



Bluestone Policy: Screening Current and Prospective Bluestone Related Individuals/Entities (Exclusion Screening)

Policy Number:

PURPOSE

The purpose of BPS HE-002 is to provide (1) a statement of Bluestone Physician Services' policy regarding screening current and prospective Bluestone Related Individuals, and Entities (hereinafter referred to as "Bluestone Related Individuals/Entities") and (2) procedures to ensure that Bluestone's practices are consistent with its stated policy.

SCOPE

This policy applies to all *covered persons of Bluestone Physician Services, P.A., Bluestone National, LLC, and Bluestone Physician Services Wisconsin, and its subsidiaries and affiliates, (collectively, Bluestone Physician Services (BPS)).

*Covered persons means: (a) all owners who are natural persons, officers, board members, and employees of Provider; (b) all contractors who furnish patient care items or services or perform billing or coding functions on behalf of Provider; and (c) all physicians and other non-physician practitioners who are members of Provider's active medical staff.

POLICY

Bluestone will conduct (or arrange for others to conduct) relevant screening of Bluestone Related Individuals/Entities prior to engaging their services and, as part of the hiring or contracting process or medical staff credentialing process. Upon receiving notice that a Bluestone Related Individual/Entity:

1. Is currently excluded, suspended, debarred or otherwise has become ineligible to participate in a federal health care program or in a federal procurement or non-procurement program; or
2. Has been convicted of a criminal offense related to the provision of health care items or services or to health care fraud (including any criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a)), but has not yet been excluded, debarred, suspended or otherwise declared ineligible for participation in any federal health care program,



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Bluestone may, subject to legal and/or contractual constraints, terminate the individual or entity's employment, but shall, at a minimum, remove such person or entity from (1) any responsibility for, or involvement with, Bluestone's business operations related to federal health care programs, and (2) any position for which the individual's compensation is, or the items or services furnished, ordered or prescribed by such individual are, paid in whole or in part, directly or indirectly, by federal health care programs or otherwise with federal funds. Bluestone may, subject to legal and contractual constraints, terminate an individual's employment upon learning that the individual does not have current professional licenses, registration, certifications or degrees, or other academic credentials identified by Bluestone as necessary to perform relevant duties and responsibilities.

DEFINITIONS:

Bluestone Related Individual/Entity means all owners, officers, board members directors, shareholders who own 5% or greater of Bluestone Physician Services shares, prospective and current employees, contractors who furnish patient care items or services or perform billing or coding functions on behalf of Provider, agents, active practicing medical staff (credentialed, consulting or referring) including physicians and other non-physician practitioners, allied health professionals, students, or volunteers of Bluestone Physician Services.

Ineligible Person means an individual or entity (a) currently excluded, suspended, debarred, or otherwise ineligible to participate in Federally funded health care programs or in federal procurement or nonprocurement programs or (b) that has been convicted of a criminal offense that falls within the ambit of 42 USC § 1320a-7(a) (mandatory exclusion) but has not yet been excluded, debarred, suspended, or otherwise declared ineligible. Ineligible Persons may include nurses, credentialed physicians or allied health practitioners, coders, other staff (whether employed, contract or temporary), or vendors.

Federally Funded Health Care Program means Medicare, Medicaid, managed Medicare/Medicaid/, TriCare/VA/ CHAMPUS, SCHIP, Federal Employees Health Benefit Plan, Indian Health Services, Health Services for Peace Corp Volunteers, Railroad Retirement Benefits, Black Lung Program and Services Provided to Federal Prisoners.

Exclusion Lists means the HHS/Office of Inspector General (OIG) List of Excluded Individuals/Entities (LEIE), the General Services Administration (GSA) Excluded Parties List



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System (EPLS), any applicable state Medicaid or other healthcare exclusion list, and, as applicable, the National Practitioner Databank (NPDB).

Potential Compliance Issue means a potential Reportable Event as defined in the CIA, other suspected violations of BPS's Code of Conduct, BPS's policies and procedures, and applicable laws and regulations relating to federal and state health care programs including but not limited to the Anti-kickback statute and Stark law, believed by the individual to be a potential violation of criminal, civil, or administrative law. A Potential Compliance Issue may be the result of an isolated event or a series of occurrences.

