



Means to Demonstrate U.S. Foreign Ownership and Control of a QHIN Standard Operating Procedure (SOP) Questionnaire

Question #1 – Are any individuals or entities with a Direct or Indirect Ownership Interest of 5% or greater in the Applicant any of the following:

- a. listed on the United States Department of the Treasury, Office of Foreign Assets Control (OFAC) list of “Specially Designated Nationals” or “SDNs.” The SDN list is a list of individuals and companies owned or controlled by, or acting for or on behalf of, countries that OFAC has identified as a threat, as well as individuals, groups, and entities, such as terrorists and narcotics traffickers, designated under programs that are not country-specific. OFAC keeps this list current and it is publicly available at <https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists>;
or
- b. a citizen or legal resident of a country listed on the OFAC Sanctions Program and Country Information page available at <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>; or
- c. listed on the Department of Health and Human Services, Office of Inspector General’s List of Excluded Individuals. OIG keeps this list current and it is publicly available at https://oig.hhs.gov/exclusions/exclusions_list.asp

[Note that if the answer to Question 1 is yes, the Applicant is automatically disqualified.]

Question #2 – Are any of the Applicant’s directors, officers, or executives any of the following:

- a. listed on the United States Department of the Treasury, Office of Foreign Assets Control (OFAC) list of “Specially Designated Nationals” or “SDNs.” The SDN list is a list of individuals and companies owned or controlled by, or acting for or on behalf of, countries that OFAC has identified as a threat, as well as individuals, groups, and entities, such as terrorists and narcotics traffickers, designated under programs that are not country-specific. OFAC keeps this list current and it is publicly available at <https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists>; or
- b. a citizen or legal resident of a country listed on the OFAC Sanctions Program and Country Information page available at <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>; or
- c. listed on the Department of Health and Human Services, Office of Inspector General’s List of Excluded Individuals. OIG keeps this list current and it is publicly available at https://oig.hhs.gov/exclusions/exclusions_list.asp

[Note that if the answer to Question 2 is yes, the Applicant is automatically disqualified.]

Question #3 –

- a. “Does any Non-U.S. Individual have a Direct or Indirect Ownership Interest of 5% or greater in the Applicant?”
- b. “Does any Non-U.S. Entity have a Direct or Indirect Ownership Interest of 5% or greater in the Applicant?”
- c. “Does any combination of Non-U.S. Individuals or Non-U.S. Entity(ies) have an aggregate Direct or Indirect Ownership Interest of 5% or greater in the Applicant?”
- d. “Does any combination of Non-U.S. Individuals or Non-U.S. Entity(ies) have an aggregate Direct or Indirect Ownership Interest of 50% or greater in the Applicant?”

NOTE: Ownership of less than 5% should be included if the holder is entitled to control the appointment and tenure of any management position.

[Note that if an answer to Questions 3b or 3d is “yes,” it would result in automatic disqualification. If the answer to Question 3a or 3c is “yes,” it would result in an evaluation by ONC and the RCE.]

Question #4 — “Do any non-U.S. Individuals serve as members of the Applicant’s board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials?” If yes, please explain.

[Note that a “yes” answer would result in an evaluation by ONC and the RCE.]

Question #5 — “Does any Non-U.S. Individual or Non-U.S. Entity have the power, direct or indirect, to control the election, appointment, or tenure of members of the Applicant’s board of directors (or similar governing body) or other management positions of the Applicant, or have the power to control or cause the direction of other decisions or activities of the Applicant?” If yes, please explain.

[Note that a “yes” answer would result in an evaluation by ONC and the RCE.]

Question #6 — “Does the Applicant have any contracts, agreements, understandings, or arrangements with a Non-U.S. Individual or Non-U.S. Entity related (directly or indirectly) to the Applicant’s ability to function as a QHIN?” If yes, please explain.

[Note that a “yes” answer would result in an evaluation by ONC and the RCE.]

Question #7 — “Does the Applicant, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a Non-U.S. Individual or Non-U.S. Entity that exceeds 5% of the Applicant’s total assets?” If yes, please explain.

[Note that a “yes” answer would result in an evaluation by ONC and the RCE.]

Question #8 — “Is there any other factor(s) that indicates or demonstrates a capability on the part of Non-U.S. Individual or Non-U.S. Entity to control or influence the operations or management of the Applicant?” If yes:

- Describe the foreign involvement in detail, including why the involvement would not be reportable in the preceding questions.

[Note that a “yes” answer would result in an evaluation by ONC and the RCE.]