



Officer of Inspector General Exclusion List – A Refresher

The Office of Inspector General (OIG) Exclusion List does not make many headlines with so many changes happening in the healthcare industry. The Exclusion List, however, remains relevant and healthcare organizations should be aware of the regulations.

The OIG has the authority to exclude individuals and entities from participation in Medicare, Medicaid and other Federal healthcare programs. Once an individual or entity is excluded, Medicare and/or Medicaid will not pay that individual or entity for providing medical services. The law extends beyond direct payments to providers and includes indirect payments such as wages paid to employees or contractors who work with Medicare and/or Medicaid patients. This means that a medical business cannot employ any excluded individuals and continue to accept reimbursements from Medicare and/or Medicaid.

Healthcare entities are expected to periodically check the exclusion status of each individual, entity or contractor employed. The OIG has taken the position that employees and contractors should be screened through federal exclusion databases. For example, the OIG Exclusions Database is posted at the web site: <http://exclusions.oig.hhs.gov>.

It is likely that the OIG would take the position that employers should know if their employees or contractors appear in the Exclusions Database. Healthcare organizations should therefore be performing "exclusion" checks of potential new hires and also periodically check the status of current employees and contractors.

Some reasons for exclusions include conviction of a program related crime, conviction relating to patient abuse or neglect, felony conviction related to healthcare fraud or a felony conviction relating to a controlled substance.

Penalties for employing excluded individuals are severe and could include repayments of amounts received from Federal programs and/or civil money penalties if the provider knew or should have known about the exclusion.

If a group determines that a current employee, vendor or consultant is an excluded individual, the individual should be terminated and the organization should stop billing government payers for any services provided by the excluded individual. Legal counsel should be consulted to determine whether other corrective actions are appropriate or required.

Article by Jeffrey B. Kramer, CPA, CGMA. Jeff manages the Healthcare Advisory Group at Goldstein Schechter Koch. Mr. Kramer can be reached at jeff.kramer@gskadvisors.com or (954) 989-7462.

Best Regards,



Jeffrey B. Kramer, CPA, CGMA
Partner
jeff.kramer@gskadvisors.com
954.989.7462



AUDIT • TAX • ADVISORY

FOLLOW US:
  
gskadvisors.com

Coral Gables, FL
305.442.2200
Ft. Lauderdale, FL
954.989.7462

Boca Raton, FL
561.395.3550



CPAs & CONSULTANTS
WEALTH ADVISORS
GOLDSTEIN SCHECHTER KOCH

GSK Healthcare team provides audit, tax, business valuation, consulting and litigation support services. To find more information on GSK, go to www.gskadvisors.com.

GSK is equipped with an e-mail encryption service that enables our organization to further protect your personal information such as social security, credit card and bank account numbers, from undesirable external parties on the internet. To learn more, [click here](#).