



University of Florida, Pediatric Integrated Care System

Compliance Program

Policy: Screening for and Eliminating Ineligible Persons **Number:** CD-0010

Programs: Title XIX and Title XXI

Effective Date: Title XIX January 24, 2008

Title XXI August 1, 2013

(Revisions are effective 45 days after AHCA approval for Title XIX and after CMS approval for Title XXI.)

Approved by:

Title	Name	Signature	Ped-I-Care Approved	CMS Approved	AHCA Approved
Compliance Officer	Mark Hudak, M.D.	<i>Mark J. Hudak M.D.</i>	1/30/2008, 9/2/2008, 8/30/2010, 9/24/2012, 9/6/2013, 3/17/2016	3/2/2011	3/2/2011
Revised	1/14/2009, 7/7/2010, 8/9/2011, 11/22/2012, 8/8/2013, 3/11/2016				

Responsible Party: Compliance Department, Provider Network Department, and Human Resources

Purpose

Ped-I-Care recognizes the need and has established a process by which to screen for ineligible persons and keep them from participating with the health plan. Participation of such a person or entity has the potential to cause damage to the Plan’s status as a reliable, honest, and trustworthy organization as well as the quality of services it provides to beneficiaries. Therefore, Ped-I-Care prohibits the hiring of or entering into contracts with individuals or entities which are known to have a propensity to: engage in inappropriate behavior; violate governing laws, rules, and regulations; or have been convicted of any such conduct.

Policy

Ped-I-Care performs initial and random reviews to ensure employees, vendors, and providers (contracted as well as non-contracted providers) are eligible to participate in Federal health care programs, thus Ped-I-Care. These reviews are intended to prevent hiring of any ineligible persons. Ped-I-Care routinely monitors for such persons and entities who have been convicted of criminal offenses related to health care or those who have been listed as debarred, excluded, or otherwise ineligible for participation in Federal health care programs. Current employees, vendors, and/or providers who become designated as ineligible or who are charged with criminal conduct which could lead to exclusion from Federal programs, are removed from participation in or involvement with Ped-I-Care operations until such time the person(s) or entity is reinstated into participation with Federal programs. Prospective as well as current employees, vendors, and providers which have been officially reinstated into Medicaid programs, may be considered for hire/contracting upon proof of reinstatement.

Definitions

Ineligible Person – An “ineligible person” is any individual or entity that has been excluded, suspended, debarred, or is ineligible to participate in federal health care programs, including Medicare/Medicaid programs. Also, any individual and/or entity who has been convicted of criminal offense(s) related to the delivery of health care services and/or items as described in the Code of Federal Regulations; Title 42, Volume 2; Revised October 1, 2004.

Procedures

1. If the Compliance Department, University of Florida (UF) Human Resources, Network Management Department, or Contracting Department identify or are notified of any person(s) who have become ineligible to participate in Federal health programs, the person(s) will immediately be relieved from responsibility to and conducting business with Ped-I-Care.
 - a. UF Human Resources
 - (1) Individuals who are considered for employment or for re-employment are checked against the current list of excluded individuals as follows. A semi-annual report of screening results is provided to the Compliance Department from the following and/or any other sources:
 - i. List of Excluded Individuals and Entities (LEIE) at <http://www.oig.hhs.gov/fraud/exclusions.asp>
 - ii. System for Award Management (SAM) (which includes the former Excluded Parties List System [EPLS]) at <https://www.sam.gov/portal/public/SAM/>

- iii. Background investigation conducted by UF Human Resources Department through the Federal Bureau of Investigation (fingerprinting done by the University of Florida Police Department).
- b. Network Management/Contracting Department
- (1) Prior to contracting with any individual or entity and at the time of contract renewal/extension, Ped-I-Care Network Management/Contracting Department checks the current List of Excluded Individuals and Entities (LEIE) as reported by the Office of Inspector General (OIG), the System for Award Management (SAM) (which includes the former Excluded Parties List System [EPLS]), AHCA's listing of suspended and terminated providers at AHCA's website (http://apps.ahca.myflorida.com/dm_web), termination lists previously sent by AHCA, and other sources as required.
 - (2) If any individual or entity is found to be included on any of the sources listed above, the contract with Ped-I-Care will be denied or terminated, and reported to the appropriate parties per contractual requirements.
- c. Compliance Department:
- (1) In an effort to prevent engaging in business relationships with ineligible individuals or entities, the Compliance Department performs an annual review of the screening processes conducted by the UF Human Resources, Network Management, and Contracting Departments. Also reviewed are the actions taken in response to persons or entities found on an exclusion list, deemed ineligible to provide care to members, or deemed ineligible to participate in Medicaid. Documentation includes the name of the excluded person/entity which is identified during pre-employment, during actual employment, or during the contracting period.
 - (2) The Compliance Department maintains all documented results and reports accordingly when required by law.
 - (3) The Compliance Administrative Assistant (CAA):
 - i. Compares the individuals and companies listed in AHCA Final Orders, Department of Health License Emergency Suspension Orders sent by the CMS Contract Manager, and lists of contract terminations sent by AHCA's MPI with the provider network.
 - ii. Compares the provider network and Ped-I-Care employees to the LEIE and SAM monthly. AHCA's listing of suspended and terminated providers at AHCA's website (http://apps.ahca.myflorida.com/dm_web) is checked to ensure providers ineligible for Medicaid are not included in the provider network. Possible matches are investigated to ensure the accuracy of the results.

- iii. If a match is confirmed, immediately notifies, as appropriate, the Compliance Director, Executive Director, Network Manager, Contract Manager, and/or Data Manager. The Contracting Department or Human Resources will take action as needed and appropriate.

References

Code of Federal Regulations, Title 42, Volume 2, (revised October 2002)

Office of Inspector General's *Model Compliance Program*, (November 1999)