



SALISH BHO

HIPAA, 42 CFR PART 2, AND MEDICAID COMPLIANCE STANDARDS POLICIES AND PROCEDURES

Policy Name: SBHO OR AGENCY USE OF FEDERALLY EXCLUDED PROVIDERS

Policy Number: 5.18

Reference: 42 CFR 455.436

Effective Date: 9/2005

Revision Date(s): 1/2013; 5/2016

Reviewed Date: 5/2016; 6/2017; 5/2018

Approved by: SBHO Executive Board

CROSS REFERENCES

- Plan: Compliance Plan, FY 2016
- Policy: Corrective Action Plan
- Policy: SBHO Fraud and Abuse Compliance Reporting Standards
- Table: SBHO Compliance Plan Checklist

PURPOSE

The SBHO shall not employ or contract with providers excluded from participation in Federal health care programs.

DEFINITIONS

Contractor – An agency/organization that is paid in whole or in part with funding provided by the State of Washington to SBHO for the provision of behavioral health services, or that has an ownership or controlling interest, or other relationship that would benefit it directly or indirectly.

Exclusion Check – The act of searching the online List of Excluded Individuals/Entities (LEIE) database, accessible for download from the Office of Inspector General (OIG) at http://www.oig.hhs.gov/fraud/exclusions/exclusions_list.asp to determine whether an employee or a contractor has been excluded (i.e. debarred) from receipt of Federal funds.

Individual – A person whose services/time is compensated in whole or in part with funding provided by the State of Washington to SBHO for the provision of behavioral health services, or who have an ownership or controlling interest, or other relationship, that would benefit them directly or indirectly.

POLICY

No individual or agency identified by the Federal government as ineligible to receive Federal funds may be compensated with monies received from the State of Washington for the provision of behavioral health services and distributed by SBHO to its member governments or other network providers. The List of Excluded Individuals/Entities (LEIE) database published by the Office of Inspector General (OIG) is used to determine whether an individual or contractor has been excluded (debarred) from the receipt of Federal funds.

PROCEDURE

1. The SBHO shall not employ or contract with providers excluded from participation in Federal health care programs.
2. The SBHO requires network contractors to sign assurances that they are not excluded from participation and do not employ individuals who are excluded.
3. The network providers will conduct Federal Exclusion verification within thirty (30) days of hiring new employees. Existing employees shall have verification conducted during the month of August 2010, and every month thereafter.
4. The Federal Exclusion websites is the United States Health and Human Services at http://www.oig.hhs.gov/fraud/exclusions/exclusions_list.asp
 - Medical providers are also verified through <http://go.usa.gov/CPn>
5. Each network agency is required to disclose all individuals and entities with an ownership or control interest of the agency.
6. All hired employees within the SBHO organization, network agencies, CommCare and the Ombuds programs will be evidenced via a website printout verifying they are not excluded from participation.
 - Network agencies are responsible for sending the SBHO Compliance Officer a monthly attestation letter that all employees, volunteers, interns, and Board members are not excluded providers.
 - The SBHO Compliance Officer is responsible for completing the exclusion verifications for the SBHO, Ombuds program, RMH, and provider agencies monthly.

MONITORING

This policy is mandated by contract or statute.

1. This policy will be monitored through use of SBHO:
 - Annual SBHO Provider and Subcontractor Administrative Review.
 - Random review of the Federal Websites, researching local network agency and providers.
2. If a provider performs below expected standards during the review listed above, a Corrective Action will be required for SBHO approval. Reference SBHO Corrective Action Policy.