



Ineligible Persons Procedure

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Purpose To describe the required sanction screening actions and specify the various areas of responsibility in adherence with Title 42 Code of Federal Regulations (CFR), Parts 1001 and 1002, Executive Order 12549, and other applicable laws.

Required Actions In order to ensure DBH is complying with federal and state requirements for sanction screening, it must complete sanction screening by reviewing the following ineligible persons lists:

- List of Excluded Individuals/Entities (LEIE)
- Medi-Cal Suspended and Ineligible (S&I) Provider List
- System for Award Management (SAM)

The following table describes responsible parties and required action(s):

Responsible Party	Required Action
DBH Human Resources	<ul style="list-style-type: none"> • Conduct sanction screening (LEIE and SAM) for prospective DBH employees prior to making a job offer.
DBH Office of Compliance (Compliance)	<ul style="list-style-type: none"> • Conduct sanction screening (Medi-Cal S&I Provider List) for prospective DBH employees prior to hire. • Conduct monthly sanction screening (LEIE, Medi-Cal S&I Provider List and SAM) for existing DBH employees, contract agencies, Fee-For-Service Providers, residents, interns and volunteers. • Maintain a complete record of each sanction screening conducted, including a signed Sanction Screening Attestation, documenting the completion of each sanction screening.

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Ineligible Persons Procedure, Continued

Required
Actions,
continued

Responsible Party	Required Action
DBH Office of Compliance (Compliance), continued	<ul style="list-style-type: none"> • Audit contract agencies for compliance with sanction screening requirements, prior to contract signing/approval and during contract monitoring to ensure contractors are verifying eligibility prior to hire and monthly. Monitoring shall include: <ul style="list-style-type: none"> ○ Inquiring about exclusion process and records maintenance. ○ Reviewing listing of DBH funded employees. ○ Confirming exclusion checks have been completed prior to hire and monthly for DBH funded employees. ○ Reviewing exclusion policy and procedure. • Immediately respond to HR, Contracts, Quality Management, etc., to confirm if an applicant, vendor or contract agency is ineligible to work or contract with DBH. • If an applicant, vendor or contract agency is ineligible, DBH Compliance shall immediately notify the DBH program that the person or entity cannot work or contract with DBH. • If an individual/entity is deemed excluded/ineligible, notify DBH Fiscal of any ineligible provider or contract to hold funds until eligibility is reinstated, or the monies are repaid. • Required notification to DHCS Provider Enrollment Division will occur within two (2) business days of discovery, as required. • If discovery is after services have been rendered, claimed and reimbursed, Compliance will coordinate with DBH Fiscal necessary repayment within sixty (60) day required timeframe.
DBH Contracts Unit Staff	<ul style="list-style-type: none"> • Provide DBH Compliance with name of contract agency to complete sanction screening prior to awarding or renewing a contract, as well as proof of sanction screenings for all potential contractor staff prior to contract approval.

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Ineligible Persons Procedure, Continued

Required
Actions,
continued

Responsible Party	Required Action
DBH Quality Management	<ul style="list-style-type: none"> • Contact DBH Compliance with name of Fee-For-Service provider and/or DBH funded staff so that a sanction screening can be completed prior to certifying or re-certifying as a Medi-Cal provider, every three (3) years or at recertification.
DBH Contract Agencies	<ul style="list-style-type: none"> • Sign Attestation Regarding Ineligible/Excluded Persons, describing the prohibition of contractor or contractor staff from participation in state or federally funded programs if deemed ineligible/excluded on any of the required databases as well as screening requirements, upon proposal to provide contract services, at contract signing and annually thereafter. <ul style="list-style-type: none"> ○ Submit signed Attestations to DBH Compliance annually. • Conduct sanction screening of potential candidates prior to hiring. • Conduct monthly sanction screening of existing agency staff. • Maintain a complete record of each sanction screening conducted. • Provide access to the complete record of each sanction screening conducted, and the signed Attestation Regarding Ineligible/Excluded Persons to requesting DBH program for various reasons, including, but not limited to, the following: <ul style="list-style-type: none"> ○ Initial certification of provider site ○ Re-certification of provider site ○ Contract monitoring

Related Policy
or Procedure

[DBH Departmental Forms and Standard Practice Manual:](#)

- Ineligible Persons Policy (COM0933)
- Compliance verification, Auditing and Monitoring Policy (COM0917)

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- Reference(s)
- California Department of Health Care Services Specialty, Mental Health Contract (Current Agreement)
 - California Department of Health Care Services. (2010). *Mental Health Letter 10-05*
 - Code of Federal Regulations, Title 42, Section 455.410-455.470
 - Code of Federal Regulations, Title 42, Sections 1001 and 1002
 - Executive Order 12549, Debarment and Suspension (1986).
 - Revenue Agreement with State of California for the Substance Use Disorder Services Drug Medi-Cal Organized Service Delivery System (Current Agreement)
 - Social Security Act, Sections 1128, 1128(a) and 1156
 - U.S. Department of Health Care Services, Medi-Cal. (2017). *Medi-Cal Suspended and Ineligible Provider List*
 - U.S. Department of Health and Human Services - Office of Inspector General. (2017). *List of Excluded Individuals/Entities*
 - U.S. Department of Health and Human Services - Office of Inspector General. Special Advisory Bulletin on the Effect of Exclusion from Participation in Federal Health Care Programs. May 8, 2013
 - United States Code, Title 42, Section 1320a-7
Welfare and Institutions Code, Sections 14043.61 and 14123
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