

Common Ownership or Control

Commonly owned suppliers are those where one or more of them have an ownership interest totaling at least 5 percent in the other(s). The term “ownership interest” is defined as “the possession of equity in the capital, stock, or profits of another supplier.” Commonly controlled suppliers are those where one or more of the supplier’s owners is also an officer, director, or partner in another supplier.

Commonly Owned or Controlled Suppliers Furnishing the Same Items

Suppliers are prohibited from competing against themselves when submitting bids in the DMEPOS Competitive Bidding Program. Therefore, suppliers that are commonly owned or commonly controlled must submit one bid for the same product category in the same competitive bidding area (CBA). If suppliers that are commonly owned or commonly controlled submit multiple bids for the same product category in the same CBA, the bids will be disqualified, and none of these suppliers would be awarded a contract for that product category in that CBA.

Suppliers sharing common ownership or common control with other suppliers must list on Form A of the online bidding system (DBidS) all commonly owned or controlled locations that would furnish any items from the same product category in the same CBA for which the suppliers are submitting a bid. This includes locations physically located outside the CBA as well as locations physically located within the CBA. They must also submit the required financial documents for all suppliers that are part of the commonly owned or controlled relationship. The documents must be submitted in one package with the bidder number on each page of all documents. Please refer to the **Request for Bids (RFB) Instructions** in the **Bidding Process** section of the Competitive Bidding Implementation Contractor (CBIC) website for specific information on the required financial documents. If commonly owned or controlled suppliers are awarded a contract, all locations listed on Form A would be considered contract suppliers.

Commonly Owned or Controlled Suppliers Furnishing Different Items

Commonly owned or controlled locations that do not provide any of the items within a product category either to Medicare or non-Medicare customers should not be included on the bid for that product category. For example, if one location is a pharmacy that only provides enteral nutrition products and another location only provides Durable Medical Equipment (DME) items, separate bids using separate Form As must be submitted for the pharmacy location and the DME location. The pharmacy location and the DME location must submit their required financial documents in separate packages. They must include their respective bidder numbers on each page of all documents. Please refer to the RFB Instructions for specific information on the required financial documents.