

**UPDATED ONLY FOR LOGO AND BRANDING****Provider Notice**

**To: All PerformCare Network Providers**  
**From: Sheryl M. Swanson, MBA VP, Provider Network Operations**  
**Date: October 25, 2011**  
**Subject: AD 11 115 MA Bulletin 99-11-05 Titled, "Provider Screening of Employees and Contractors for Exclusion from Participation in Federal Health Care Programs and the Effect of Exclusion on Participation"**

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In order to insure compliance per requirements from The Department of Health and Human Services' Office of Inspector General (HHS-OIG), OMHSAS released Medical Assistance (MA) Bulletin 99-11-05 titled, "Provider Screening of Employees and Contractors for Exclusion from Participation in Federal Health Care Programs and the Effect of Exclusion on Participation."

The Bulletin serves as a reminder to all providers and sets new parameters for certain activities. There are three sources that must be checked for **all** employees and contractors at varying intervals. A contractor is an entity you contract with directly to perform a service. In other words, any entity that receives income, direct or indirectly, is obligated to comply with this Bulletin. While providers should be familiar with Medichex and LEIE, many of you may not be familiar with the EPLS. The links to lists and detailed explanation of each are included below.

- ***Pennsylvania Medichex List:*** Medichex is an on-line data base maintained by the DPW that identifies providers, individuals, and other entities that are precluded from participation in Pennsylvania's Medical Assistance Program. It is necessary to examine the Medichex list to assure that an order for a service or individuals who are no longer permitted to participate in the MA Program do not initiate a prescription. Under applicable law, the DPW and HealthChoices managed care organizations will not pay for any services prescribed, ordered, or rendered by the providers or individuals listed on the Medichex List, including services performed in an inpatient hospital or long-term care setting. In addition, subsequent to the effective date of the termination or preclusion, any entity of which five percent (5%) or more is owned by a sanctioned provider or individual will not be reimbursed for any items or services rendered to MA recipients. The link is provided below:  
[http://www.dpw.state.pa.us/learnaboutdpw/fraudandabuse/medichexprecludedproviderslist/S\\_001152](http://www.dpw.state.pa.us/learnaboutdpw/fraudandabuse/medichexprecludedproviderslist/S_001152).

- **List of Excluded Individuals/Entities (LEIE):** LEIE is a data base maintained by Health and Human Services Office of Inspector General (HHS-OIG) that identifies individuals or entities that have been excluded nationwide from participation in any federal health care program. Pursuant to federal and state law, an individual or entity included on the LEIE is ineligible to participate, either directly or indirectly, in the MA Program. Although the Department makes best efforts to include on the Medicare List all federally excluded individuals/entities that practice in Pennsylvania, providers must also use the LEIE to ensure that the individual/entity is eligible to participate in the MA Program. The LEIE can be searched and downloaded from the OIG's web site at <http://oig.hhs.gov/fraud/exclusions.asp>.
- **Excluded Parties List System (EPLS):** The EPLS is a world wide data base maintained by the General Services Administration (GSA) that provides information about parties that are excluded from receiving Federal contracts, certain subcontracts, and certain Federal financial and nonfinancial assistance and benefits. Whereas the LEIE contains only exclusion actions taken by the HHS-OIG, the EPLS contains debarment actions taken by various Federal agencies, including exclusion actions taken by the HHS-OIG. The EPLS may be accessed at: <http://epls.arnet.gov>

#### **When Should the Lists Be Checked?**

- All 3 lists are to be checked prior to hiring an employee or contractor;
- All 3 lists are to be checked monthly for every employee or contractor (newly hired and current employees/contractors);
- All 3 lists are to be checked because one might contain information that the others don't.

#### **Should the Lists Be Checked For All Employees?**

Yes, the list should be checked for all employees and positions from executive management to housekeeping. In addition, any contractor that receives remuneration for a service provided to the agency is required to be screened. As stated above, "Pursuant to federal and state law, an individual or entity included on the LEIE is ineligible to participate, either directly or indirectly, in the MA Program."

#### **Should I Document that I Completed the Checks?**

Yes, maintain documentation of screening efforts, including dates the screenings were performed and the source data checked and its date of most recent update.

#### **What do I do If I Find I have An Employee on One of the Lists?**

Immediately self report any discovered exclusion of an employee or contractor to BPI and to PerformCare. You can report to BPI Via e-mail through the MA Provider Compliance form at the following link:

<http://www.dpw.state.pa.us/learnaboutdpw/fraudandabuse/maprovidercompliancehotlineresponseform/index.htm>. Or directly at

Bureau of Program Integrity  
Commonwealth of Pennsylvania  
P.O. Box 2675  
Harrisburg, PA 17105-2675  
fax at: 1-717-772-4655 or 1-717-772-4638

In addition to the mandatory reporting, it is highly recommended that your agency develop personnel policies pertaining to the discovery of an employee on the exclusion lists.

PerformCare provides a toll free access line 24 hours a day, 7 days a week to ensure the immediacy of Provider reporting of suspected fraud and abuse. Providers may use the Provider Line (**1-888-700-7370**) to initiate any reports. **Please review the Bulletin closely and consult with legal counsel, as you deem appropriate. Feel free to contact your Provider Relations Representative at 1-888-700-7370 with any questions or concerns.**