property of the State of New Jersey.

_____
Sign

_____
Print

_____
Date

*A signed Agreement of Understanding is required before an application can be processed.

07/01/2024

Federal Regulations and NJSA Code Quoted in Provider Agreement

42 CFR 455.100

§ 455.100 Purpose.

This subpart implements sections 1124, 1126, 1902(a)(38), 1903(i)(2), and 1903(n) of the Social Security Act. It sets forth State plan requirements regarding--

(a) Disclosure by providers and fiscal agents of ownership and control information; and

(b) Disclosure of information on a provider's owners and other persons convicted of criminal offenses against Medicare, Medicaid, or the title XX services program.

The subpart also specifies conditions under which the Administrator will deny Federal financial participation for services furnished by providers or fiscal agents who fail to comply with the disclosure requirements.

42 CFR 455.101

§ 455.101 Definitions.

Affiliation means, for purposes of applying § 455.107, any of the following:

(1) A 5 percent or greater direct or indirect ownership interest that an individual or entity has in another organization.

(2) A general or limited partnership interest (regardless of the percentage) that an individual or entity has in another organization.

(3) An interest in which an individual or entity exercises operational or managerial control over, or directly or indirectly conducts, the day-to-day operations of another organization (including, for purposes of this paragraph (3), sole proprietorships), either under contract or through some other arrangement, regardless of whether or not the managing individual or entity is a W-2 employee of the organization.

(4) An interest in which an individual is acting as an officer or director of a corporation.

(5) Any payment assignment relationship under § 447.10(g) of this chapter.

Agent means any person who has been delegated the authority to obligate or act on behalf of a provider.

Disclosable event means, for purposes of § 455.107, any of the following:

(1) Currently has an uncollected debt to Medicare, Medicaid, or CHIP, regardless of -

(i) The amount of the debt;

(ii) Whether the debt is currently being repaid (for example, as part of a repayment plan); or

(iii) Whether the debt is currently being appealed;

(2) Has been or is subject to a payment suspension under a federal health care program (as that latter term is defined in section 1128B(f) of the Act), regardless of when the payment suspension occurred or was imposed;

(3) Has been or is excluded by the OIG from participation in Medicare, Medicaid, or CHIP, regardless of whether the exclusion is currently being appealed or when the exclusion occurred or was imposed; or

(4) Has had its Medicare, Medicaid, or CHIP enrollment denied, revoked or terminated, regardless of -

(i) The reason for the denial, revocation, or termination;

(ii) Whether the denial, revocation, or termination is currently being appealed; or

(iii) When the denial, revocation, or termination occurred or was imposed.

Disclosing entity means a Medicaid provider (other than an individual practitioner or group of practitioners), or a fiscal agent.

Other disclosing entity means any other Medicaid disclosing entity and any 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, XVIII, or XX of the Act. This includes:

(a) 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 XVIII);

(b) Any Medicare intermediary or carrier; and

(c) 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 title V or title XX of the Act.

Fiscal agent means a contractor that processes or pays vendor claims on behalf of the Medicaid agency.

Group of practitioners means two or more health care practitioners who practice their profession at a common location (whether or not they share common facilities, common supporting staff, or common equipment).

Health insuring organization (HIO) has the meaning specified in § 438.2.

Indirect ownership interest means an ownership interest in an entity that has an ownership interest in the disclosing entity. This term includes an ownership interest in any entity that has an indirect ownership interest in the disclosing entity.

Managed care entity (MCE) means managed care organizations (MCOs), PIHPs, PAHPs, PCCMs, and HIOs.

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.

Ownership interest means the possession of equity in the capital, the stock, or the profits of the disclosing entity.

Person with an ownership or control interest means a person or corporation that -

(a) Has an ownership interest totaling 5 percent or more in a disclosing entity;

(b) Has an indirect ownership interest equal to 5 percent or more in a disclosing entity;

(c) Has a combination of direct and indirect ownership interests equal to 5 percent or more in a disclosing entity;

(d) Owns an interest of 5 percent or more in any mortgage, deed of trust, note, or other obligation secured by the disclosing entity if that interest equals at least 5 percent of the value of the property or assets of the disclosing entity;

(e) Is an officer or director of a disclosing entity that is organized as a corporation; or

(f) Is a partner in a disclosing entity that is organized as a partnership.

Prepaid ambulatory health plan (PAHP) has the meaning specified in § 438.2.

