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[Policy Number]: Exclusion Checks

Category: Corporate Compliance Effective Date: XXXXXXXX
Department: XXXXXXXXXXXXXXXXXXXXXXXX Last Revision Date(s): 7/2/2020

POLICY STATEMENT

It is the policy of [Chapter] not to employ, contract with or otherwise do business with any individual or entity excluded from participation in federally sponsored health care programs, such as Medicare and Medicaid. To avoid affiliation with any such person or entity, [Chapter] has established the procedures described below.

This Policy and Procedure applies to all current and proposed [Chapter] employees, contractors and vendors. This Policy also covers any other individual or entity affiliated with [Chapter] as deemed prudent by the Compliance Officer. For purposes of this Policy, all references to “employees” includes temporary, part-time and full-time employees.

PROCEDURE

A. Definitions.

1. Exclusion Check. An Exclusion Check is a search of (1) the U.S. Department of Health and Human Services, Office of Inspector General (“OIG”)’s List of Excluded Individuals/Entities (<https://exclusions.oig.hhs.gov/>); and (2) the General Service Administration (“GSA”)’s System for Awards Management’s (“SAM”) Advanced Search - Exclusion (<https://www.sam.gov/SAM/>) to determine if an individual or entity’s name appears on either list.
2. Ineligible Person. For purposes of this Policy, an Ineligible Person is an individual or entity that is listed on the OIG’s List of Excluded Individuals/Entities and/or the SAM Advanced Search - Exclusion listing.



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B. Employee Exclusion Check Procedures.

1. An Exclusion Check will be performed for all applicants for employment at [Chapter] as part of the pre-employment background check as set forth in [Chapter]'s [Background Checks for Employees and Others].
2. If the Exclusion Check indicates that any individual is an Ineligible Person, the individual cannot be employed by [Chapter].
3. To protect [Chapter] against individuals excluded subsequent to beginning their employment, an Exclusion Check will be performed on all employees at least annually. If it is determined that a current employee is an Ineligible Person, [Chapter] shall immediately terminate the employment of the individual.
4. Search results for Exclusion Checks must be documented and maintained by the Compliance Officer.

C. Vendor/Contractor Certification Procedures.

1. Any vendor/contractor wishing to enter into a contract with [Chapter] is required to certify in its contract that neither it nor any of its employees is an Ineligible Person. Such vendor/contractor certification shall be made on at least an annual basis.
2. In addition, each vendor/contractor contract shall contain a provision requiring the vendor/contractor to maintain supporting documentation for its exclusion checks and to produce copies of such documentation to [Chapter] upon [Chapter]'s request.



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D. Duty to Report.

All [Chapter] employees, contractors and vendors have a duty to report any action that would render that individual or entity an Ineligible Person.

E. Pending Actions.

1. If any [Chapter] employee, contractor or vendor is charged with a criminal offense related to healthcare or is proposed to be subject to debarment or exclusion from federal programs, the individual or entity must be removed from direct responsibility or involvement in any federally funded health care program while the matter is pending.
2. If resolution of the matter results in conviction, debarment or exclusion, [Chapter] shall immediately terminate its employment or other contractual arrangement with the individual or entity.