



# Department of Behavioral Health

PPG 1.3.1 V#: 1

**Section:** DBH Policies & Procedures, Plan Administration  
**Effective Date:** 11/28/2016  
**Policy Title:** Screening for Ineligible Persons - County Employees/Contract Providers

Approved by: Betty Brown (Division Manager), Dawan Utecht (Director of Behavioral Health), Elizabeth Vasquez (Compliance Officer)

**POLICY:** Prior to employment, upon transfer or promotion to a position in the Department of Behavioral Health (DBH) with responsibilities as identified herein, and on a monthly basis (by the 15th of each month), all employees with responsibilities pertaining to the ordering, provision, coding or billing of mental health services payable by a Federal health care program must be screened to verify that they are not an Ineligible Person. This policy applies to all current, new hires or transfers, permanent and extra-help employees.

**PURPOSE:** To comply with the Office of Inspector General's (OIG) regulations that do not permit individuals sanctioned by the OIG to work in health care positions or programs that are Federally-funded, and to safeguard the DBH against Medi-Cal suspension resulting from entities submitting claims for services rendered by a health care provider suspended from Medi-Cal or excluded from Medicare or Medicaid by the OIG.

**REFERENCE:** W&I Code, Section 14043.61(a) 42 U.S.C. §§ 1320a-7(a), 1320a-7(b)(1)-(3)

**DEFINITIONS:** Ineligible Person - An individual or entity who: 1) is currently excluded, debarred, suspended, or otherwise ineligible to participate in the Federal health care programs or in Federal procurement or non-procurement programs; or 2) has been convicted of a criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a), but has not yet been excluded, debarred, suspended, or otherwise declared ineligible.

**Exclusion Lists:**

1. OIG List of Excluded Individuals/Entities (LEIE) as determined by on-line verification at <http://exclusions.oig.hhs.gov/>

**MISSION STATEMENT**

The Department of Behavioral Health is dedicated to supporting the wellness of individuals, families and communities in Fresno County who are affected by, or are at risk of, mental illness and/or substance use disorders through cultivation of strengths toward promoting recovery in the least restrictive environment.

Template Review Date 3/28/16

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2. General Services Administration's List of Parties Excluded from Federal Programs – Excluded Parties List System (EPLS) as determined by on-line verification at <https://sam.gov>.
3. Medi-Cal Suspended and Ineligible Provider List (MSIL) as verified by the applicable licensure or billing entity as found at <http://files.medi-cal.ca.gov/pubsdoco/SandILanding.asp>

**PROCEDURE:**

	Screening for Ineligible Persons	Timing	Responsible Party
I.	<p>Prospective Fresno County DBH Employees (both licensed and unlicensed) are screened against:</p> <ul style="list-style-type: none"> <li>• OIG List of Excluded Individuals/Entities (LEIE) <a href="http://exclusions.oig.hhs.gov/">http://exclusions.oig.hhs.gov/</a> and the General Services</li> <li>• Administration's List of Parties Excluded from Federal Programs – Excluded Parties List System (EPLS) <a href="https://sam.gov">https://sam.gov</a> and</li> <li>• California State site <a href="#">MSIL</a> to ensure compliance with OIG's regulations that does not permit individuals sanctioned by the OIG or the State of California to work in health care positions or programs that are Federally –funded.</li> </ul>	Once a job (pertaining to ordering, provision, coding or billing of mental health services payable by a Federal health care program) has been offered but prior to employment	Fresno County Personnel (HR)
II.	Updated list of individual and group contract providers will be provided to DBH ISD.	<i>Timing:</i> Monthly, Between the 1 <sup>st</sup> and 5 <sup>th</sup> of each month	<i>Responsible Party:</i> Managed Care designated staff
III.	Updated DBH roster file will be run against the most Current Excluded Persons lists (LEIE, EPLS and MSIL) they both will be uploaded into the Ineligible Persons Screening Tool. Create a folder by month and year to store the list in the 5630 P drive.	<i>Timing:</i> Monthly, Between the 6 <sup>th</sup> and the 10 <sup>th</sup> of each month.	<i>Responsible Party:</i> DBH ISD designated staff
IV.	Lists of Excluded individuals will be cross referenced (systematically) against Fresno County	<i>Timing:</i> Monthly	<i>Responsible Party:</i> Managed Care and

