



UNIVERSITY POLICY

Section: 100.2.2

Section Title: Clinical, Compliance, Ethics & Corporate Integrity: Healthcare Compliance Policies

Policy Name: Excluded Individuals and Entities

Formerly Book: 00-01-15-65:00

Approval Authority: RBHS Chancellor

Responsible Executive: Chief University Compliance Officer

Responsible Office: University Ethics and Compliance

Adopted: 11/19/1999

Reviewed: 03/30/2023

Revised: 07/01/2013; 03/30/2023

Contact: University Ethics and Compliance: 973-972-8000 or ethics@uec.rutgers.edu

1. **Policy Statement**

This policy establishes that Rutgers Biomedical and Health Sciences (RBHS) and other Rutgers University schools, units, and departments that bill federal or State programs for healthcare-related goods or services (the "Related Healthcare Entities") shall not employ or otherwise do business with individuals or entities that are listed on the United States Department of Health and Human Services Office of the Inspector General's (HHS-OIG) List of Excluded Individuals and Entities, the State of New Jersey debarment list, the New Jersey Treasurer's exclusion database, or the 45-state Medicaid exclusion list database of Restricted and Excluded Providers; and/or have otherwise been debarred, excluded, suspended, or declared ineligible by any other federal or state agency or program, including the New Jersey Division of Consumer Affairs, New Jersey Department of Health, and the General Services Administration.

2. **Reason for Policy**

To establish a policy governing a Related Healthcare Entity's employment of, and entering into contracts with, individuals or entities that are currently debarred or excluded by any federal and/or state healthcare program or licensing authority.

3. **Who Should Read This Policy**

This policy should be read by employees and independent contractors of schools, units, and departments that are a part of any Related Healthcare Entity. Other employees of University departments that support the on-boarding or provisioning of new Related Healthcare Entity

vendors and/or new Related Healthcare Entity employees, including but not limited to University Human Resources, University Procurement, and Institutional Planning & Operations also should read this policy.

4. **Resources**

[University Policy 100.2.10: Reporting Compliance and Ethics Concerns](#)

[Ownership Disclosure Statement](#)

5. **Definitions**

n/a

6. **The Policy**

In accordance with federal and State law, the Related Healthcare Entities shall not employ or enter into contracts with any individual or entity listed on the HHS-OIG List of Excluded Individuals and Entities, the State of New Jersey debarment list, the New Jersey Treasurer's exclusion database, or the 45-state Medicaid exclusion list database of Restricted and Excluded Providers; and/or that has otherwise been debarred, excluded, suspended, or declared ineligible by any other federal or state agency or program, including the New Jersey Division of Consumer Affairs, New Jersey Department of Health, and the federal General Services Administration (GSA).

I. **Procedure**

- A. Prior to hiring an individual, (including volunteers) at a Related Healthcare Entity, University Human Resources shall verify that the individual does not appear on the HHS-OIG List of Excluded Individuals and Entities, the State of New Jersey debarment list, the New Jersey Treasurer's exclusion database, or the 45-state Medicaid exclusion list database of Restricted and Excluded Providers; and/or has not otherwise been debarred, excluded, suspended or declared ineligible by any other federal or state agency or program, including the New Jersey Division of Consumer Affairs, New Jersey Department of Health and the federal General Services Administration by searching the six (6) databases listed in section 7(B) below.
- B. Prior to entering into any contract with or making any purchase from an individual or entity that provides goods or services to a Related Healthcare Entity, University Procurement Services and other University departments that are authorized to enter into such arrangements shall require that an [Ownership Disclosure Statement \(ODS\)](#) be completed in its entirety, signed by an authorized representative of that individual or entity, and uploaded to the Rutgers Supplier Portal. The completed ODS must attest that the individual or entity is not currently debarred or excluded by any federal and/or state federal health care program or licensing authority. Some exclusion databases may be accessed on the websites below: (Links current as of the effective date of this policy):
 - i. (For HHS-OIG) <https://exclusions.oig.hhs.gov/>
 - ii.(For GSA) <https://www.usa.gov/federal-agencies/general-services-administration>
 - iii.(New Jersey debarment list)
https://www.nj.gov/comptroller/doc/nj_debarment_list.pdf
 - iv.(New Jersey Division of Consumer Affairs)
<http://www.njconsumeraffairs.gov/Pages/verification.aspx>

v.(New Jersey Treasurer's Exclusion database)
[State of New Jersey – New Jersey Treasury - DORES](#)

vi.(New Jersey Department of Health licensure database)
<https://www.nj.gov/health/guide/find-select-provider/>

- C. In order to identify situations in which individuals and entities that provide goods or services to Related Healthcare Entities subsequently become debarred or excluded by any of the federal and/or state federal health care programs or licensing authorities described above, University Ethics and Compliance (UEC) shall employ an outside vendor to perform monthly sanctions screenings, under UEC's direction, regarding every individual and entity currently employed by or contracting to do business with any Related Healthcare Entity.
- D. If an individual or entity is identified as having been excluded or disqualified/debarred, the individual and/or entity cannot continue to be employed by or have any contractual relationship with the Related Healthcare Entity, including the granting of clinical privileges.
- E. If any employee within a Related Healthcare Entity unit has reason to believe that a current employee, person or entity with a current contractual relationship, and/or individual with clinical privileges is an excluded or disqualified/debarred individual or entity, that person or unit shall immediately provide written notification of the particulars to University Ethics and Compliance. University Ethics and Compliance will investigate whether the employee, individual, or entity is on an applicable exclusion or disqualified/debarred list. If it is determined that the individual and/or entity is indeed on an applicable exclusion or disqualified/debarred list, the employment and/or contractual relationship shall be immediately terminated. An employee's failure to notify University Ethics and Compliance in accordance with this policy may result in disciplinary action against that employee, up to and including termination of employment.
- F. If an employee within a Related Healthcare Entity unit learns that they are excluded or debarred, or if an entity the Related Healthcare Entity unit is doing business with is excluded or debarred, the employee must notify their supervisor and University Ethics and Compliance immediately. Failure to do so may result in disciplinary action being taken, up to and including termination of employment.