



LSUHSC-NEW ORLEANS  
OFFICE OF COMPLIANCE PROGRAMS  
EXCLUDED INDIVIDUALS AND ENTITIES POLICY

DATE EFFECTIVE: 6/30/2004  
DATE REVISED: 05/04/2015

## **EXCLUDED INDIVIDUALS AND ENTITIES POLICY**

### **SCOPE**

This policy applies to all faculty, gratis faculty, staff, students, independent contractors and vendors of the Louisiana State University Health Sciences Center – New Orleans (LSUHSC-NO) campus.

### **PURPOSE**

To ensure compliance with all federal and state mandates regarding prohibitions against payment to debarred or otherwise ineligible individuals and entities.

### **POLICY STATEMENT**

All faculty, staff, students or independent contractors, as well as all vendors must be eligible to participate in federally or state funded programs and contract with the federal government. Any persons, organizations or other entities found to be ineligible shall be removed from responsibility for, compensation by, participation in, or involvement with operations related to federally and/or state funded programs as appropriate.

An ineligible person or vendor/contractor is any individual or entity who is currently excluded, debarred, or otherwise ineligible to participate in federally or state funded programs or provide goods and services to federal or state agencies.

It is the responsibility of the Department of Human Resource Management to create and maintain procedures to have all prospective employees sign an attestation to the effect that they are eligible to participate in state and federal programs and be compensated by state or federal funds.

All LSUHSC-NO departments are responsible for addressing existing employees who become ineligible during the term of their employment to ensure that such employees are not compensated with Federal funds; and maintain a record of verification and/or include the following language in their letters offering employment to any prospective employee:

“This offer of employment and your continued employment is contingent on your eligibility to participate in federal and state programs and be compensated by federal and state funds. If it is found prior to the effective date of employment that you are listed on the exclusion list or sanction list of any federal or state agency then this offer of employment is null and void. If, after employment has

commenced, your name appears on the exclusion list or sanction list of any federal or state agency, you may be reassigned or your employment may be terminated.”

It is the responsibility of the Department of Supply Chain Management to ensure that all contractors and vendors have certified that they are eligible to participate in federally or state funded programs as appropriate. They shall create and maintain procedures for addressing existing contractors and vendors who become ineligible during the term of their contract to ensure that such vendors are not compensated with Federal funds and maintain a record of verification and/or corrective actions taken incident to executing these requirements. They shall include the following language in all purchase orders:

“By accepting this purchase order, the seller certifies that neither this business entity nor any of its employees or subcontractors is currently listed as excluded or sanctioned by the Department of Health and Human Services, Office of Inspector General (OIG) the General Services Administration (GSA), Food and Drug Administration (FDA), or any other federal agency or agency of the State of Louisiana. After acceptance, if it is discovered that this business entity or any of its employees or subcontractors appear on any of these listings, this purchase order will be cancelled by the contracting agency immediately. Furthermore, the seller understands that if at any time during the term of this purchase order, the seller or any of its employees or subcontractors appears on any of these listings, the seller must notify the contracting agency, and the purchase order will be terminated immediately. The contracting agency will not be liable for any damages resulting from said termination.”

The Department of Supply Chain Management shall include the following language in all requests for quotes:

“By signing this bid, the bidder certifies that neither this business entity nor any of its employees or subcontractors is currently listed as excluded or sanctioned by the Department of Health and Human Services, Office of Inspector General (OIG), or the General Services Administration (GSA) or any other federal agency or agency of the State of Louisiana. If this business entity or any of its employees appear on any such listing, my bid will be rejected. If at any time during the term of the contract awarded as a result of this invitation to bid, this entity or any of its employees or subcontractors appears on either listing, my company will notify the contracting agency, and the contract will be terminated. The contracting agency will not be liable for any damages resulting from said termination.”

It is the responsibility of all LSUHSC-NO departments to ensure that the above language is included in any purchase transactions they may engage in directly.

It is the responsibility of the OCP to monitor existing employees, students and contractors for eligibility to participate in state and federal programs and test compliance efforts to ensure that Federal Exclusion policies are being followed and effectively administered at LSUHSC-NO. The OCP is also responsible for monitoring Federal Exclusion programs, policies and practices to identify changes in program requirements, initiate corresponding changes to local policies and procedures, and identify opportunities to improve the efficiency or effectiveness of local program efforts.

## **PROCEDURES**

Procedure for addressing excluded (sanctioned) individuals who are existing LSUHSC-NO employees.

1. Check projects where the employee's personnel costs are allocated (both payroll and expenses) to see if those projects may contain federal funds.
2. Notify department head.
3. Notify healthcare providers (HCSD, LSUHN, etc.) of exclusion if necessary.
4. Meet with excluded individual to verify information and explain policy, consequences and options for reassignment, reinstatement, etc.
5. Reassign duties so as not to impact federal or state projects.
6. Re-allocate expenses from federal or state projects to another project as appropriate.
7. Refund monies as necessary.

Procedure for addressing excluded (sanctioned) entities or individuals who are existing LSUHSC-NO contractors.

1. Notify Supply Chain Management.
2. Check projects contractor expenses have been allocated to ensure those projects do not contain federal or state funds.
3. Re-allocate expenses from federal or state projects to another project as appropriate.
4. Refund monies as necessary.