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	<p>DBH Personnel and Individual/group contract providers (including aliases) to determine matching names.</p>	<p>11<sup>th</sup> – 15<sup>th</sup></p>	<p>Personnel designated staff (with proper security access to the Tool)</p>
<p>V.</p>	<p>If an individual’s name appears on the LEIE, EPLS and/or MSIL, verify that the name on the exclusion list is, in fact, the individual being searched. This can be done by verifying other information specific to the individual (e.g., date of birth (DOB), address, social security number (SSN), tax identification number, unique physician identification number (UPIN), national provider identifier (NPI), employment identification number (EIN)) is also a match.</p> <p>1) LEIE: Search results on the LEIE may include the individuals DOB, UPIN, NPI, and address. It also includes a function through which an individual’s SSN or EIN can be verified. Use this information to conclude whether the name on the excluded list is the individual being searched. If a search result does not contain a DOB, UPIN, NPI, or SSN, it is not available from the OIG. In this case, contact the Exclusions Staff to determine if there is any other information available by clicking the following list.  <a href="#">LEIE Contact Information</a></p> <p>2) EPLS: Search results on the EPLS include a function through which an individual’s</p>	<p><i>Timing:</i> Monthly</p>	<p><i>Responsible Party:</i>                  Managed Care designated staff and Personnel</p>

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	<p>address can be verified. Use this information to help determine whether the name on the excluded list is the individual being searched. If further verification is needed beyond what the record information provides, contact the federal agency that took the action against the listed employee. Agency point of contact names and telephone numbers are available by clicking the following link:  <a href="http://Sam.gov">Sam.gov</a></p> <p>3) MSIL: Individuals information on the MSIL site include the individuals Name, Alias, Address(es), License Number and Provider Number. These components can be used to help determine whether the name on the excluded list is the individual being searched. If further verification is needed beyond what the site information provides, contact the State agency that took the action against the listed employee. Agency points of contacts names and telephone numbers are available by clicking the Medical Suspended and Ineligible provider list by clicking the link below:  <a href="#">MSIL</a></p>		
<p>VI.</p>	<p>1) Removal Requirement:                  2) If an employee is an Ineligible Person, the Compliance Officer will work with the Department Head to immediately remove such person from responsibility for, or involvement with business operations related to Federal health care programs and shall</p>		<p><i>Responsible Party:</i>                  Compliance Officer,                  Department Head,                  Managed Care and                  Personnel                  designated staff</p>

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	<p>remove such person from any position for which the person's compensation or services furnished, ordered or prescribed by the person are paid in whole or part, directly or indirectly by Federal health care programs or otherwise with Federal funds at least until such time as the person is reinstated into participation in the Federal health care programs.</p> <p>3) Documentation: All findings must be documented, including the following:</p> <p>4) Name of the searched individual, including the searched variations.</p> <p>5) Date on which the screening was conducted.</p> <p>6) Names of the exclusion lists and any other databases searched.</p> <p>7) Dates on which the searched databases were last updated.</p> <p>8) Indication of whether the individual is excluded.</p> <p>9) Name of the individual who conducted the search.</p>		
VII.	Documentation will be maintained for a minimum of ten (10) years and should include printed screenshots verifying the results of potential name matches.		<i>Responsible Party:</i> Managed Care and Personnel designated staff
VIII.	<p>Pending Charges and Proposed Exclusions:</p> <p>If an employee is charged with a criminal offense that falls within the ambit of 42 U.S.C. §§ 1320a-7(a), 1320a-7(b)(1)-(3), or is proposed for exclusion during his/her employment or contract term, Fresno County shall take all appropriate actions to ensure that the responsibilities of that person have</p>		<i>Responsible Party:</i> Compliance Officer, Department Head and Personnel

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	not and shall not adversely affect the quality of care rendered by any beneficiary, patient, or resident, or the accuracy of any claims submitted to any Federal health care program.		
IX.	<p>Refund of Reimbursements:</p> <p>For any Ineligible Person, the Compliance Officer will determine if Fresno County received any reimbursement for services during the Ineligible Person's exclusion period and refund any payments within the timelines established by the OIG's Provider Self-Disclosure Protocol.</p>		<i>Responsible Party:</i> Compliance Officer and Business Office
X.	<p>Monitoring:</p> <p>On a periodic basis, the Compliance Office will do Quality Assurance reviews of the Ineligible Persons screening process. This will provide evidence and assurance that DBH is performing these screening as required.</p>		<i>Responsible Party:</i> Compliance Officer
XI.	<p>Policy Change:</p> <p>Any change to this policy must be approved by the Mental Health Compliance Committee.</p>		