


PLAN OPERATIONS	 From DentaQuest			
	<i>Policy and Procedure</i>			
	Policy Name:	OIG/GSA Exclusion Review	Policy ID:	PLANCG-68
	Approved By:	Advantage Dental Services, LLC Compliance Committee	Last Revision Date	10/5/2021
	States:	Oregon	Last Review Date:	11/30/2021
Application:	Medicaid	Effective Date:	12/01/2021	

PURPOSE

The Department of Health and Human Services' Office of Inspector General (OIG) published a Special Advisory Bulletin on September 30, 1999 to explain the effect of exclusion from participation in federal health care programs, including Medicare and Medicaid.

The effect of an exclusion is that no payment will be made by any federal health care program for any items or services furnished, ordered or prescribed by an excluded individual or entity. This payment prohibition applies to the excluded person and anyone who employs or contracts with the excluded person. The exclusion extends to payment for to administrative and management services furnished by the excluded person not directly related to patient care such as services performed by an excluded administrator, accountant, claims processor or utilization reviewer that are reimbursed directly or indirectly by a federal health care program.

The OIG also has authority to impose civil monetary penalties against entities (such as Dental Care Organizations (DCOs)) that receive reimbursement from federal health care programs and employ or contract with excluded individuals or entities.

It is therefore imperative that Advantage Dental Services, LLC as a DCO regularly screen our employees, temporary staff, independent contractors, vendors, subcontractors and the providers with whom we contract to participate in our provider networks to determine whether they have been excluded from participation in federal health care programs. Our clients require that the Company perform such regular exclusion checks and provide confirmation upon request that the Company is not employing or conducting business with excluded individual/entities.

POLICY

- A. The DCO will perform initial and, thereafter, monthly exclusion checks or reviews to ensure that prospective and current employees, temporary staff, independent contractors, vendors, subcontractors, and Providers are not excluded from participation in Federal health care programs to prevent hiring or retaining any excluded persons or entities.
- B. As used in this Policy, an "ineligible individual/entity" is defined as anyone who:
 1. Is excluded, debarred or otherwise ineligible to participate in the federal health care programs or in federal procurement or non-procurement programs; or
 2. Is debarred, excluded or ineligible to participate in State health care programs.

REFERENCES

- OIG Exclusion List screenings to be conducted through the Online Searchable Exclusions Database at <http://exclusions.oig.hhs.gov>
- GSA (SAM) Exclusion List screenings to be conducted through the Online Searchable Exclusion Database at <https://www.sam.gov>
- Prescription Drug Benefit Manual Chapter 9 & Medicare Managed Care Manual Chapter 21 Section 50.6.8 [42 C.F.R. §§ 422.503(b)(4)(vi)(F)]
- Credentialing Policies PEC02-INS and PEC04-INS.
- U.S. Treasury Department Office of Foreign Assets List of Specially Designated Nationals and Blocked Person at <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>
- Applicable State Exclusions Lists

DEFINITIONS

- **“DCO Personnel”** means an officer, employee, independent contractor, Board member and/or subcontractor (downstream entities).

PROCEDURE

- A. To prevent hiring of any ineligible individual, all employees and temporary staff will be screened by Human Resources prior to engaging their services by:
 1. Requiring applicants to disclose whether they are an ineligible individual; and
 2. Reviewing directly or through an outside vendor, the General Services Administration (GSA) List of Parties Excluded from Federal Programs and the HHS/OIG List of Excluded Individuals/Entities, and System for Award Management (www.sam.gov), U.S. Treasury Department Office of Foreign Assets List of Specially Designated Nationals and Blocked Persons, as well as any applicable state exclusions lists to determine if such individual is an ineligible person; and
 3. Requiring any staffing agencies to conduct exclusion screening and provide written verification of eligibility for placement and to screen temporary staff engaged by the DCO monthly in the same manner thereafter.
- B. To prevent contracting with ineligible Providers, Credentialing shall screen any dental or vision Provider who will be or is paid, in whole or in part, directly or indirectly, by a Federal health care program or otherwise with Federal funds. Screening will be conducted upon initial credentialing and thereafter consistent with Credentialing Policies - Practitioner Credentialing Guidelines and Ongoing Monitoring. To prevent engaging in business with an ineligible individual/entity, all dental or vision Providers will be screened prior to engaging their services by:
 1. Requiring applicants to attest to their eligibility, and
 2. Reviewing directly or through an outside vendor, the General Services Administration (GSA) List of Parties Excluded from Federal Programs and the HHS/OIG List of Excluded Individuals/Entities, and System for Award Management (www.sam.gov), U.S. Treasury Department Office of Foreign Assets List of Specially Designated Nationals and Blocked Persons, as well as any applicable state exclusions lists;
 3. Monitoring the monthly exclusion lists published by the government consistent with Credentialing Policy - Primary Source Verification of Credentials;
 4. Reviewing any dental or vision Providers appearing on the government exclusion lists to ensure they are not in our networks;
 5. Maintaining documentation of this review; and
 6. Reviewing any potential positive findings, consistent with Credentialing Policy - Primary Source Verification of Credentials.

- C. Ongoing exclusion monitoring occurs on a monthly basis as follows:
1. Human Resources (HR) sends a current listing of all employees and temporary, and contract staff to an external vendor engaged for the purpose of performing exclusion checks;
 - a. All findings are reported by the external vendor to HR for further review and follow-up as necessary.
 - b. If a positive is encountered, it will be addressed by HR and the Legal Department.
 - c. Documentation is maintained by HR.
 2. Accounts Payable (AP) sends a current listing of all brokers, vendors, contractors, board members and independent contractors to HR or Compliance to be sent to the external vendor engaged for the purpose of performing exclusion checks;
 - a. All findings are reported by the external vendor directly to the Legal Department or Compliance Department for further review and follow-up as necessary.
 - b. If a positive finding is encountered, it will be addressed by the Legal Department and AP.
 - c. Documentation is maintained by the Legal Department.
- D. If the Human Resources Department, Accounts Payable, Credentialing, or the Legal Department identifies an individual/entity who is or has become ineligible to participate in federal health care programs or in federal procurement or non-procurement programs, the employee, temporary staff, independent contractor, Provider, vendor, or subcontractor will immediately be relieved from his/her responsibilities, or the contract with the excluded individual or entity will be terminated immediately. Upon request, the DCO will notify the client of any individual/entity excluded from federal or state programs, as well as individuals/entities with confirmed compliance and fraud, waste and abuse violations that may have provided services on behalf of the client.
- E. The following websites are reviewed for any potential matches:
1. General Services Administration's (GSA) Excluded Parties List System (EPLS) and System for Award Management (SAM) (<https://www.sam.gov/>)
 2. HHS/OIG Cumulative Sanction Report List of Excluded Individuals and Entities (LEIE) (<http://exclusions.oig.hhs.gov/>)
 3. U.S. Treasury Department Office of Foreign Assets List of Specially Designated Nationals and Blocked Person at <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>
 4. Applicable State Exclusions Lists
- F. Documentation to support employee, subcontractor and provider screenings against the OIG listing and GSA listing prior to hire (contracting) and monthly thereafter will be maintained for a minimum of 10 years in accordance with the DSM Record Retention Schedule.

Revision History

Date:	Description
5/11/2016	Updates based on annual review.
4/26/2017	Updates based on annual review.
2/27/2018	Conversion to revised policy and procedure format and naming convention.
8/28/2018	Updates based on client audit.
11/12/2018	Corporate Compliance Committee approval

05/29/2020	ADS Compliance Committee approval
06/09/2021	Updates based on annual review.
10/05/2021	Updates based on annual review.