



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

**HSCEP OP:** 52.11, **Sanction Check Process**

**PURPOSE:** The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP 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 healthcare programs or debarred from participating in any federal contracts.

**REVIEW:** This TTUHSC El Paso OP will be reviewed by January 15 of each odd-numbered year (ONY) by the Vice President (VP) of Human Resources, Purchasing Services, Contracting Services Department, the Office of Research - Sponsored Programs and Research Contracts and Agreements, 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/?AspxAutoDetectCookieSupport=1>
  - b. The [System for Award Management \(SAM\)](#):
  - c. The Texas Health and Human Services Commission (HHSC) Medicaid and Title XX provide [exclusion data](#):
  - 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](#), prospective employees have background checks conducted as a condition of employment with TTUHSC El Paso. Such background checks include Sanction List

verification.

- 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 listed on any of the Sanction Lists.

c. Vendors:

- 1) The Vendor Team shall check the Sanction Lists before a Vendor is set up in the system and for orders greater than \$15,000. The Vendor Team shall notify the ICO if 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 in the state list.

d. Grants and Sponsored Projects: 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 before the proposal being submitted. At post-award, Sponsored Programs shall check the sanctions list for subawardees before issuing a subaward agreement and each time a subaward agreement is amended. Additionally, the Office of Research - Research Contracts and Agreements 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 process outlined above) listed on research agreements prior to uploading the agreement for institutional review.

## **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 the annual compliance report.

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

The originating Department shall retain documentation of Sanction List checks 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, or rescind this policy in whole, or in part, or rescind this policy in whole or in part at any time without the consent of employees.