

Policies and Procedures: WVU Physicians of Charleston
Sanction Screening

Section: **Compliance**
Chapter: **Administration**
Policy: **Sanction Screening; Preclusion on Doing Business With Excluded
Individuals/Entities**

I. PURPOSE

To establish a policy which will ensure that WVU Physicians of Charleston (WVUPC) does not employ or contract to do business with individuals or entities who are currently excluded by the Office of Inspector General (OIG) and/or the General Service Administration (GSA) from participation in Federal health care programs.

II. ACCOUNTABILITY

Under the direction of the Board of Directors, WVUPC's Chief Operating Officer, Departmental Chairs, Human Resources Department and Director of Corporate Compliance & Regulatory Affairs shall take all such steps as are necessary and appropriate in order to ensure compliance with and implementation of this policy.

III. APPLICABILITY

This policy applies to all WVUPC employees and to all individuals/entities entering into contracts to do business with WVUPC.

IV. POLICY

In accordance with Federal law, WVUPC will not employ or enter into contracts to do business with any individual or entity that is currently excluded by the Office of Inspector General (OIG) and/or the General Service Administration (GSA) from participation in Federal health care programs.

V. PROCEDURE

1. The WVUPC employment application will require an attestation by the candidate seeking employment, stating whether or not such candidate has ever been convicted of a crime or has ever excluded/sanctioned by any federal or state healthcare agency.

2. Prior to the hiring of any candidate for employment by WVUPC, the WVUPC Human Resources Department must be notified of the pending hire and must ascertain whether or not the candidate is listed on either the OIG or GSA exclusionary rosters. The listings to be utilized by the Human Resources Department for such pre-hire searches are accessible by Internet at:

(For OIG) <http://exclusions.oig.hhs.gov/>.

(For GSA) <http://epls.arnet.gov/>

3. If an employment candidate is found to be listed on either of the above-referenced exclusionary rosters, the Director of Corporate Compliance & Regulatory Affairs shall be notified by the Department of Human Resources, shall undertake a thorough review of the matter, and shall communicate all relevant findings and legal ramifications of the matter to the WVUPC Board of Directors. The WVUPC Board of Directors shall, following receipt of the report of the Director of Corporate Compliance & Regulatory Affairs, have final authority on the hiring decision(s) in such circumstances.
4. Prior to entering into any third-party contracts, business arrangements or purchasing agreements WVUPC's Chief Operating Officer or his/her designee must verify that such third-party has certified, through a written disclosure statement, that they have not been excluded from federal health care program participation, and that they will immediately notify WVUPC if they become debarred or otherwise excluded from federal health care program participation.
5. Prior to execution of any third-party contract, business arrangement or purchasing agreement, WVUPC's Chief Operating Officer or his/her designee shall take reasonable steps to ensure that such third-party individual or entity does not appear on either the OIG or GSA listing of excluded parties, utilizing the Internet search sites referenced in paragraph no. 2 of this Policy. If such search indicates that the third-party is on either the OIG or GSA list of excluded individuals and entities, the Director of Corporate Compliance & Regulatory Affairs shall be notified, shall undertake a thorough review of the matter, and shall communicate all relevant findings and legal ramifications of the matter to the WVUPC Board of Directors. The WVUPC Board of Directors shall, following receipt of the report from the Director of Corporate Compliance & Regulatory Affairs, have final authority on the matter.
6. To protect WVUPC against the possibility that an individual or entity may have been excluded from program participation subsequent to their employment, during the duration of a business contract, or after the granting of clinical privileges, the relevant federal health care program exclusionary data bases searches shall also be performed semi-annually, in June and December, by or at the direction of the Office of Corporate Compliance & Regulatory Affairs. If it is determined that a current employee, or third-party with whom WVUPC has

entered a current business contract or arrangement, are on the federal exclusionary rosters, the Director of Corporate Compliance & Regulatory Affairs shall undertake a substantive review of the matter, and shall report all relevant findings, including legal ramification of the continued employment or business relationship, to the WVUPC Board of Directors. The WVUPC Board of Directors shall have final authority on the matter.

VI. Amendment or Termination of this Policy

This policy may be amended or terminated at any time.

VII. References

- 42 C.F.R. §1001.1901
- <http://oig/hhs.gov/fraud/docs/alertsandbulletins/effectd.htm>.