

## DEFINITIONS

**Person with ownership or control interest** means a person or corporation that:

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

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

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

Owens 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;

Is an officer or director of the disclosing entity that is organized as a corporation; or is a partner in the disclosing entity that is organized as a partnership.

**Disclosing entity** means a Medicaid provider (other than an individual practitioner or group of practitioners) (i.e., the health plan) or a fiscal agent.

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

**Indirect ownership interest** means an ownership interest in an entity that has an ownership interest in the disclosing entity or in an entity that has an indirect ownership interest in the disclosing entity.

**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.

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

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

**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.

**Subcontractor** means

(a) An individual, agency, or organization to which a disclosing entity (i.e., the health plan) 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 (i.e., the agreement with the health plan).