

POLICY AND REGULATIONS MANUAL

TITLE: SCREENING FOR INELIGIBLE PERSONS

PURPOSE: To provide guidelines for the Harris Health System to screen and remove from employment or association any Ineligible Person or entity as defined in the Policy.

POLICY STATEMENT:

The Harris Health System (Harris Health) does not employ, retain or engage in business relationships with individuals and entities that have been convicted of certain criminal violations or have been the subject of sanctioning, debarment, exclusion, or other adverse action by an appropriate enforcement or regulatory agency of the federal or state government.

POLICY ELABORATIONS:

I. DEFINITIONS:

A. **INELIGIBLE PERSON:** An “Ineligible Person” is an individual or entity who:

1. Is currently listed by any federal or state agency as excluded, debarred, suspended or is otherwise ineligible to participate in Federal and/or state health care programs, e.g., Medicare and Medicaid, or in Federal procurement or nonprocurement programs;
2. Has been convicted of a criminal offense that falls within the scope of 42 U.S.C. § 1320a-7(a), but has not yet been excluded, debarred, or suspended, or otherwise declared ineligible; or
3. Is currently on any federal, state, or law enforcement exclusion list indicating that individuals are disqualified, restricted, or otherwise unsuitable for employment at Harris Health.

B. **EXCLUSION LISTS:** Harris Health has access to over two hundred (200) governmental, professional, licensing and criminal databases that identify individuals and entities as sanctioned, debarred, or having been charged with a criminal offense. The exclusion lists primarily associated with the Center for Medicare and Medicaid Services are:

1. The Health and Human Services / Office of Inspector’s List of Excluded Individuals and Entities at <http://exclusions.oig.hhs.gov/>; and

POLICY AND REGULATIONS MANUAL

2. The General Services Administration's Excluded Parties List system at <https://www.sam.gov/>.

II. PROCEDURES:

- A. The Harris Health employment application for all new employees includes an attestation by the candidate relating to whether they have ever been convicted of a crime or sanctioned by a duly authorized regulatory or enforcement agency of government. The Human Resources Recruiter will review the attestation with each candidate.
- B. The Office of Corporate Compliance performs monthly screenings of Harris Health members of the BOM, employees, medical staff members, trainers, contractors, volunteers, and vendors ("Workforce") to identify Ineligible Persons.
- C. The Harris County Purchasing Department will screen prospective vendors and contractors prior to an award.
- D. If Harris Health becomes aware or has actual notice that an individual or entity has become or is an Ineligible Person, then Harris Health will take reasonable steps to verify the information and if confirmed, will immediately remove the individual or entity from employment or association with the Harris Health.

III. RESPONSIBILITIES:

The Senior Vice President of Corporate Compliance, i.e., Corporate Compliance Officer (CCO), is responsible for monitoring this policy for compliance, facilitating the process of sanction screenings in accordance with this policy, and reporting results to the Executive Corporate Compliance Committee and Board of Managers Corporate Compliance Committee, along with making any recommendations for remedial actions or improvements to the program.

HARRISHEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No: 3.35
Page Number: 3 of 4
Effective Date: 2/28/2008
Board Motion No: 08.2-176

REFERENCES/BIBLIOGRAPHY:

OIG Compliance Program Guidance for Hospitals, Federal Register, Vol. 63, No. 35, February 23, 1998 - <http://oig.hhs.gov/authorities/docs/cpgbosp.pdf>.

OIG Supplemental Compliance Program Guidance for Hospitals, Federal Register, Vol. 70, No 19, January 31, 2005 - <http://oig.hhs.gov/fraud/docs/complianceguidance/012705HospSupplementalGuidance.pdf>

United States Department of Health and Human Services
Office of Inspector General

List of Excluded Individuals and Entities

Texas Health and Human Services Commission

Office of Inspector General
List of Excluded Individuals and Entities

Texas General Services Commission
Texas Building and Procurement Commission Suspended and Debarred Vendor List

Social Security Act Sections 1128 and 1128A

42 USC §1320a-7.

42 USC §1320a-7a.

42 CFR §402.1 (c) (d) (e).

42 CFR §1001.19011.

42 CFR §1003.102 (a) (2).

Harris Health Policy and Procedures 6.12 Employment.

Harris Health Policy and Procedures 3.25 Reporting Fraud, Abuse, or Wrongdoing and Non-retaliation



POLICY AND REGULATIONS MANUAL

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OFFICE OF PRIMARY RESPONSIBILITY:

Harris Health System Senior Vice President, Corporate Compliance

REVIEW/REVISION HISTORY:

Record review and revisions below:

Effective Date	Version# (If Applicable)	Review or Revision Date (Indicate Reviewed or Revised)	Reviewed or Approved by: (If Board of Managers Approved, include Board Motion#)
	1.0	Reviewed 1/3/2008	Vice President of Corporate Compliance
		Approved 1/23/2008	Executive Corporate Compliance Committee
		Approved 2/5/2008	HCHD Policy Review Committee
2/28/2008	2.0		HCHD Board of Managers (Board Motion 08.2-176)
	3.0	Approved 04/12/2011	Operations Policy Committee
		Approved	HCHD Board of Managers (Board Motion No. 11.5.-65.)
	4.0	Approved 2/12/ 2013	Operations Policy Committee
		Approved 3/28/2013	Harris Health Board of Managers (Board Motion Number 13.03-47)