

Our Lady of Lourdes Health Care Services, Inc. and Affiliates
Administrative and General Policy

POLICY NUMBER: AS0036CCP
NURSING CODE: _____
PAGE NUMBER: 1 of 7

TITLE: Prohibition Against Contracting with Sanctioned Individuals or
Companies Policy and Procedure

ACCOUNTABILITY:

President and Chief Executive Officer

OBJECTIVES:

RELATION TO MISSION:

Our Lady of Lourdes Health Care Services, Inc. (OLLHCS, Inc.) , a Catholic Health System – a member of Catholic Health East – dedicated to its Franciscan Tradition of serving all, will demonstrate the value of **Stewardship** by establishing and maintaining an internal review system dedicated to ensuring that OLLHCS, Inc. does not employ or contract with any sanctioned individuals or entities.

RELATION TO OPERATION:

To ensure compliance with Federal and State regulations, OLLHCS, Inc. will hereby set forth a policy and procedure to monitor the various lists of sanctioned individuals and entities.

I. POLICY

- 1) No OLLHCS, Inc. facility, including hospitals, physician practices and affiliates may contract with any individual or entity that is sanctioned. The purpose of this policy is to design an internal review system that provides for the identification of these individuals/entities and establishes the appropriate procedures for addressing such individuals/entities should OLLHCS, Inc. currently contract with any such party.
- 2) The OIG has stipulated that any health care organization employing or maintaining a relationship with a sanctioned individual/entity will be excluded from participation in Medicare, Medicaid or other Federal health care programs. As participation in these federally funded health care programs is essential to the financial health of our health

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system, it is imperative that OLLHCS, Inc. develop procedures to identify these individuals/entities.

3) Definitions (for purposes of this policy)

a) Sanctioned Individual/Entity

- (i) an individual/entity who is currently excluded, suspended, debarred or otherwise ineligible to participate in Federal or State health care programs; or
- (ii) has been convicted of a criminal offense related to the provision of health care items or services and has not been reinstated in the Federal or State health care programs after a period of exclusion, suspension, debarment, or ineligibility.

b) Sanctioned Lists

- (i) OLLHCS, Inc. currently checks the following lists:
 - (a) The System for Award Management (SAM)the HHS/OIG List of Excluded Individuals/Entities (the “OIG Sanction Report”).
 - (b) The U.S Treasury Departments – Office of Foreign Assets Control – Specially Designated National and Blocked Persons (the U.S. Treasury – SDN Blocked Persons list), and the
 - (c) State of New Jersey’s Consolidated Debarment report
 - (d) Federal Drug Administration List For Clinical Investigators
 - (e) These lists and reports can be found on the Internet in searchable formats at, respectively:

<https://www.sam.gov/>

<http://exclusions.oig.hhs.gov/>

<http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>

<http://www.state.nj.us/treasury/debarred/index.html>

<http://www.fda.gov/ICECI/EnforcementActions/ucm321308.htm>

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- 4) Additionally, pending the resolution of any criminal charges or proposed debarment or exclusion of which we become aware, individuals and entities with whom OLLHCS, Inc. currently contracts who are charged with criminal offenses related to health care, or proposed for debarment or exclusion, must be removed from direct responsibility for, or involvement in, any federally-funded health care program. If resolution results in conviction, debarment or exclusion of the individual or company, OLLHCS, Inc. must immediately cease contracting with that individual or company.

II. DEFINITIONS:

“Federal health care programs” include, but are not limited to:

1. Medicare Programs, Parts A-D (Title XVIII of the Social Security Act)
2. Medicaid, (Title XIX of the Social Security Act)
3. Federal Employees Health Benefit Plan
4. Federal prison hospitals
5. Indian Health Service
6. OWCP (Worker’s compensation for federal employees)
7. Public Health Service
8. Railroad Retirement Board
9. State Children’s Health Insurance Program (CHIP)
10. State Legal Immigrant Impact Assistance Grants
11. The Black Lung program
12. TRICARE/CHAMPUS/Department of Defense health care programs (Chapter 55 of Title 10 of the United States Code)
13. Veterans Administration
14. Health benefit plan under Section 5(e) of the Peace Corps Act
15. Programs funded by Maternal and Child Health block grants (Title V of the Social Security Act); and
16. Programs funded by Social Services block grants (Title XX of the Social Security Act).

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“State health care programs” include, but are not limited to Medicaid.

III. PROCEDURE:

1. USE OF SanctionCheck SOFTWARE

- a. OLLHCS, Inc. uses a web-based software program entitled “SanctionCheck” from Compliance Concepts, Inc. This Web-based software shall allow Lourdes to determine if an individual/entity is on any of the sanction lists. The operational procedure to use the system is as follows::

1. In the browser, address bar type

<https://app.sanctioncheck.com/Scripts/logon.asp>

and press enter.