Prepaid inpatient health plan (PIHP) has the meaning specified in § 438.2.

Primary care case manager (PCCM) has the meaning specified in § 438.2.
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 operating expenses.

Subcontractor means -

(a) An individual, agency, or organization to which a disclosing entity has contracted or delegated some of its management functions or responsibilities of providing medical care to its patients; or

(b) 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.

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).

Termination means -

(1) For a -

(i) Medicaid or CHIP provider, a State Medicaid program or CHIP has taken an action to revoke the provider's billing privileges, and the provider has exhausted all applicable appeal rights or the timeline for appeal has expired; and

(ii) Medicare provider, supplier or eligible professional, the Medicare program has revoked the provider or supplier's billing privileges, and the provider has exhausted all applicable appeal rights or the timeline for appeal has expired.

(2)

(i) In all three programs, there is no expectation on the part of the provider or supplier or the State or Medicare program that the revocation is temporary.

(ii) The provider, supplier, or eligible professional will be required to reenroll with the applicable program if they wish billing privileges to be reinstated.

(3) The requirement for termination applies in cases where providers, suppliers, or eligible professionals were terminated or had their billing privileges revoked for cause which may include, but is not limited to -

(i) Fraud;

(ii) Integrity; or

(iii) Quality.

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.

42 CFR 455.102

§ 455.102 Determination of ownership or control percentages.

(a) Indirect ownership interest. The amount of indirect ownership interest is determined by multiplying the percentages of ownership in each entity. For example, if A owns 10 percent of the stock in a corporation which owns 80 percent of the stock of the disclosing entity, A's interest equates to an 8 percent indirect ownership interest in the disclosing entity and must be reported. Conversely, if B owns 80 percent of the stock of a corporation which owns 5 percent of the stock of the disclosing entity, B's interest equates to a 4 percent indirect ownership interest in the disclosing entity and need not be reported.

(b) Person with an ownership or control interest. In order to determine percentage of ownership, mortgage, deed of trust, note, or other obligation, the percentage of interest owned in the obligation is multiplied by the percentage of the disclosing entity's assets used to secure the obligation. For example, if A owns 10 percent of a note secured by 60 percent of the provider's assets, A's interest in the provider's assets equates to 6 percent and must be reported. Conversely, if B owns 40 percent of a note secured by 10 percent of the provider's assets, B's interest in the provider's assets equates to 4 percent and need not be reported.

42 CFR 455.103

§ 455.103 State plan requirement.

A State plan must provide that the requirements of §§ 455.104 through 455.107 are met.

42 CFR 455.104

§ 455.104 Disclosure by providers and fiscal agents: Information on ownership and control.

(a) Information that must be disclosed. The Medicaid agency must require each disclosing entity to disclose the following information in accordance with paragraph (b) of this section:

(1) The name and address of each person with an ownership or control interest in the disclosing entity or in any subcontractor in which the disclosing entity has direct or indirect ownership of 5 percent or more;

(2) Whether any of the persons named, in compliance with paragraph (a)(1) of this section, is related to another as spouse, parent, child, or sibling.

(3) The name of any other disclosing entity in which a person with an ownership or control interest in the disclosing entity also has an ownership or control interest. This requirement applies to the extent that the disclosing entity can obtain this information by requesting it in writing from the person. The disclosing entity must--

(i) Keep copies of all these requests and the responses to them;

(ii) Make them available to the Secretary or the Medicaid agency upon request; and

(iii) Advise the Medicaid agency when there is no response to a request.

(b) Time and manner of disclosure. (1) Any disclosing entity that is subject to periodic survey and certification of its compliance with Medicaid standards must supply the information specified in paragraph (a) of this section to the State survey agency at the time it is surveyed. The survey agency must promptly furnish the information to the Secretary and the Medicaid agency.

(2) Any disclosing entity that is not subject to periodic survey and certification and has not supplied the information specified in paragraph (a) of this section to the Secretary within the prior 12-month period, must submit the information to the Medicaid agency before entering into a contract or agreement to participate in the program. The Medicaid agency must promptly furnish the information to the Secretary.

(3) Updated information must be furnished to the Secretary or the State survey or Medicaid agency at intervals between recertification or contract renewals, within 35 days of a written request.

