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Suite 200
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LIC #0677191
www.nasinsurance.com

APPLICATION for: **HIPAA Protector and MEDEFENSE™ PLUS**

Claims Made Basis. Underwritten by Underwriters at Lloyd's, London

The insurer agrees to use all information provided in this Application solely in connection with the proposed insurance.

If a material change occurs to any of the answers given below prior to the inception of any insurance, the Applicant must notify the insurer, and at the sole discretion of the insurer, any outstanding quotations may be modified or withdrawn.

The particulars, representations and statements contained in this Application and any other information submitted are the basis for the proposed insurance and will be considered as incorporated into and constituting part of the proposed certificate and/or policy.

This Application must be completed in type or ink by the Applicant. All questions must be answered for a quotation to be given. If more space is needed, please continue your answers on a separate sheet and attach it to this form.

The completion and signing of this Application does not bind the Applicant or the insurer to a policy or certificate of insurance.

SECTION I. GENERAL INFORMATION

1. Name of Applicant: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: () _____ Fax Number: () _____
2. Type of entity: ☐ Incorporated ☐ LLC ☐ Partnership ☐ Joint Venture ☐ Sole Proprietorship ☐ Non Profit ☐ Other
If Other, please describe: _____
3. If the entity cited above is a partnership, who is the General Partner? _____
4. Date of the formation of the entity cited above: _____
5. Nature of business operations: ☐ Physician ☐ Medical Group ☐ Hospital ☐ Billing Entity ☐ Other _____
6. Other operational locations and descriptions (Use separate sheet if necessary):

7. Are you a "Covered Entity" under the Health Insurance Portability and Accountability Act (HIPAA)? ☐ Yes ☐ No
8. Annual Revenues: Current Year: _____ One Year Ago: _____ Two Years Ago: _____
9. Do you have independent audited financials? ☐ Yes ☐ No
Please attach a copy of your financial statements, whether audited or unaudited.
10. Do you have Directors and Officers Liability Insurance or Partnership Errors and Omissions insurance? ☐ Yes ☐ No
11. Do you have Managed Care Errors and Omissions insurance? ☐ Yes ☐ No

SECTION II. COMPLIANCE

1. a. Which compliance/audit software system do you utilize? _____
b. When was it installed? _____
2. Do you have a compliance program in place? ☐ Yes ☐ No
a. For Billing Errors? ☐ Yes ☐ No
If "Yes", when was it implemented? _____ Please provide a copy.
If "No", please explain why: _____
Are you willing to implement one? ☐ Yes ☐ No
If "Yes", within what time frame: _____
b. For HIPAA? ☐ Yes ☐ No
If "Yes", when was it implemented? _____ Please provide a copy.
If "No", please explain why: _____
Are you willing to implement one? ☐ Yes ☐ No
If "Yes", within what time frame: _____
c. Do you give each patient notification of their privacy rights? ☐ Yes ☐ No
3. Do you have a compliance officer/manager? ☐ Yes ☐ No
a. If "Yes", who is it, how is he/she qualified and to whom does he/she report? _____

b. If "No", who ensures compliance? _____
4. Do you use an outside compliance consultant? ☐ Yes ☐ No
a. If "Yes", who? _____
5. Who is your legal counsel for compliance issues? _____
6. Who is your CPA firm for compliance issues? _____
7. How often are billing reviews performed and by whom? _____

After completing Section I and Section II, please fill out only the following Section(s) which refer(s) to your category(ies).

SECTION III. PHYSICIAN / MEDICAL GROUP

1. a. Do you have a group affiliation? ☐ Yes ☐ No
If "Yes", please describe: _____
b. How many physicians make up your group? _____
c. How many physicians are on your staff in your group? _____
What is/are your specialty/specialties? (Use separate sheet if necessary) _____

2. Have you acquired any practices in the last 5 years? ☐ Yes ☐ No
If "Yes", please provide specific details, including size, dates, what specialty/specialties were involved and what the Medicare/Medicaid billings were as a percentage of the total practice for each of the past five years.
(Use separate sheet if necessary) _____

3. Please attach a listing of Medical Malpractice Insurers and policy limits of all physicians in your group.

4. a. Total annual projected billings: _____
b. Percentage of annual projected billings attributable to Medicare Patients: _____ %
c. Percentage of annual projected billings attributable to Medicaid Patients: _____ %
d. What have Medicare/Medicaid billings been for each of the past three years?

