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☒ Policy & Procedure ☐ Process Guideline

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☐ Plan ☐ System Description

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Document Scope: (applies to Policy & Procedure only)

- The requirements herein apply only to the GCBH BH-ASO Central Office and its functions.
- ☒ The requirements herein apply, verbatim, to GCBH BH-ASO and its network providers².
- The requirements herein apply to both GCBH BH-ASO and its network providers². Additionally, network providers must have internal documents outlining their processes for implementing the requirements, insofar as they relate to actions for which network providers are responsible.

PURPOSE: To identify Greater Columbia Behavioral Health, LLC BH-ASO (GCBH BH-ASO) standards and processes associated with ensuring that GCBH BH-ASO has ready access to information necessary for satisfying CFR requirements and responding to requests from the Office of Inspector General, and with conducting the routine Federal Exclusion checks required by contract.

DEFINITIONS

- I. **Contractor:** An agency/organization that is paid in whole or in part with funding provided by the State of Washington, Health Care Authority (HCA), or MCOs to Greater Columbia Behavioral Health for the provision of behavioral health services, or that has an ownership or controlling interest, or other relationship that would benefit it directly or indirectly.
- II. **Exclusion:** An administrative action that bars an individual or entity from participating in, or receiving reimbursements from, federal and state benefit programs.
- III. **List of Excluded Individuals/Entities (LEIE):** Lists of individuals or entities with exclusions, maintained and distributed by federal and state agencies. These lists are commonly available as database downloads.
- IV. **Exclusion Check:** The act of searching List of Excluded Individuals/Entities (LEIE) databases to determine whether an employee or contractor is eligible to participate in, and receive funding from, federal and state programs.
- V. **Individual:** A person whose services/time is compensated in whole or in part with funding provided by the State of Washington, HCA, or MCOs to GCBH BH-ASO for the provision of behavioral health services, or who have an ownership or controlling interest, or other relationship, that would benefit them directly or indirectly.
- VI. **Transaction (100 or 105):** The process by which information is submitted, electronically and in accord with the GCBH BH-ASO Data Dictionary, by GCBH BH-ASO Network Providers to the database managed by the GCBH BH-ASO Central Office.

POLICY

- A. No excluded individual, agency, or entity identified by the Federal government as ineligible to receive Federal funds, may be compensated with monies received from the State of Washington and distributed by GCBH BH-ASO to its Member Governments or other Network Providers for the provision of behavioral health services.
- B. GCBH BH-ASO Network Providers are responsible for checking the LEIE database prior to establishing a relationship with any individual or contractor whose services will be paid, in whole or in part, with funds received by GCBH BH-ASO from the State of Washington, HCA, or MCOs.
- C. The GCBH BH-ASO Central Office is responsible for carrying out, on behalf of all its Network Providers, the contractually required monthly checks of all individuals/contractors for inclusion on the LEIE.
- D. GCBH BH-ASO Network Providers are responsible for submitting, via 100 and 105 transactions, all data necessary to carry out the monthly exclusion checks and/or responding to lawful requests from the OIG, as presented in the GCBH BH-ASO Data Dictionary. Additionally, Providers are responsible for ensuring that data for all individuals/contractors covered by the GCBH BH-ASO Data Dictionary instructions for these transactions is transmitted to GCBH BH-ASO within 30 days of establishment of a new relationship and updated within 30 days of the Provider becoming aware of a change impacting any of the data elements.
- E. All data submitted to GCBH BH-ASO via 100 and 105 transactions are subject to security procedures established for the purpose of transmitting, handling, and storing information protected under HIPAA.
- F. Data submitted via 100 and 105 transactions are used to meet other Code of Federal Regulation requirements relating to making information pertaining to individual practitioners (i.e., names, gender, location, languages spoken, specialties) available to individuals.

