



MedCo MRO Agreement Compliance Procedure

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1. Definitions

The definitions in the MedCo Medical Reporting Organisation (MRO) Agreement ('Agreement'), between the relevant MRO and MedCo Registration Solutions ("MedCo"), apply to this document unless otherwise stated.

Where this document refers to MedCo this shall mean MedCo, any subsidiary or holding company (as defined in section 1159 Companies Act 2006), party contracted by MedCo or representative of MedCo from time to time.

2. Background & Purpose

All MRO are expected to comply with the Agreement to ensure that the interests of MedCo are protected.

This procedure is intended to:

- Promote fairness and consistency in the treatment of MROs;
- Ensure that MedCo have a fair and consistent method of dealing with any misconduct or failure to meet the required standards;
- Correct a MRO's conduct and allow them to make necessary improvements;
- Assist the effective operation of the MedCo Service.

3. Key triggers

The key triggers for instigating this procedure are:

- The findings of Management Information (MI) which indicate non-compliance with the Agreement
- The findings of an audit which indicate non-compliance with the Agreement;
- The findings of a compliance review carried out by MedCo which indicates non-compliance with the Agreement;
- Notification of a security incident which indicates non-compliance with the Agreement;
- Notification of a MRO's breach of the Agreement by any other means.

3.1. Incidents which require immediate review

The following categories of triggers will require the relevant (as determined by MedCo) MedCo Sub-Committee ("Committee") to convene as soon as possible to consider the report:

- A security incident notified to the MedCo Board as either 'critical' or 'catastrophic';
- A 'red' rated MedCo audit or compliance review carried out on behalf of MedCo,

The Chair of the Committee or nominated deputy will be responsible for convening this meeting, usually within two Working Days of notification of the incident.



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3.2. Incidents which do not require immediate review

If practicable, all other categories of relevant security incidents, breaches or any 'non red' rated MedCo audit or compliance review should be considered at the next scheduled Committee meeting.

4. Key stages

Most weaknesses within a MRO's controls will normally be dealt with by way of audit, or an incident management process, as notified by MedCo, involving contact to alert the MRO to the issue. If however, the problem persists or, at the absolute discretion of the Committee, the matter is deemed more serious, action under this Procedure as outlined below will be taken.

1. Stage 1 - Written warning
2. Stage 2 - Suspension of service while an investigation or urgent remedial actions take place
3. Stage 3 - Termination of Agreement pursuant to the provisions of the Agreement

Where the alleged misconduct or failure to meet the required standards is, at the absolute discretion of the Committee, of sufficient severity, the Committee may decide to commence the process with Stage 2 or 3.

5. Stage 1 – Written warning

The Committee is entitled to choose to issue a Written Warning to the MRO and will be sent in accordance with the Agreement and by email to the primary and secondary contacts listed on the MedCo registration. The notice will confirm:

1. This is a warning under the MedCo MRO Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the MedCo MRO Agreement Compliance Procedure being triggered;
3. Details of the improvement(s) required and the timeframe to complete the improvement(s);
4. The timeframe decided at the Committee's absolute discretion for the MRO to review the warning, investigate the alleged conduct and respond to MedCo;
5. Advise the MRO that the alleged conduct could result in suspension or termination of service.
6. Advise the MRO they have the opportunity to make appropriate representations to the Committee and the timeframe decided at the Committee's absolute discretion for them to do this.
7. Advise the relevant MRO of its right to apply the escalation procedure and where information regarding this procedure can be obtained.
8. Advise the MRO that this warning should be forwarded to its Head of Compliance and/or any other relevant directors for the organisation.



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6. Stage 2 – Suspension of service

6.1. High level procedure

The Committee may decide to suspend access to the MedCo Service (or particular services) in accordance with the Agreement for a period of time to be notified by the Committee and decided at the Committee's absolute discretion.