PROCEDURE

A. Screening of Bluestone Related Individuals/Entities

1. Bluestone Physician Services will be responsible for screening any employee directly employed by Bluestone prior to the initial hiring, contracting, or credentialing and monthly thereafter using the following:

1. The U.S. HHS-OIG's List of Excluded Individuals and Entities (LEIE), which may be accessed on the Internet at <https://exclusions.oig.hhs.gov>; and
2. The U.S. GSA's for Award Management (SAM) Excluded Parties List System, which may be accessed on the Internet at <http://www.sam.gov/>.
3. State Medicaid Lists that are publicly available: Florida and Minnesota.

Florida Agency for Health Care Administration Medicaid Sanctioned Providers which may be accessed on the internet at [https://apps.ahca.myflorida.com/dm_web/\(S\(hql4gh3f4xuo1ywnon4sonew\)\)/default.aspx#Final_Orders](https://apps.ahca.myflorida.com/dm_web/(S(hql4gh3f4xuo1ywnon4sonew))/default.aspx#Final_Orders)

Minnesota Department of Human Services Excluded Provider Lists which may be accessed on the Intranet at http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16_177378

4. The National Practitioner Databank (NPDB) by credentialing for providers and APP's.



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5. Criminal background checks may be completed, as appropriate.

6. Documentation of Reports Related to Exclusion Screening:

All documents and/or summary reports related to the exclusion screening process should be maintained in the appropriate files by the corporate compliance department (i.e. employee, credentialing, or compliance) for 6 years or as otherwise required by law or Corporate Integrity Agreements. All such documents are subject to audit/review by Corporate Compliance Officer, Corporate Compliance Office. Such documents include:

a. Initial and ongoing screening results

i. This includes any other additional name searches conducted (i.e. Individual = Bob vs Robert, maiden name, name changes, hyphenated name; entity – University of Minnesota vs University of MN, U of MN, etc.) in order to verify results of potential matches.

ii. In the event there is a potential match, the document that shows the match(es) and the results of the match(es) must be retained to show we reviewed/investigated each and made a determination if it is our employee/contractor/vendor, etc. or not.

iii. The documentation should also include the date/time the exclusion list was checked and the name/title of the person who checked the exclusion list.

b. Documents related to investigations, corrective action and/or disciplinary action taken should be provided to the Compliance Office upon request.

c. Board Reporting:

i. The Corporate Compliance Officer is responsible for reporting results (i.e. screening, investigations, correction action, etc.) to the Executive Compliance Committee (ECC) and Compliance Committee of the Board.

ii. Bluestone shall require all Bluestone Related Individuals/Entities to disclose immediately to the Supervisor, Compliance Officer or designee, CEO, or other



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individual as designated in the relevant contract, during the hiring, contracting, credentialing process or at any time during employment, the following:

1. any debarment, exclusion, suspension, or other event that makes the individual ineligible to participate in a federal health care program or in a federal procurement or nonprocurement program; or
2. any conviction of a criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a).

3. Matches on Exclusion Lists:

1. BPS will exercise reasonable due diligence to verify individual/entity information against any potential matches on the Exclusion Lists. This may require obtaining a unique identifier such as social security number (SSN), Date of Birth for an individual or Employer Identification Number (EIN) for entity. Additional information/tips are located - <https://oig.hhs.gov/exclusions/tips.asp>

2. In the event an individual/entity is/has been confirmed to be excluded, the Corporate Compliance Officer and/or the Corporate Compliance Office should be contacted immediately for direction on an appropriate course of action. The individual/entity will be terminated from employment or contract. BPS will also remove excluded individual/entity from any position for which compensation, or the items/services furnished, ordered or prescribed by excluded individual/entity, are paid in whole or in part, directly or indirectly (i.e. nurse salary/service are not directly billed, however part of overhead) by a federal and/or state health care program.

3. If it is determined that a claim for payment has been submitted to a federal and/or state Health care program for items/services that were ordered or furnished by an individual/entity during the time of exclusion from such programs, BPS will take appropriate corrective action, which may include (but is not limited to) Corporate Integrity Agreement reporting, repayment of the claim and/or self-disclosure to the OIG. Please refer to the Overpayment Policy. Per federal or state law, Corporate Integrity Agreement, regulation, or contract, it may be required that the Corporate Compliance Officer will notify the relevant federal or



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state agency of the individual/entity in accordance with any required timeframe.

