



Department: COMPLIANCE	Version #: 5
Title: OIG/GSA Exclusion List Screenings	
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Document Type: Policy	Approver(s): Policy Review Committee
References: 42 C.F.R. §§ 422.503(b)(4)(vi)(F), 422.752(a)(8), 423.504(b)(4)(vi)(F), 42 CFR 423.752(a)(6), Medicare Managed Care Manual, Chapter 21, Section 50.6.8; Social Security Act 1128	Date Approved: 9/28/2021

Printed copies are for reference only. Please refer to the S/Policies_and_Work_Instructions for the most recent version.

Purpose: The purpose of this policy is to document ATRIO’s compliance with Centers for Medicare and Medicaid Services (CMS) requirements for exclusion screenings.

Summary: CMS sets forth, and ATRIO is required to follow, the specific requirements and timelines related to exclusion screening.

Scope: This policy applies to all ATRIO Employees, ATRIO’s Board of Directors, and First Tier, Downstream and Related Entities.

Definitions:

Board of Directors: the group of individuals elected by the shareholders to manage and control the business and affairs of ATRIO.

Employee: any full-time employees, part-time employees, temporary employees, and volunteers employed by ATRIO or Atrio Holding Company, and Independent Contractors.

Excluded Party(ies) : An entity or individual that is excluded from federal health care programs by the Department of Health and Human Services (DHHS) Office of the Inspector General (OIG) or General Services Administration.

FDR: First Tier, Downstream, or Related Entity.

- a. **First Tier Entity:** Any party that enters into a written arrangement, acceptable to CMS, with ATRIO to provide administrative services or health care services to an enrollee in ATRIO’s Medicare Advantage plans.

- b. **Downstream Entity:** Any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with the MA benefit or Part D benefit, below the level of the arrangement between ATRIO and a First Tier Entity. These written arrangements continue down to the level of the ultimate provider of both health and administrative services.
- c. **Related Entity:** Any entity that is related to ATRIO by common ownership or control and:
 - i. performs some of ATRIO's management functions under contract or delegation;
 - ii. furnishes services to Medicare enrollees under an oral or written agreement; or
 - iii. leases real property or sells materials to ATRIO at a cost of more than \$2,500 during a contract period

GSA Exclusion List: The General Services Administration (GSA) maintains a sanction list known as the Excluded Parties List System (EPLS). This list provides a single comprehensive list of individuals and firms that are excluded by Federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and nonfinancial assistance and benefits. This list is also known as the SAM exclusion list due to its online location, the GSA's Systems for Awards Management (SAM) website. For the purposes of this policy, this exclusion list will be referred to as the GSA Exclusion List.

OIG Exclusion List: The Office of the Inspector General (OIG) established a program to exclude individuals and entities who have been found to have violated federal law and/or regulations.

The OIG has been granted a number of legal authorities under the Social Security Act to affect sanctions and maintains a List of Excluded Individuals and Entities (LEIE). The effect of an OIG exclusion from Federal health care programs is that no Federal health care program payment may be made for any items or services (1) furnished by an excluded individual or entity, or (2) directed or prescribed by an excluded physician (42 CFR 1001.1901). For the purposes of this policy, this exclusion list will be referred to as the OIG Exclusion List.

Policy:

ATRIO screens all Employees, members of the Board of Directors, and FDRs prior to hiring or contracting, and monthly thereafter against the OIG and GSA Exclusion Lists.

ATRIO is prohibited from hiring, appointing, or contracting with any Excluded Party identified by DHHS OIG or GSA Exclusion Lists.

ATRIO screens all Employees, members of the Board of Directors and FDRs monthly, after hire, appointment or contracting to ensure they have not become an Excluded Party.

ATRIO requires all FDRs to follow CMS guidelines for screening the OIG and GSA Exclusion Lists to identify Excluded Parties.

Procedure: This policy is carried out by utilizing the following:

- Designated Compliance department employee who manages, tracks, and monitors, required Exclusion List screening activities.
- Designated Compliance Department employee who provides FDRs with instructions and resource information for screening individuals and entities within 90 days of hire and annually thereafter.
- Use of online exclusion screening software which facilitates and saves records of ad hoc exclusion screenings and automatically performs and saves records of monthly exclusion screenings.
- Exclusion screening requirements are monitored and evidence of such is retained on ATRIO's Shared Drive, as well as within the online Exclusion Screening Software.

Resources

WI_Compliance OIG & GSA Initial Screening