The MRO will be contacted and notified in accordance with the Agreement, a copy will be sent to the primary and secondary contact email addresses. All suspension notices will be marked for the attention of the Head of Compliance and Directors of the MRO and MedCo will use their best endeavours to contact the primary or secondary contact by telephone on or before the day of suspension. The notice will confirm:

1. That their access to the service is to be or has already been suspended under the MedCo MRO Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the MedCo MRO Agreement Compliance Procedure being implemented;
3. Details of any previous written warnings that have been issued by the Committee and the responses received;
4. Details of the improvement(s) required;
5. The timeframe decided at the Committee's absolute discretion for the MRO to review the warning, investigate the alleged conduct and respond to MedCo;
6. Advise the MRO they have the opportunity to make appropriate representations to the Committee and the timeframe decided at the Committee's absolute discretion for them to do this.
7. The steps that may take place following the MRO's response. For example it may be that a formal meeting, review or re-audit will be required prior to reinstatement of the MRO's use of the MedCo Service;
8. Advise the relevant MRO of their right to apply the escalation procedure and where information regarding this procedure can be obtained.

6.2. Guidelines for conduct which may justify suspension of service

The following list contains some examples of matters which may, at MedCo's absolute discretion, lead to suspension of service; however this is not an exhaustive list:

- No response is received from the MRO following a written warning.
- Following a written warning and re-audit by MedCo, the agreed corrective measures have not been put in place within the agreed timeframe decided at the Committee's absolute discretion.
- More than two written warnings within a 12 month period.
- A breach of the Data Protection Act 1998 (and /or other relevant data protection legislation or regulatory provision).
- A breach of the Agreement.



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7. Stage 3 – Termination of Agreement

7.1. High level procedure

MedCo have the right to terminate the use of service for breach of the Agreement in accordance with the terms of the Agreement.

The MRO will be contacted and notified in accordance with the Agreement, a copy will be sent to the primary and secondary contact email addresses. All termination notices will be marked for the attention of the Head of Compliance and Directors of the MRO and MedCo will use their best endeavours to contact the primary or secondary contact by telephone on the day that the termination notice is sent. The notice will confirm:

1. That their access to the service is to be or has already been terminated under the MedCo MRO Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the MedCo MRO Agreement Compliance Procedure being implemented;
3. Details of any previous written warnings or suspensions that have been issued by the Committee and the responses received;
4. Advise the MRO they have the opportunity (where appropriate) to make representations to the Committee, before the Committee makes a decision to terminate the MRO's access to the MedCo Service and the timeframe decided at the Committee's absolute discretion for them to do this.
5. Advise the relevant MRO of their right to apply the escalation procedure and where information regarding this procedure can be obtained.

7.2. Guidelines for conduct which may justify termination of service

The following list contains some examples of matters which may, at MedCo's absolute discretion, lead to termination of service; however this is not an exhaustive list:

- No response is received from the MRO following a written warning.
- Following a written warning and re-audit by MedCo, the agreed corrective measures have not been put in place within the agreed timeframe decided at the Committee's absolute discretion.
- More than two written warnings within a 12 month period.
- Previous suspension of access to the MedCo Service.
- A breach of the Data Protection Act 1998 (and /or other relevant data protection legislation or regulatory provision).
- A breach of the Agreement that cannot be remedied by way of suspension.

Where the conduct of the MRO has breached the Agreement, the Committee will not exercise its contractual right to terminate the Agreement without following this procedure.

8. Escalation Procedure

The Escalation Procedure as set out in the Agreement.



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9. Reinstating a MRO

Where at the Committee's absolute discretion, the MRO has suitably resolved the trigger for this procedure, the Committee can agree to reinstate a MRO's access to the MedCo Service after suspension (Stage 2).

9.1. Advising the MRO

The MRO will be contacted and notified in accordance with the Agreement, a copy will also be sent to the primary and secondary contact email addresses. The notice will confirm:

1. That their access to the service is to be or has already been reinstated under the MedCo MRO Agreement Compliance Procedure;
2. The details of the resolution (e.g. remedial action, successful appeal) that has taken place and why this has resulted in the access to service being reinstated.
3. The steps that may take place following the MRO's reinstatement. For example it may be that a monitoring period, review or re-audit will be required for a period deemed necessary in the reasonable opinion of the Committee.

10. Updating the MedCo Registration

Following notification of the suspension, termination or reinstatement of service, MedCo will ensure that the status of the application in the MedCo Registration is changed to show an applicable status.