

UNIVERSITY PROCEDURE 5-130A: Verifying Exclusion Status of Employees

Governmental entities have the authority to exclude individuals and entities from participating in government programs. The reasons that cause an individual or entity to be excluded vary. Examples of reasons for exclusion include (but are not limited to) Medicare or Medicaid fraud, offenses related to the delivery of health care or health care services, fraud in a federally funded program that is not health care related, or convictions relating to controlled substances. Anyone who hires an excluded individual or entity to be paid with government funds may be subject to civil monetary penalties.

Policy 5-130: University Policy on Criminal and Other Background Checks outlines key processes designed to help ensure the University complies with legal obligations associated with hiring and staffing. Critical to these efforts is the ability to have confidence that the University is not improperly conducting business with individuals or vendors who have been excluded from government program participation.

Accordingly, the University conducts pre-hire, monthly, and bi-annual checks of employees in an effort to identify individuals who may be excluded or debarred from participation in government programs relevant to proposed or current job functions. This process applies to faculty and academic personnel as well as University staff. See University Rules R5-130A and R5-130B. All applicants for a position at the University are asked as part of the hiring process: "Has a government agency ever excluded you from receiving government funds or participation in a government program (e.g., Medicare)? If yes, please provide the details, including the date your exclusion began, whether the exclusion is still current, and the facts involved."

New employees in all Health Sciences departments (including the University of Utah Hospitals and Clinics, School of Medicine, School of Dentistry, College of Health, College of Nursing, and College of Pharmacy) are subject to pre-screening by the University's background check vendor to assess exclusion status. Administrative units who are interested in hiring an individual who is currently excluded from participation in government programs should notify the University's Office of General Counsel prior to extending any employment offer so that the University may assess the extent to which the exclusion may limit the ability of the applicant to perform anticipated functions.

Human Resources personnel will facilitate monthly checks of University employees in an effort to identify situations in which a current University employee is added to a government exclusion list. The University's Office of General Counsel should be notified immediately if the University learns that an employee is excluded.

See also related procedure re: vendor/suppliers at P3-100B.