

Enclosure C

DRAFT

**Attestation of Compliance for Medicare Part C and Part D Requirements or Exemption
From Such Requirements**

Part C

By signing this attestation, the Medicare Advantage Organization agrees that it will meet all requirements at Section 1852 of the Social Security Act (the Act), 42 CFR 422, Subpart D, Quality Improvement by January 1, 2006.

Part D

I understand that Section 1860-21 of the Act may require my organization to offer Medicare Part D benefits under 42 CFR ____, and Part ____ . Further, I understand that should my organization be required to offer Part D benefits, a Medicare Advantage-Prescription Drug application and bidding process must be successfully completed.

____ Place an "X" here and sign if your organization is a Medical Savings Account, Private Fee-for-Service Plan, or Cost-based Plan not offering a Part D drug benefit. **See instructions below.**

I agree that CMS may inspect any and all information necessary including inspections at the premises of the Medicare Advantage Organization or Plan to ensure compliance with stated Federal requirements including specific provisions for which I have attested. I further agree to immediately notify CMS if despite this attestation, I become aware of circumstances which preclude full compliance by January 1, 2006 with the requirements indicated above.

Name of Organization: _____

Printed Name of CEO: _____

Signature: _____

Medicare Advantage Contract Number: H#_____

NOTES:

- **This attestation form must be signed by any MA organization or Cost Plans that intend to contract with CMS starting January 1, 2006.**
- **MSAs are not allowed to offer the Part D benefit and they are exempt from Quality Improvement regulation at 42 CFR 422 Subpart D.**
- **PFFS Plans and Cost-based Plans have an option to provide the Part D drug benefit and they are both exempt from the Quality Improvement regulation at 42 CFR 422 Subpart D.**
- **Signing this attestation does not prevent any organization from non-renewing with CMS or from offering the Part D benefit if it is an option.**

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