<u>Year</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____

5. Do you handle billings for any hospitals? ☐ Yes ☐ No
If "Yes", please describe these services on a separate sheet.

6. Medicare Provider Number: _____ Any other Medicare/Medicaid provider numbers? ☐ Yes ☐ No
If "Yes", for which entity(ies)? _____

Please list separate number(s) and corresponding entity(ies): _____

7. Have you ever used a contingency fee based billing consultant? ☐ Yes ☐ No
If "Yes", please explain: _____

SECTION IV. HOSPITAL

1. **Type of Institution:**

- ☐ Acute Care Hospital ☐ Teaching Hospital ☐ Community Teach Hospital ☐ Community Hospital
☐ For Profit ☐ Non Profit

2. Do you own any physician groups? ☐ Yes ☐ No
Date(s) acquired or incepted: _____

3. Gross Revenues: _____
Gross Medicare Revenue: _____
Total number of Medicare billings:
One Year Ago: _____
Two Years Ago: _____
Three Years Ago: _____

Gross Medicaid Revenue: _____
Total number of Medicaid billings:
One Year Ago: _____
Two Years Ago: _____
Three Years Ago: _____

4. **In-patient:**

- a. Number of beds: _____
b. Average length of stay: _____
c. Occupancy Rate (%): _____
d. % of Medicare/Medicaid admissions to total admissions: _____

5 **Out-patient:**

- a. Number of out-patient bills: _____
- b. Estimated % of bills to Medicare: _____
- c. Estimated % of bills to Medicaid: _____
- d. Billing as a % of Medicare bills: _____
- e. Total number of physicians employed: _____

Number of physicians employed by the following services:

Emergency services: _____
Medical services: _____
Surgical services: _____
Laboratory services: _____
Home health care services: _____
Physicians: _____
Other: _____

6. Medicare Provider Number: _____ Do you have any other Medicare/Medicaid provider numbers? ☐ Yes ☐ No
If "Yes", for which entity(ies)? _____

Please list separate number(s) and corresponding entity(ies): _____

7. Have you ever used a contingency fee based billing consultant? ☐ Yes ☐ No
If "Yes", please explain: _____

SECTION V. BILLING ENTITY AND ALL OTHER ENTITIES

1. Description of services provided/performed: _____

2. a. Total annual projected billings: _____
b. Percentage of annual projected billings attributable to Medicare Patients: _____ %
c. Percentage of annual projected billings attributable to Medicaid Patients: _____ %
d. What have Medicare/Medicaid billings been for each of the past three years?

<u>Year</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____

3. Do you handle billings for any hospitals? ☐ Yes ☐ No
If "Yes", please describe these services on a separate sheet.

4. Do you have a Medicare provider number? ☐ Yes ☐ No
If "Yes", please provide: _____

SECTION VI. EXPERIENCE

To be completed by all Applicants.

After inquiry, have you or any member of your staff or any person or entity for whom you perform billing services ever:

1. Been investigated or sanctioned by any local, state or federal government agency or private payor regarding the delivery of health care services or reimbursement thereof? ☐ Yes ☐ No
2. Had to refund amounts to Public and/or Private payers? ☐ Yes ☐ No
If "Yes", how much? Public: \$_____ Private: \$_____
3. Been audited or investigated with regard to Medicare/Medicaid billing practices or utilization of Medicare/Medicaid services? ☐ Yes ☐ No
4. Been accused of errors by any government agency or commercial payer? ☐ Yes ☐ No
5. Do you have knowledge of any claims or facts, circumstances, situations, events or transactions that may result in a claim which may be covered by the proposed policy? ☐ Yes ☐ No

If answer to any of the above questions is "Yes", please explain on a separate sheet of paper.

