



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 52.11, Sanction Check Process

PURPOSE: The purpose of this Health Sciences Center Operating Policy (HSC OP) is to establish and implement processes to verify whether TTUHSC El Paso Employees, Vendors and/or Contractors are excluded from participation in any federal and/or state health care programs, or debarred from participating in any federal contracts.

REVIEW: This HSC OP will be reviewed by January 15 of each odd numbered year (ONY) by the Assistant Vice President (AVP), Human Resources, the Directors of Purchasing, Contracting, and the Office of Sponsored Programs, the Office of General Counsel, and the Institutional Compliance Officer, with recommendations for revisions forwarded to the Institutional Compliance Committee by March 30.

DEFINITIONS:

These terms shall have the following meaning throughout this Policy.

1. "Employee" is defined as any person employed by TTUHSC El Paso, whether full or part-time, faculty or staff, regular or temporary, including a student employee.
2. "Vendors" means any individual or entity including 1099 vendors that TTUHSC El Paso purchases goods or services through its Purchasing Department.
3. "Contractors" means any individual or entity which TTUHSC El Paso contracts through its Contracting Office to obtain goods or services.
4. "Sanction Lists", for purposes of this policy are:
 - a. The Office of Inspector General List of Excluded Individuals/Entities (LEIE): <https://exclusions.oig.hhs.gov/>
 - b. The System for Award Management (SAM): <https://www.exclusionsscreening.com/oig-exclusion-list-2/>
 - c. The Texas Health and Human Services Commission (HHSC) Medicaid and Title XX Provider Exclusion Data: <https://oig.hhsc.texas.gov/exclusions>
 - d. Any other government exclusion/sanction list necessary to comply with state and/or federal laws.

POLICY/PROCEDURE:

1. Initial Sanction Checks

a. Employees.

- 1) In accordance with [HSCEP OP 70.20, Employment Background Screening Policy](#), prospective employees have background checks conducted as a condition of employment with TTUHSC El Paso. Such background checks include a check of

the Sanction Lists.

- 2) The Human Resources Department shall notify the Institutional Compliance Officer (ICO) before any offer of employment is made to an individual who is listed on any of the Sanction Lists. Any offer of employment will be voidable if an applicant's name is found on any Sanction List.
- b. Contractors. The Contracting Office shall check the Sanction Lists for Contractors. The Contracting Office shall notify the ICO if a proposed contract involves a Contractor who is listed on any of the Sanction Lists.
 - c. Vendors.
 - 1) The Purchasing Department shall check the Sanction Lists before a Vendor is set up in the system and for any orders greater than \$5,000. The Purchasing Department shall notify the ICO if a Vendor is listed on any of the Sanction Lists.
 - 2) A daily run against the Unified State Accounting System Hold List, which includes the Texas HHSC Medicaid and Title XX Provider Exclusion list, is conducted before payment is made on any purchase order (PO). No payment is made on a PO to any vendor identified on the state list until the vendor is removed from the list. Any vendor hold due to a match with the Texas HHSC Medicaid and Title XX Provider Exclusion list shall be referred to the ICO. The ICO shall establish a monthly check process for the federal Sanction Lists not currently contained in the state list.
 - d. Grants and Sponsored Projects. The Office of Sponsored Programs shall check the Sanction Lists for individuals and entities (excluding those TTUHSC El Paso employees, contractors and vendors who are checked as part of the processes outlined above) listed on proposals for external funding prior to the proposal being submitted. At post-award, the Office of Sponsored Programs shall check the sanctions list for subawardees prior to issuing a subaward agreement and each time a subaward agreement is amended.

2. **Routine Sanction Lists Checks**

- a. Monthly. A monthly search of the Sanction Lists shall be conducted by the ICO or his or her designee against all current TTUHSC El Paso faculty and staff, Vendors and Contractors, with the results reported to the respective Directors of each area identified in section 1 above, and the ICO or his or her designee shall include this information in reports to the ICC and in the annual compliance report.

3. **Retention of Sanction Lists Check Results**

Documentation of Sanction Lists checks shall be retained by the originating Department for a period of ten (10) years after the search.

4. **Right to Change Policy.** TTUHSC El Paso reserves the right to interpret, change, modify, amend or rescind this policy in whole, or in part, at any time without the consent of employees.