

OIG/GSA EXCLUSION REVIEW

PURPOSE:

Federal law prohibits entities that participate in federal health care programs (including Medicare, Medicaid, and other governmental programs), such as UCLA Healthcare, from entering into or maintaining certain relationships with individuals or entities that have been excluded from participation in federal health care programs. The Medicare statute also excludes from coverage any item or service that has been ordered, supervised, or furnished by an individual or entity during time when the individual or entity has been excluded from the federal program.

The purpose of this policy is to set forth the procedures UCLA Healthcare follows in determining whether potential and current UCLA Healthcare employees and/or contractors are excluded from participation in such federal programs.

POLICY:

UCLA Healthcare will perform initial, annual and/or ongoing exclusion reviews to ensure that employees (including faculty), vendors, contractors, and physicians have not been sanctioned or excluded from participating in any federal health care program as prohibited by federal law.

For purposes of this policy, an “ineligible individual/entity” is anyone who:

- a. Is currently excluded, debarred, or otherwise ineligible to participate in the federal health care programs or in federal procurement or non-federal procurement programs; or
- b. Has been convicted of a criminal offense related to the provision of health care items or services but has not yet been excluded, debarred, or otherwise declared ineligible.

If UCLA Healthcare identifies an ineligible individual/entity in the Exclusions verification process, the University Legal Counsel will be contacted for advice and direction on proceeding with an appropriate course of action.

PROCEDURE:

The following screening procedures will be conducted by various UCLA Healthcare departments.

1. Human Resources Screening.

A. Screening Prior to Hire.

Prior to the hiring of any UCLA Healthcare employee, the Human Resources Department will screen all potential employees by:

- (1) Requiring applicants to disclose whether they are ineligible; and
- (2) Reviewing the United States General Services Administration List of Parties Excluded from Federal Programs (“GSA Exclusion List”) and the United States Department of Health and Human Services Office of Inspector General List of Excluded Individuals/Entities (“OIG Exclusion List”).

The Human Resources Department shall notify the Corporate Compliance Office and University Legal Counsel of any matches found during any of the above screening processes. If a potential employee is determined to be an Excluded Individual, the individual will no longer be eligible for hire.

B. At hire

After hire, all employees are required to complete the Code of Conduct training, and sign the “*Acknowledgement of Standards of Business Conduct Handbook*” (Appendix A) included in the Corporate Compliance Handbook to certify that the employee has not been excluded, has no knowledge of an impending exclusion, and agreement to notify the Compliance Office if they should become aware of their potential exclusion.

C. Annual Screening.

Upon the effective date of this policy, and annually thereafter, UCLA Healthcare will screen all current employees to verify that all existing employees have not been excluded from federal programs since the last review.

If UCLA Healthcare identifies that a current employee is an ineligible individual/entity in the Exclusions verification process, University Legal Counsel will be contacted for advice and direction on proceeding with an appropriate course of action.

2. Credentials Verification Office.

- A. Annual Screening. The UCLA Healthcare Credentials Verification Office (“CVO”) shall, on an annual basis, conduct a cross-reference screening of the OIG Exclusion List database with current active practitioners in the UCLA Healthcare Medical Staff Services database.

- B. Monthly Screening. The CVO shall, on a monthly basis, review the updated List of Excluded Individuals on the OIG Exclusion List and compare it to the current active practitioners in the Medical Staff Services database.

Initial Appointment/Reappointment Screening. The CVO shall query the OIG Exclusion List as part of its primary source verification process for each application for appointment to the medical staff in accordance with the CVO policies and procedures. Potential medical staff members will be required to, as part of the appointment/reappointment process, warrant that the applicant has not been excluded from a federal health care program.

The CVO shall notify the Corporate Compliance Office and University Legal Counsel of any matches found during any of the above screening processes.

3. Accounts Payable.

The UCLA Healthcare Accounts Payable Office (“Accounts Payable”) shall screen all new vendors/contractors who have submitted a request for payment for services rendered to UCLA Healthcare.

Upon the effective date of this policy, and annually thereafter, Accounts Payable will screen all current vendors to verify that all existing vendors and contractors have not been excluded from federal programs over the course of the year since the last review.

Accounts Payable shall notify the Corporate Compliance Office and University Legal Counsel of any matches found during any of the above screening processes.

4. Purchasing.

Prior to completing a contract for services, the UCLA Healthcare Materials Management Department (“Material Management”) will screen all potential vendors and contractors. Potential contractors will be required to warrant that none of the vendor’s employees have been excluded from a federal health care program.

Materials Management shall notify the Corporate Compliance Office and University Legal Counsel of any matches found during the above screening processes.

5. Corporate Compliance Office

The Corporate Compliance Office shall request annual reports from the above departments regarding their screening activities and may audit each department's files, as necessary.

REFERENCES:

42 U.S. Code section 1320a-7(a)(1)(D), (a)(4)(c), 1320a-7(b)(8)
Health Insurance Portability and Accountability Act of 1996
Balanced Budget Act of 1997
63 Fed. Reg. 46736, 46743 (September 2, 1998)
OIG Advisory Bulletin, September 28, 1999

APPROVAL:

Corporate Compliance Committee

J. Michael McCoy, M.D.
Corporate Compliance Officer

REVISION HISTORY

Create Date: February 2003
Approval Date: April 6, 2004
Review Date:
Revised Date:

Appendix A**ACKNOWLEDGMENT OF
STANDARDS OF BUSINESS CONDUCT
HANDBOOK**

My signature on this form acknowledges that I have received from UCLA and agree to read the UCLA Healthcare Corporate Compliance Handbook.

I confirm that I have not been excluded by the federal government from participation in any governmental program nor, to the best of my knowledge, have I been proposed for exclusion. I agree to notify the Corporate Compliance Officer or the University's Office of the General Counsel immediately upon my receiving written or verbal notification that I am proposed for exclusion from any governmental health program.

Name ***(PLEASE PRINT)***

Signature

Employee ID Number ***(REQUIRED)***

Department ***(REQUIRED)***