The undersigned warrants and represents that, to the best of his or her knowledge, the statements herein are true and that reasonable efforts have been made to obtain sufficient information to facilitate the proper and accurate completion of this Application. It is represented that the particulars and statements contained in the Application, and any materials submitted (which shall be on file with the insurer and shall be deemed attached, as if physically attached) are the basis for the proposed insurance and are to be considered incorporated into and constituting a part of the proposed insurance.

The undersigned agrees that in the event this Application contains misrepresentations or fails to state facts materially affecting the risk assumed by the insurer, any insurance issued shall be void in its entirety.

The undersigned agrees that if after the date of this Application and prior to issuance, any occurrence, event or other circumstances should render any of the information contained in this Application inaccurate or incomplete, the undersigned shall notify the insurer of such occurrence, event, or circumstance and shall provide the insurer with information that would complete, update or correct the information contained in this Application. Any outstanding quotations may be modified or withdrawn at the sole discretion of the insurer.

The insurer is hereby authorized to make any investigation and inquiry in connection with this Application as it may deem necessary.

Severability: No knowledge or information processed by any insured person will be implied to any other insured person except for material facts or information known to the person or persons who signed the Application. In the event that any of the particulars or statements in the Application are untrue, this policy will be void with respect to any insured person who knew of such untruth or to who such knowledge is implied.

BY	TITLE	DATE



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Form NAS MED + App 5-04
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Supplemental Claim/Wrongful Act/Incident Form

This form is to be completed if any "Prior Activities Information" question is answered "Yes."

Please complete a separate sheet for each claim or incident and answer all questions fully.

Prior to attaching to the Application, a principal, partner or officer of the Applicant must sign and date this sheet and attach it to the signed Application along with any explanations.

No full indication can be given without this complete information.

1. Name of Applicant: _____
2. Name of individual(s) employed by Applicant charged in claim/incident:
{Defendant(s)}: _____ Title: _____
{Defendant(s)}: _____ Title: _____
{Defendant(s)}: _____ Title: _____
3. Name of person(s) or entities making complaint/allegations in incident (Plaintiff): _____

4. Date of alleged Wrongful Act: _____
5. Date Applicant became aware of alleged Wrongful Act: _____
6. How did Applicant become aware?
 - a) Personally observed incident _____
 - b) Verbal complaint from employee _____
 - c) Written notice from employee or employee's attorney _____
 - d) Verbal/written notice from someone else other than complaining employee _____
 - e) Filing with state agency _____
 - f) Filing with EEOC _____
 - g) Receipt of law suit _____
 - h) Filing with HUD _____
 - i) Other _____ (please detail) _____
7. Name of Insurer Claim reported to (if any): _____
8. Are you represented by an attorney? ☐ Yes ☐ No
If "Yes," name of attorney & law firm: _____
9. Present status of Claim/Incident: _____ Pending _____ Closed _____ In Suit
10. **If Closed,** Total Damages Paid: _____ Total Expenses Paid: _____

11. **If EEOC/State Agency filing:**

- a. Has right to sue letter been issued? ☐ Yes ☐ No
Date: _____
Date right to sue expires (or did expire)? _____
- b. Has determination of fault been decided? ☐ Yes ☐ No
What was determination? _____
If claimant/plaintiff has a right to sue, what dates does (did) this expire? _____

12. **If pending**, is plaintiff demanding a settlement amount? ☐ Yes ☐ No

How much? \$ _____

Has plaintiff offered a settlement amount? ☐ Yes ☐ No

How much? \$ _____

Legal expenses to date: \$ _____

13. Detailed description of complaint and Applicant's response (put on separate sheet if needed room):

14. Explain what actions have been taken to prevent an incident like this from happening again:

15. If complaint was for sexual harassment, has the alleged perpetrator been disciplined or terminated? Please explain: _____

I understand information submitted herein becomes a part of my Application and in the event that coverage is bound, is subject to the same warranty and conditions.

Applicant's Signature

Date



NAS Insurance Services, inc.

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