

Health Care Services Agency Policy on Exclusion List Monitoring

PURPOSE

It is the policy of Alameda County, Health Care Services Agency to comply with Federal law and not contract with or employ persons or entities who are excluded from participating in providing items and/or services billed to Federal health care programs, such as Medicare, Medi-Cal, and all other Federal health care programs. The Agency receives Federal funding for administrative operations as well as direct client care. Therefore, the Agency must monitor all employees, contracted staff, contracted entities and paid interns to ensure persons are not on the exclusion list.

BACKGROUND

The Health Care Services Agency and the Office of the Inspector General (OIG) are mandated to protect the integrity of HCSA's programs as well as the health and welfare of the beneficiaries of those programs. The OIG's duties are carried out through a nationwide network of audits, investigations, and inspections.

The OIG is authorized to exclude healthcare providers, individuals, contractors, and entities who commit acts resulting in questionable and improper reimbursement/payments for Medicare, Medi-Cal services and all other federal health care programs.

The OIG maintains a database called the "List of Excluded Individuals/Entities" (LEIE) which is updated on a monthly basis. Persons/entities on the list are not allowed to provide any type of item or service that result in reimbursement/payment from Federal health care programs. Hospitals and other providers billing Federal health care programs for services are advised to monitor this list on a regular basis to ensure they are not employing or contracting with an individual or entity included on the LEIE. Anyone who hires an individual or entity on the LEIE may be subject to civil monetary penalties (CMP)

The OIG website contains extensive information about the LEIE, the Exclusions etc. and is an excellent resource. <http://exclusions.oig.hhs.gov/> <http://oig.hhs.gov/faqs/exclusions-faq.asp>

DEFINITION OF AN "EXCLUDED PERSON"

An excluded person can be an employee, contractor, or entity who has been identified by the Federal government as committing an act that excludes the individual/entity from participating in Federal health care programs, Federal procurement, or non-Federal procurement. The exclusion applies regardless of who submits the claims and applies to all administrative and management services furnished by the excluded person. For a more detailed description of what constitutes an excluded person", go to:

http://www.ssa.gov/OP_Home/ssact/title11/1128.htm

PROCEDURE

The OIG maintains a List of Excluded Individuals and Entities (LEIE) that is updated monthly and available at <http://oig.hhs.gov/exclusions>

Other databases, not maintained and operated by the OIG, that contain lists of individuals and entities that may be debarred, sanctioned or excluded from other Federal Programs include:

- National Practitioner Data Bank (NPDB) at <http://www.npdb-hipdb.hrsa.gov/index.jsp>
- General Services Agency's Excluded Parties List System (EPLS) consolidated into the System for Award Management (SAM) <https://www.sam.gov/portal/public/SAM/>

The OIG LEIE website will be monitored on a monthly basis to verify that all HCSA employees and paid interns, contractors and agents are not on the OIG's LEIE Exclusion List. The performance of monthly monitoring is documented and available for review upon request.

HITS (Names on the List)

- 1) The designated program/department (i.e.; Quality Assurance Office (QA)) will inform, with a written notice, individuals and entities that have been verified to be excluded. QA may decide to suspend all activities by the individual or entity related to the supervision, management or provision of direct services, effective upon this written notification.
- 2) Supervisors and Division Heads will be notified as appropriate.
- 3) The individuals and entities will be given 14 days to respond in writing to QA or designated office and sixty (60) days to provide documented proof of the completion or verification of any and all procedures required to clear them from the exclusion list.