



means a temporary or permanent sanction, restriction, and/or debarment from a Federal Health Care Program or government contract, grant, or award program.

refers to the federal and state sanction list(s) that identify excluded, sanctioned, restricted, or debarred individuals or entities (i.e., Ineligible Person). In addition to the Exclusions Lists referenced below, NYU Langone Health screens against other international, federal, and state level exclusion and disciplinary lists as deemed appropriate. Examples of Exclusion Lists include, but are not limited to:

- HHS Office of Inspector General’s (“OIG”) List of Excluded Individuals and Entities
- General Services Administration (GSA) System for Award Management (“SAM”)
- New York State Office of the Medicaid Inspector General’s (“NYS OMIG”) List of Restricted, Terminated or Excluded Individuals and Entities

includes NYU Langone Health System, NYU Langone Hospitals (including all inpatient and ambulatory facilities), NYU Grossman School of Medicine, NYU Grossman Long Island School of Medicine, and all entities that are controlled by any of them, except where specifically excluded. This Policy has also been adopted by the Family Health Centers at NYU Langone (the “FHC”); therefore, for the purposes of this Policy, “NYU Langone Health” also includes the FHC and any entity controlled by it, except where specifically excluded.

refers to all external providers who have the ability to place orders for patients, which are completed at NYU Langone Health. Ordering Providers are not members of the NYU Langone Health community for purposes of this Policy.

means vendors, contractors, consultants, sponsored individuals, or agents of NYU Langone Health, and other external parties with which NYU Langone Health does business. Vendors are not members of the NYU Langone Health community for purposes of this Policy.

V. Policy

Federal Health Care Program or government contract, grant, or award program, such person must disclose such fact to

uses a third party vendor to perform Exclusion screenings prior to the start date, granting of medical staff privileges, and/or appointment. HR's screening includes social security number traces, county and state criminal and sex offender registry database searches, and comprehensive checks against the Fraud and Abuse Control Information System ("FACIS"). As part of the FACIS (Level 3) screenings, searches are performed against the Office of Foreign Assets Controls ("OFAC"), NYS OMIG, OIG, SAM, Food and Drug Administration ("FDA"), and State Attorney Generals' databases, Medicaid task force content, state level or procurement debarment data, and additional sources from all 50 states.

B. Medical Staff Services ("MSS") Office

MSS is responsible for conducting screenings for prospective NYU Langone Health-compensated physicians, certain allied health professionals (Physician Assistants, Nurse Practitioners, and Certified Registered Nurse Anesthetists), and non-compensated medical staff who will have patient care responsibilities prior to appointment and re-appointment to the medical staff. MSS's screening include checks against the New York State Professional databases to verify licensure, the Office of Professional Misconduct, Medicare and Medicaid Opt-Out Lists, the National Plan and Provider Enumeration System National Provider Identifier Registry ("NPI"), the Drug Enforcement Administration's ("DEA") Diversion Control databases, and the Social Security Death Master File ("SSDMF"). MSS screens these lists directly and utilizes IACERM's third party vendor for the SSDMF check. MSS's screening is in addition to any applicable HR

VIII.

B. Post-Association

- 1) In the event any individual is identified and confirmed as an Ineligible Person, IACERM, the appropriate department(s), and/or leadership will work promptly to terminate the employment, medical staff privileges, appointment, or other association with NYU Langone Health of such Ineligible Person.

Specifically,

B. Record Retention. Documentation related to initial, ongoing, or ad hoc Exclusion screenings for NYU Langone Health, Vendors, and Ordering Providers must be maintained by the applicable screening department (e.g., Human Resources and IACERM) in accordance with applicable law, NYU Langone Health’s Record Retention Policy, and any additional requirements of the maintaining department.

XII. Related Policies and Documents

Code of Conduct

Compliance Concerns: Reporting, Investigating and Protection from Retaliation Policy

Corporate Compliance Program

IACERM Exclusion Screening and Investigation Procedure Guidelines

XIII. Legal Authority/References

Exclusion of Certain Individuals and Entities from Participation in Medicare and State Health Care Programs, 42 USC 1320a-7

Executive Order 12549, 51 F.R. 6370, February 18, 1986, Debarment and Suspension Health Care Programs: Fraud and Abuse; Revisions to the Inspector General’s Exclusion Authorities, 42 CFR Parts 1000, 1001, 1002 and 1006

OIG Model Compliance Program Guidance for Hospitals, 63 FR 8987-8998, February 23, 1998

OIG Supplemental Compliance Program Guidance for Hospitals, 70 FR 4858-4875, January 31, 2005

OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement), 42 CFR 180, November 15, 2006

Updated Special Advisory Bulletin, “The Effect of Exclusion from Participation in Federal Health Care Programs,” May 2013

XIII. Version History

December 23, 2005	Original Policy
June 18, 2018	Reviewed and Revised
August 1, 2019	Reviewed and Revised
November 27, 2019	Reviewed and Revised
February 7, 2020	Reviewed and Revised
August 10, 2020	Reviewed and Revised

This version supersedes all NYU Langone Health (as defined in this Policy) previous policies, including but not limited to NYU Hospitals Center, New York University School of Medicine, Lutheran Medical Center, and Winthrop University Hospital.