(c) Provider agreements and fiscal agent contracts. A Medicaid agency shall not approve a provider agreement or a contract with a fiscal agent, and must terminate an existing agreement or contract, if the provider or fiscal agent fails to disclose ownership or control information as required by this section.

(d) Denial of Federal financial participation (FFP). FFP is not available in payments made to a provider or fiscal agent that fails to disclose ownership or control information as required by this section.

42 CFR 455.105

§ 455.105 Disclosure by providers: Information related to business transactions.

(a) Provider agreements. A Medicaid agency must enter into an agreement with each provider under which the provider agrees to furnish to it or to the Secretary on request, information related to business transactions in accordance with paragraph (b) of this section.

(b) Information that must be submitted. A provider must submit, within 35 days of the date on a request by the Secretary or the Medicaid agency, full and complete information about--

(1) The ownership of any subcontractor with whom the provider has had business transactions totaling more than $ 25,000 during the 12-month period ending on the date of the request; and

(2) Any significant business transactions between the provider and any wholly owned supplier, or between the provider and any subcontractor, during the 5-year period ending on the date of the request.

(c) Denial of Federal financial participation (FFP). (1) FFP is not available in expenditures for services furnished by providers who fail to comply with a request made by the Secretary or the Medicaid agency under paragraph (b) of this section or under § 420.205 of this chapter (Medicare requirements for disclosure).

(2) FFP will be denied in expenditures for services furnished during the period beginning on the day following the date the information was due to the Secretary or the Medicaid agency and ending on the day before the date on which the information was supplied.

42 CFR 455.106

§ 455.106 Disclosure by providers: Information on persons convicted of crimes.

(a) Information that must be disclosed. Before the Medicaid agency enters into or renews a provider agreement, or at any time upon written request by the Medicaid agency, the provider must disclose to the Medicaid agency the identity of any person who:

(1) Has ownership or control interest in the provider, or is an agent or managing employee of the provider; and

(2) Has been convicted of a criminal offense related to that person's involvement in any program under Medicare, Medicaid, or the title XX services program since the inception of those programs.

(b) Notification to Inspector General. (1) The Medicaid agency must notify the Inspector General of the Department of any disclosures made under paragraph (a) of this section within 20 working days from the date it receives the information.

(2) The agency must also promptly notify the Inspector General of the Department of any action it takes on the provider's application for participation in the program.

(c) Denial or termination of provider participation. (1) The Medicaid agency may refuse to enter into or renew an agreement with a provider if any person who has an ownership or control interest in the provider, or who is an agent or managing employee of the provider, has been convicted of a criminal offense related to that person's involvement in any program established under Medicare, Medicaid or the title XX Services Program.

(2) The Medicaid agency may refuse to enter into or may terminate a provider agreement if it determines that the provider did not fully and accurately make any disclosure required under paragraph (a) of this section.

42 CFR 455.107

§ 455.107 Disclosure of affiliations.

(a) *Definitions.* For purposes of this section only, the following terms apply to the definition of disclosable event in § 455.101:

(1) "Uncollected debt" only applies to the following:

(i) Medicare, Medicaid, or CHIP overpayments for which CMS or the State has sent notice of the debt to the affiliated provider or supplier.

(ii) Civil money penalties imposed under this title.

(iii) Assessments imposed under this title.

(2) "Revoked," "Revocation," "Terminated," and "Termination" include situations where the affiliated provider or supplier voluntarily terminated its Medicare, Medicaid, or CHIP enrollment to avoid a potential revocation or termination.

(b) *General.* (1)(i) *Selection of option.* A State, in consultation with CMS, must select one of the two options identified in paragraph (b)(2) of this section for requiring the disclosure of affiliation information.

(ii) *Change of selection.* A State may not change its selection under paragraph (b) of this section after it has been made.

(2)

(i) *First option.* In a State that has selected the option in this paragraph (b)(2)(i), a provider that is not enrolled in Medicare but is initially enrolling in Medicaid or CHIP (or is revalidating its Medicaid or CHIP enrollment information) must disclose any and all

affiliations that it or any of its owning or managing employees or organizations (consistent with the terms "person with an ownership or control interest" and "managing employee" as defined in § 455.101) has or, within the previous 5 years, had with a currently or formerly enrolled Medicare, Medicaid, or CHIP provider or supplier that has a disclosable event (as defined in § 455.101).

