



## **MCB/OMD Operational Administrative Policy - Contracts**

DRAFT for MCB Review and Approval 7/11/2017, Effective 8/1/2017; New Policy Issuance; Review Before 9/2019

### **Purpose**

All MCB/OMD contracts must be in writing, regardless of the dollar amount of the contract or the time period covered by the contract. There will be no verbal agreements with third parties relating to the provision of goods or services either to or from the OMD.

Involved MCB/OMD staff are accountable for understanding and approving the business terms, to include expenses, and are responsible for following all applicable federal laws, all applicable state laws, and all applicable MCB/OMD policies in the execution and administration of any covered contracts.

### **Definitions**

A “MCB/OMD covered contract” is defined as an agreement between two or more parties, one of which is MCB/OMD (including any time the MCB/OMD name is used and is intended to have legal effect. A document need not be called a “contract” to fall within the definition of a MCB/OMD contract.

### **Review and Approval of Contracts**

All MCB/OMD contracts prior to execution (signing) will be reviewed and approved in writing in accordance with all policies and procedures by an Associate/Assistant Medical Director. If such position is not filled, the Chair of the MCB shall fulfill this role. If required by policy and/or OMD preference, such contract will be sent to the MCB for review and action.

MCB/OMD’s legal counsel will review and suggest edits for legal form and validity, as applicable upon determination by the Medical Director(s). It will be the responsibility of the designee of the Medical Director(s) to forward all contracts requiring legal review to counsel for such action.

This policy is intended to be in association with other relevant MCB/OMD policies.

### **Contract Process**

Once a contract has been drafted or received, the process depicted in flowchart in this policy is expected to be followed.

All OMD Contracts will be maintained in electronic form (unless otherwise indicated an original copy may be kept) in the designated repository. Currently the OMD K;Drive online storage system in the primary folder “OMD CONTRACTS” and in the appropriate subfolder designated by year and facility/type.

OMD Contracts will be reviewed and taken through the contract compliance process at least every five (5) years, unless approved by the Medical Control Board for a longer term.



## **MCB/OMD Operational Administrative Policy - Contracts**

DRAFT for MCB Review and Approval 7/11/2017, Effective 8/1/2017; New Policy Issuance; Review Before 9/2019

### **Signature Authority**

In usual and customary terms, unless specifically stipulated by dollar amount(s) of a contract, the MCB has granted authority to the Medical Director(s) to sign MCB/OMD contracts relating to the necessary operations of medical oversight.

### **Compliance with Laws**

MCB/OMD personnel will comply in all material respects with all applicable federal and state laws and regulations, including the federal Anti-Kickback statute.



**MCB/OMD Operational Administrative Policy - Contracts**

DRAFT for MCB Review and Approval 7/11/2017, Effective 8/1/2017; New Policy Issuance; Review Before 9/2019

**MCB/OMD CONTRACT APPROVAL FORM**

Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Contract Description

\_\_\_\_\_

Contract Vendor Contact: \_\_\_\_\_

Type of Agreement (X):    New     Renewal     Amendment     MOU     Other

Term of Agreement: \_\_\_\_\_

Financial:    Estimated Cost: \_\_\_\_\_

Estimated Revenue: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Purpose (please describe): \_\_\_\_\_

\_\_\_\_\_

**Approvals**

Initials:    Date:

Check box if additional action required and describe (notary, legal, HIPAA etc.) \_\_\_\_\_

\_\_\_\_\_    \_\_\_\_\_    MCB Chair (if required)  **(Signatory)**

\_\_\_\_\_    \_\_\_\_\_    OMD Med Dir  **(Signatory)**

\_\_\_\_\_    \_\_\_\_\_    OMD Assoc/Asst Med Dir  **(Signatory)**

\_\_\_\_\_    \_\_\_\_\_    OMD Exec Asst  **(Signatory)**

\_\_\_\_\_    \_\_\_\_\_    OMD Director  **(Signatory)**



Entered into MCBOMD contract database by: \_\_\_\_\_

Date: \_\_\_\_\_

### MCB/OMD Operational Administrative Policy - Contracts

DRAFT for MCB Review and Approval 7/11/2017, Effective 8/1/2017, New Policy Issuance;  
Review Before 9/2019

#### MCB/OMD Contract Routing Flowchart