2. From the Login box on the left, type your User Name and Password, and click *Login*.
3. You are now on the main screen of the SanctionCheck.com website. Located to the left of the screen is the main navigation menu.
4. For individual searches – From the web site’s main menu, click *Single Search*. The screen will then change to the individual search screen allowing you to enter the required information.
5. Type the name of the individual in this order: Last name, First name. (Be sure to include a space after the comma.) For best results, omit the period after the middle initial and omitting titles such as Jr., Sr., or Dr.
6. Click the down arrow for *Search Type* and select *Employee* or *vendor* from the list.
7. Click the next box for 5 results
8. Click *Select All* for the “Select Data Sources” box.
9. Click *Search*.
10. The resulting screen displays whether the name you searched has been sanctioned by any of the sanctioning agencies.

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11. For more information on the identified person(s), click the name. A more detailed view of the individual(s) information will be shown.
12. If that individual/entity is on any of the reports, send a copy of this report to the Vice President of Compliance & Privacy Officer who will investigate further to determine if this individual/entity is truly on either list.
13. If it is determined that the individual/entity is truly on any of the listings then that individual cannot be employed or if a vendor, their services cannot be used at OLLHCS, Inc. The Ethics Department will inform the specific department of his/her findings.
14. Retain copies in your individual department of all individuals/entities tested for a period of three years.

2. VERIFICATION OF POTENTIAL ASSOCIATES (NON-PHYSICIAN):

The Human Resources Department (HR) will be responsible for verifying that all potential associates are not included on the above named sanctioned lists prior to offering employment to any individual. HR uses the services of a vendor to perform this task.

Leaders who hire temporary help from an agency must adhere to the rules found in the Temporary Help (ASO501PER) policy. Per those rules, the agencies must perform the same due diligence in checking for sanctioned individuals. This requirement must be included in OLLHCS, Inc.'s contract with the agency.

3. VERIFICATION OF POTENTIAL VENDORS

Catholic Health East will be responsible for verifying that all potential vendors are not included on the above named sanctioned lists before entering into business relationships with any individual/entity.

4. VERIFICATION OF MEMBERS OF THE MEDICAL STAFF

The Medical Affairs Department will be responsible for verifying that all physicians (including interns and residents) seeking to be members of the Medical Staff are not included on the above named sanctioned lists before allowing them to practice medicine at OLLHCS, Inc. prior to their appointment process.

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5. VERIFICATION OF POTENTIAL STUDENTS OF THE SCHOOL OF NURSING

The Ethics Department will be responsible for verifying that all potential nursing students are not included on the above named sanctioned lists before allowing the students to enroll in the School of Nursing. The School of Nursing is responsible for sending a complete and accurate list of all potential students to the Ethics Department when needed.

6. VERIFICATION OF POTENTIAL STUDENTS FROM ALL OTHER SCHOOLS

See policy AS0033ADM – Educational Affiliations.

Home institutions shall sanction check their students prior to the students' arrivals at any Lourdes facility. If a school lacks the capacity to verify each student against all four sanction lists, then the school must submit the list of students to the Ethics Department. The Ethics Department will then sanction check each student.

7. VERIFICATION OF BOARD MEMBERS

The Governance Coordinator shall verify that all potential Board members are not included on the above named sanction lists prior to Board appointment. The Governance Coordinator shall immediately report any "match" to the CEO/President and the Ethics Department. Board appointments cannot begin until clearance is obtained.

8. VERIFICATION OF VOLUNTEERS

The Volunteer Departmental Director shall verify that all potential volunteers are not included on the above named sanction lists prior to the volunteers' arrivals at any Lourdes facility. A volunteer shall not begin volunteering until the obtainment of such clearance.

9. VERIFICATION OF MEDICAL STUDENTS

The CME coordinator will supply the names of potential medical students, residents, and interns to the Ethics Department. The Ethics Department will verify these names using the SanctionCheck software. Students are not permitted to rotate to LHS until clearance is obtained.

10. EXISTING PHYSICIANS, ASSOCIATES, STUDENTS AND VENDORS

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As of the date of the original signing of this policy, the Ethics Department did verify, via the SanctionCheck software, that each existing physician, associate, student, vendor, and others were not included on the above named sanction lists.

11. MONTHLY VERIFICATION OF EXISTING STAFF

The Ethics Department performs a Sanction Check monthly on all associates, medical staff, volunteers and Board Members. Adjunctive to this process, Human Resources performs a monthly licensure verification process.

APPROVED BY: _____
Alexander J. Hatala, President and Chief Executive Officer

ORIGINAL & REVISION DATE(s): 8/01/01, 08/25/04;
08/31/07; 05/03/11

NEW EFFECTIVE DATE: 03/25/14

REQUIRES REAUTHORIZATION IN: 03/31/17

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