(ii) *Second option.* In a State that has selected the option in this paragraph (b)(2)(ii), and upon request by the State, a provider that is not enrolled in Medicare but is initially enrolling in Medicaid or CHIP (or is revalidating its Medicaid or CHIP enrollment information) must disclose any and all affiliations that it or any of its owning or managing employees or organizations (consistent with the terms "person with an ownership or control interest" and "managing employee" as defined in § 455.101) has or, within the previous 5 years, had with a currently or formerly enrolled Medicare, Medicaid, or CHIP provider or supplier that has a disclosable event (as defined in § 455.101). The State will request such disclosures when it, in consultation with CMS, has determined that the initially enrolling or revalidating provider may have at least one such affiliation.

(c) *Information.* The initially enrolling or revalidating provider must disclose the following information about each affiliation:

(1) General identifying information about the affiliated provider or supplier, which includes the following:

(i) Legal name as reported to the Internal Revenue Service or the Social Security Administration (if the affiliated provider or supplier is an individual).

(ii) "Doing business as" name (if applicable).

(iii) Tax identification number.

(iv) National Provider Identifier (NPI).

(2) Reason for disclosing the affiliated provider or supplier.

(3) Specific data regarding the affiliation relationship, including the following:

(i) Length of the relationship.

(ii) Type of relationship.

(iii) Degree of affiliation.

(4) If the affiliation has ended, the reason for the termination.

(d) *Mechanism.* The information described in paragraphs (b) and (c) of this section must be furnished to the State in a manner prescribed by the State in consultation with the Secretary.

(e) *Denial or termination.* The failure of the provider to fully and completely report the information required in this section when the provider knew or should reasonably have known of this information may result in, as applicable, the denial of the provider's initial enrollment application or the termination of the provider's enrollment in Medicaid or CHIP.

(f) *Undue risk.* Upon receipt of the information described in paragraphs (b) and (c) of this section, the State, in consultation with CMS, determines whether any of the disclosed

affiliations poses an undue risk of fraud, waste, or abuse by considering the following factors:

(1) The duration of the affiliation.

(2) Whether the affiliation still exists and, if not, how long ago the affiliation ended.

(3) The degree and extent of the affiliation.

(4) If applicable, the reason for the termination of the affiliation.

(5) Regarding the affiliated provider's or supplier's disclosable event under paragraph (b) of this section, all of the following:

(i) The type of disclosable event.

(ii) When the disclosable event occurred or was imposed.

(iii) Whether the affiliation existed when the disclosable event occurred or was imposed.

(iv) If the disclosable event is an uncollected debt -

(A) The amount of the debt;

(B) Whether the affiliated provider or supplier is repaying the debt; and

(C) To whom the debt is owed.

(v) If a denial, revocation, termination, exclusion, or payment suspension is involved, the reason for the disclosable event.

(6) Any other evidence that the State, in consultation with CMS, deems relevant to its determination.

(g) *Determination of undue risk.* A determination by the State, in consultation with CMS, that a particular affiliation poses an undue risk of fraud, waste, or abuse will result in, as applicable, the denial of the provider's initial enrollment in Medicaid or CHIP or the termination of the provider's enrollment in Medicaid or CHIP.

(h) *Undisclosed affiliations.* The State, in consultation with CMS, may apply paragraph (g) of this section to situations where a reportable affiliation (as described in paragraphs (b) and (c) of this section) poses an undue risk of fraud, waste, or abuse, but the provider has not yet disclosed or is not required at that time to disclose the affiliation to the State.

N.J. Stat. § 30:4D-6.c.

c. Payments for the foregoing services, goods and supplies furnished pursuant to this act shall be made to the extent authorized by this act, the rules and regulations promulgated pursuant thereto and, where applicable, subject to the agreement of insurance provided for under this act. Said payments shall constitute payment in full to the provider on behalf of the recipient. Every provider making a claim for payment pursuant to this act shall certify in writing on the claim submitted that no additional amount will be charged to the recipient, his family, his representative or others on his behalf for the services, goods and supplies furnished pursuant to this act.

No provider whose claim for payment pursuant to this act has been denied because the services, goods or supplies were determined to be medically unnecessary shall seek reimbursement from the recipient, his family, his representative or others on his behalf for such services, goods and supplies provided pursuant to this act; provided, however, a provider may seek reimbursement from a recipient for services, goods or supplies not authorized by this act, if the recipient elected to receive the services, goods or supplies with the knowledge that they were not authorized.