PROCEDURE

- 1. At a minimum, exclusion checks are to be performed using List of Excluded Individuals/Entities (LEIE) databases maintained and distributed by all the following Federal and State sources:
 - 1.1. Office of Inspector General (OIG) at <https://oig.hhs.gov/exclusions/>
 - 1.2. System for Award Management (SAM) at <https://sam.gov/>
 - 1.3. Washington State Health Care Authority's (HCA) provider termination and exclusion list at <https://www.hca.wa.gov/billers-providers-partners/become-apple-health-provider/provider-termination-and-exclusion-list>
- 2. GCBH BH-ASO ensures that pre-employment criminal background and LEIE checks are conducted for all staff, owners, managing employees, subcontractors, or agents who service the contract before being granted access to Protected Health Information (PHI).
 - 2.1. If an individual appears on the LEIE database and is confirmed to be excluded, they will no longer be considered for employment at GCBH BH-ASO.

- 2.2. Evidence of criminal background and federal exclusion checks is retained in the employee's personnel file in accordance with local and state regulations.
3. Monthly exclusion checks conducted at the GCBH BH-ASO Central Office occur via an Access-based query process that searches for matches based on multiple data elements present in both the LEIE database and the GCBH BH-ASO database. The checks are conducted by the GCBH BH-ASO Quality Manager, or their designee, each month, after notification from the OIG that an updated LEIE database is available for download.
 - 3.1. Documentation of these checks is provided via a report generated by Access based on the output of the query by which matches are identified. The report includes an electronically generated date stamp reflecting the date the report was created.
 - 3.2. Reports are maintained in accordance with GCBH BH-ASO's record retention practices.
4. Should a monthly exclusion check process produce an apparent match between information in the two databases, the following steps are taken:
 - 4.1. The GCBH BH-ASO Quality Manager immediately notifies the GCBH BH-ASO Co-Director(s), then contacts the Director of the Provider agency within twenty-four (24) hours of finding the apparent match, to initiate steps to confirm whether it is an actual match.
 - 4.1.1. If determined necessary by the GCBH BH-ASO Quality Manager, such steps include contacting the OIG to confirm, via disclosure of the individual's SSN, whether the person matched on the basis of name and demographic data is the person named in the LEIE database.
 - 4.2. The outcome of steps taken to check the validity of the match are documented by the GCBH BH-ASO Quality Manager and kept on file in the Central Office.
 - 4.3. The Network Provider has two (2) business days following notification within which to:
 - 4.3.1. Reach a decision as to how it will ensure that funding from GCBH BH-ASO is not used to compensate the individual/contractor for whom a match has been made, and
 - 4.3.2. Report that decision, in writing, to the GCBH BH-ASO Co-Director(s), who is responsible for ensuring that reporting to the State occurs in a manner consistent with contractual requirements.
5. GCBH BH-ASO Network Providers demonstrate that they have completed the initial exclusion check prior to establishment of a new relationship with an individual or contractor by keeping on file a printout of the Search Results page that appears subsequent to using the LEIE search function at <https://exclusions.oig.hhs.gov/>. This page includes the names that were included in the search and a date/time stamp reflecting when it was conducted. Monitoring for compliance with this requirement occurs during the annual audit conducted by GCBH BH-ASO staff.
6. Monitoring for completeness and accuracy of the data transmitted to GCBH BH-ASO by way of 100/105 transactions occurs twice yearly, via unannounced checks carried out by the GCBH BH-ASO Quality Manager or their designee. Such checks are conducted by

sending each Provider a printed or electronic listing of the names and other data elements (exclusive of SSNs) currently in GCBH BH-ASO's database, and requiring:

- 6.1. Written confirmation that the list has been compared with internal records; and
- 6.2. Written description of actions, and associated timeliness, that will occur to correct any discrepancies noted.
7. Two unique identifiers, while not necessary to the exclusion-checking process, are required because GCBH BH-ASO is expected by the OIG to have this information and to produce it upon request. Specifically, these data elements are:
 - 7.1. Social Security Number (SSN): A SSN is required for every individual for whom information is submitted.
 - 7.2. National Provider Identifier (NPI): An NPI is required for every individual meeting the State's definition of "Mental Health Professional," as provided in WAC 246-809.

APPROVAL



Karen Richardson or Sindi Saunders, Co-Directors

5/29/20

Date