

## MADISON COUNTY POLICY AND PROCEDURES

**Subject:**        **Compliance Policy:**  
Employee, Board, and Contractor Exclusion Screening

**Issued:**        February 19, 2013

**Approved:**     April 9, 2013

**Revised:**      November 25, 2014

**Purpose:**

**Madison County** (sometimes referred to as “County” or “the County”) is committed to maintaining high quality care and service, as well as integrity in its financial and business operations. Therefore, **Madison County** will conduct appropriate screening of key providers, employees, independent contractors, and business vendors, to ensure that they have not been sanctioned by a federal or state law enforcement, regulatory, or licensing agency.

**Policy:**

1. It is the policy of Madison County not to employ, contract with, or conduct business with an individual or entity excluded from participation in federally sponsored health care programs, such as Medicare and Medicaid.
2. Madison County will conduct exclusion (sanction) screening of all current and proposed employees, Board of Health and Community Services Board members, and contractors.
3. Madison County will verify that individual contractors and entities that provide and/or perform services for the County have not been the subject of adverse governmental actions and/or excluded from the Federal or State healthcare programs.
4. Madison County will verify that any physician or other healthcare practitioner ordering or prescribing goods or services under a federally sponsored healthcare program with Madison County’s Public Health and Mental Health Departments, such as Medicaid, has not been excluded from participation from Federal or State healthcare programs.
5. An annual audit of employment applications and business entities with which Madison County enters into a contractual relationship will be conducted by the Compliance Officer to verify that this policy is enforced. A report of this audit will be made to the Compliance Committee and Board of Supervisors, along with any recommendations for remedial actions or improvement to the process as part of the annual compliance report.

**Procedures:**

Applicable to employees, social and mental health services, Board of Health and Community Services Board Members:

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1. Madison County will conduct exclusion checks to verify that all employees and Board of Health and Community Services Board members have not been excluded from federal or state healthcare programs. An exclusion check is a search of the following sources to determine if the individual or entity's name appears on any of the lists:
  - U.S. Department of Health and Human Services, Office of Inspector General (OIG)'s List of Excluded Individuals and Entities (LEIE), available on the website at <http://exclusions.oig.hhs.gov>.
  - The General Services Administration (GSA)'s Excluded Parties List System, available on the GSA website at <http://www.epls.gov/>.
  - NYS Medicaid Fraud Database available on the NYS Department of Health website at <http://www.emedny.org/info/disqualified.html>.
2. If the exclusion check indicates that any individual has been excluded from federal or state healthcare programs, the applicant will not be offered employment.
3. An exclusion check will be performed for potential Board of Health and Community Services Board members as part of the screening process. If the exclusion check indicates that a potential Board member has been excluded from federal or state healthcare programs, the individual will not be considered for Board affiliation.
4. The Compliance Officer will ensure that exclusion screenings are conducted on all employees and Board of Health and Community Services Board members at least annually.
5. The Compliance Officer will maintain the results of all exclusion checks for one year.
6. If any County employee, and/or Board of Health or Community Services Board member is charged with a criminal offense related to healthcare, or is proposed or found to be subject to exclusion from federal healthcare programs, the employee must be removed from direct responsibility or involvement in any federally funded healthcare program while the matter is pending.
7. If the matter results in conviction or exclusion, Madison County will immediately address the situation in accordance with Section VIII (Enforcement and Discipline) of the Madison County Corporate Compliance Plan.
8. In addition to exclusion screening, the credentials of medical/healthcare and other professionals employed by Madison County will be verified with appropriate licensing and disciplining authorities, including any adverse actions taken against the individuals that might impair his or her performance of duties or fiduciary responsibilities on behalf of the County. The process is applicable to all employees for which the license/certification is required for the performance of their duties. The screening and verification will be conducted as part of the hiring process and at least annually, thereafter.

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### **Applicable to Contractors/Vendors:**

1. The County shall conduct exclusion checks prior to entering an agreement with a contractor. If the exclusion check indicates that a bidder or contractor has been excluded from federal or state healthcare programs, the bid will not be accepted or the contract will not be executed. An exclusion check is a search of the following sources to determine if the individual or entity's name appears on any of the lists:
  - U.S. Department of Health and Human Services, Office of Inspector General (OIG)'s List of Excluded Individuals and Entities (LEIE), available on the website at <http://exclusions.oig.hhs.gov> and
  - The General Services Administration (GSA)'s Excluded Parties List System, available on the GSA website at <http://www.epls.gov/>
  - NYS Medicaid Fraud Database, available on the NYS Department of Health website at <http://www.emedny.org/info/disqualified.html>.
2. All contracts entered into or bids accepted by Madison County will contain a certification that the contractor/bidder and its employees and subcontractors are not excluded by the federal or state government.
3. The Compliance Officer shall assure that an exclusion check of the contractor is conducted prior to entering a business contract with the vendor and at least annually thereafter.
4. If the exclusion check indicates that a contractor has been excluded from federal or state healthcare programs, the contract will be terminated.
5. If the exclusion check indicates that the bidder has been excluded from federal or state healthcare programs, the bid will not be accepted.
6. The Compliance Officer shall maintain the results of all exclusion checks for one year.

### **Applicable to Physicians and Other Healthcare Practitioners:**

1. Madison County will verify that all instances in which physicians and healthcare practitioners order or prescribe Medicaid or Medicare funded goods or services have not been excluded from participation in a federal or state healthcare program.
2. The Compliance Officer shall assure that an initial exclusion check is conducted on each practitioner who prescribes or orders Medicaid or Medicare funded goods or services. An exclusion check is a search of the following sources to determine if the individual or entity's name appears on any of the lists:
  - U.S. Department of Health and Human Services, Office of Inspector General (OIG)'s List of Excluded Individuals and Entities (LEIE), available on the website at <http://exclusions.oig.hhs.gov> and
  - The General Services Administration (GSA)'s Excluded Parties List System, available

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- on the GSA website at <http://www.epls.gov/>
- NYS Medicaid Fraud Database, available on the NYS Department of Health website at <http://www.emedny.org/info/disqualified.html>.
3. The Compliance Officer shall assure that exclusion screening is conducted on, at minimum, an annual basis thereafter.
  4. If the exclusion check indicates that a practitioner has been excluded from federal or state healthcare programs, the services or goods will not be billed to Medicaid or Medicare.
  5. The Compliance Officer shall maintain the results of all exclusion checks.