

# HARRIS HEALTH SYSTEM

## POLICY AND REGULATIONS MANUAL

Policy No: 3.35  
Page Number: 1 of 4  
Effective Date: 2/28/2008  
Board Motion No: 14.04-46  
Last Review Date: 08/19/2019  
Due For Review: 08/19/2022

**TITLE: SCREENING FOR INELIGIBLE PERSONS**

**PURPOSE:** To provide guidelines for Harris Health System (Harris Health) to identify any ineligible person or entity and take appropriate action.

**POLICY STATEMENT:**

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 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 non-procurement 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:** Databases that identify individuals or entities as sanctioned or debarred. The exclusion lists primarily associated with the Centers 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

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

C. **WORKFORCE:** Harris Health Board of Trustees, employees, medical staff, trainees, contractors, volunteers, and vendors.

## II. PROCEDURES:

A. Applicants to Harris Health:

1. The Harris Health employment application includes an attestation by the applicant relating to whether he or she has ever been convicted of a crime or sanctioned by a duly authorized regulatory or enforcement agency of government. The Harris Health human resources recruiter will review the attestation with each applicant.
2. Harris Health's human resources department completes a criminal background check on all applicants and checks the Exclusion Lists primarily associated with the Centers for Medicare and Medicaid services.

B. Workforce Members:

The Office of Corporate Compliance reviews Exclusion Lists on a monthly basis to identify any Workforce member who is an Ineligible Person.

C. Vendors and Contractors:

The Harris County Purchasing Department screens prospective vendors and contractors prior to a bid award to identify Ineligible Persons.

D. If Harris Health identifies an Ineligible Person, then Harris Health will take reasonable steps to verify the information, and if confirmed, Harris Health will immediately remove the Ineligible Person from employment or association with Harris Health.

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- E. The Corporate Compliance Officer will report the results of Harris Health's sanction screenings to the Executive Corporate Compliance Committee and the Board of Trustees Corporate Compliance Committee, along with making any recommendations for remedial actions or improvements to the program.

### REFERENCES/BIBLIOGRAPHY:

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

List of Excluded Individuals and Entities <https://exclusions.oig.hhs.gov/>

Texas Office of Inspector General Exclusions List - <https://oig.hhsc.state.tx.us/oigportal/exclusions.aspx>

Texas Health and Human Services Commission - <https://hhs.texas.gov/>

Texas General Services Commission - <https://www.sunset.texas.gov/reviews-and-reports/agencies/general-services-commission>

Texas Building and Procurement Commission Suspended and Debarred Vendor List - <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>

42 USC § 1320a-7.

42 USC §1320a-7a.

42 CFR §§ 402.1 (c) (d) (e).

42 CFR § 402.200

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42 CFR §§1001 et seq.

Harris Health System Policy and Procedures 6.12, Employment.

Harris Health System Policy and Procedures 3.58 Non-Retaliation for Reporting Fraud, Abuse, and Wrongdoing.

Harris Health System Policy and Procedures 3.31 Preventing Fraud, Abuse, and Wrongdoing.

### OFFICE OF PRIMARY RESPONSIBILITY:

Harris Health Office of Corporate Compliance

### REVIEW/REVISION HISTORY:

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)
	5.0	Revised/Approved 04/08/2014	Operations Policy Committee
		Approved 04/24/2014	Harris Health Board of Managers (No. 14.04-46)
	6.0	08/19/2019 Expedited Executive Approval via Rapid Cycle	CEO
		Required Post-Approval Rapid Cycle Review Complete 06/09/2020 Approved	Structure and Organizational Standards Committee