

MCTAC Contracting Workshop Series: Contracting Exercise

Please find a PDF of the exercise [here](#). We recommend that you print out the exercise and review it with your team to identify provisions that stand out to you as problematic or concerning. Below there will be an option to select provisions of the contract and write a brief explanation as to why it is problematic and how you might seek to change the provision. In providing your explanation, you are not expected to draft actual contract language.

Section 1: Agency Information

By whom is your agency licensed? (Select all that apply)

- OMH
- OASAS
- OCFS
- Other _____

In which region is your agency located?

- Western
- Central
- Hudson River
- New York City
- Long Island

What populations does your agency serve?

- Adults
- Children
- Both

Are you designated to provide Home and Community Based Services (HCBS) or planning to apply for designation?

- Yes
- No
- Undecided

Do you currently have contracts in place with one or more MCO?

- Yes
- No

Who at your agency reviews and approves contracts? (check all that apply)

- CEO
- CFO
- Board of Directors
- Legal Department
- Chief Program Officer
- Others (please list) _____

Section 2: Provision by Provision Analysis

Using the provided sample contract, enter a brief description in the text box as to why you found certain provisions to be problematic and how you might seek to change the provision. In providing your explanation, you are not expected to draft actual contract language.

Section 1: Definitions (Select all that apply)

- 1.1 Clean Claim _____
- 1.2 Copayment _____
- 1.3 Covered Services _____
- 1.4 Emergency Services _____
- 1.5 Medically Necessary _____
- 1.6 Member _____
- 1.7 Payer _____
- 1.8 Product _____
- 1.9 Product Addendum _____
- 1.10 Product Description _____
- 1.11 Provider Manual _____
- 1.12 Quality Management Program _____
- 1.13 Utilization Management Program _____

Section 2: Provider Obligations (Select all that apply)

- 2.1 Scope of Services _____
- 2.2 Access to Services _____
- 2.3 Emergency Services _____
- 2.4 Outreach Services _____
- 2.5 Excluded Services _____
- 2.6 Referral Services _____
- 2.7 Provider's Practitioners _____
- 2.8 Pre-Authorization _____
- 2.9 Professional Liability Insurance _____
- 2.10 Utilization Management Requirements _____

Section 3: Billing and Compensation (Select all that apply)

- 3.1 Compensation _____
- 3.2 Claims Submission _____
- 3.3 Payment _____
- 3.4 Medicaid Payments _____
- 3.5 Penalties _____
- 3.6 Hold Harmless _____
- 3.7 Coordination of Benefits _____

Section 4: Term and Termination (Select all that apply)

- 4.1 Term _____
- 4.2 Termination Without Cause _____
- 4.3 Termination for Cause _____

Section 5: General Provisions (Select all that apply)

- 5.1 Confidentiality _____
- 5.2 Indemnification _____
- 5.3 Independent Contractor _____
- 5.4 Assignment _____
- 5.5 No Third-Party Beneficiary _____
- 5.6 Notices _____
- 5.7 Amendments _____
- 5.8 Waiver _____
- 5.9 Governing Law _____
- 5.10 Dispute Resolution _____
- 5.11 No Consolidation _____
- 5.12 Entire Agreement _____

Product Addendum (Select all that apply) I. General Provisions

- 1. Cooperation _____
- 2. Treatment Plans _____
- 3. Delegation _____
- 4. Termination _____

Product Addendum (Select all that apply) II. Compensation

- 1. Compensation _____

Thank you for completing the contracting exercise as part of the MCTAC contracting workshop series. You can send questions related to the workshop or managed care contracting more generally to MCTAC.info@nyu.edu with the subject line "Managed Care Contracting Workshop"