B. Termination or Other Corrective Action.

Subject to legal constraints and absent extenuating circumstances, upon actual notice, Bluestone shall not knowingly retain any Bluestone Related Individual/Entity that:

Is currently debarred, excluded, suspended, or has otherwise been deemed ineligible for participation in a federal health care program or a federal procurement or nonprocurement program; or

Has been convicted of committing a criminal offense related to the provision of health care items or services or of health care fraud (including a criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a)) but has not been excluded, debarred, suspended or other been made ineligible for a federal health care program.

Notwithstanding the foregoing, Bluestone may decide to retain such Bluestone Related Individual/Entity if the circumstances warrant such determination, as decided by the CEO, the Board in consultation with the Compliance Officer and the General Counsel, in accordance with the Corporate Integrity Agreement (CIA).

If such a determination is made, the Bluestone Related Individual/Entity shall be immediately removed from (1) any responsibility for, or involvement with, business operations related to the federal health care program(s) from which they were excluded, and (2) any position for which the individual's compensation is, or the items or services furnished, ordered or prescribed by such individual are, paid in whole or in part, directly or indirectly, by the federal health care program(s) from which they were excluded or otherwise with federal funds. Should the Bluestone Related Individual/Entity be reinstated to the Federal health care plan from which they were excluded, Bluestone may, at its discretion, reinstate the Bluestone Related Individual/Entity to its prior role.

Subject to legal and contractual restraints, Bluestone may terminate the employment/engagement/participation of, or modify the job duties of, a Bluestone Related Individual/Entity that:

Does not have a current professional license, registration, or certification as applicable, and/or is not in good standing with, and/or has had Adverse Action taken by, the relevant state authorities that grant such license, registration, or certification, as applicable, if such a qualification is required by Bluestone to perform duties or responsibilities; or



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Has not earned the degree or other academic credentials identified by Bluestone as required for the particular position.

Reporting. Bluestone shall notify OIG in writing, as outlined in the Corporate Integrity Agreement(CIA) within 30 days of actual notice that a Bluestone Related Individual/Entity has become an ineligible Person or that any Provider is under investigation or has been sanctioned by the government or any licensing authority (including, without limitation, the imposition of program exclusion, debarment, civil monetary penalties, corrective action plans, and revocation of Medicare billing privileges)

Documentation. Bluestone shall document compliance with this Policy, consistent with Bluestone's document retention policies but, in no case, for a period of less than ten years or as outlined by the Corporate Integrity Agreement (CIA):

- The identity of the Ineligible Person and the job duties performed by that individual;

- The dates of the Ineligible Person's employment or contractual relationship or medical staff membership;

- A description of the Exclusion Lists screening that Bluestone completed before and/or during the Ineligible Person's employment or contract or medical staff membership and any flaw or breakdown in the screening process that led to the hiring or contracting with or credentialing of the Ineligible Person;

- A description of how the Ineligible Person was identified; and

- A description of any corrective action implemented to prevent future employment or contracting with or credentialing of an Ineligible Person.

ENFORCEMENT

All staff whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy



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will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination.

Approval History

Date (MM/YYYY)	Stakeholders	Name/Title
8/9/24	Executive Compliance Committee	Approved at August ECC meeting

Revision History

Approved Date (MM/YYYY)	Revisions	Name/Title	Version
6/2024	New Policy	Andrea Furmannek-Kloubec, Compliance Officer	1.

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¹ Prepared at the direction, request, and in furtherance of the purposes of a review organization and any and all information and documentation prepared in furtherance of this policy is confidential and should not be shared outside of Bluestone Physician Services or its Affiliates. Protected under Wis. Stat. 146.38 and Minn. Stat. 145.61et seq. and FL Stat 766.101. The information contained herein is provided for informational purposes only and does not constitute legal, medical, or professional advice. Further, these policies and procedures are subject to change without prior notice, and Bluestone makes no representation to reliance on users of outdated information. Users should check back here for updates regularly.