



STATE OF CONNECTICUT
Department of Mental Health & Addiction Services



Commissioner's Policy Statement and Implementing Procedures

SUBJECT:	Agency Compliance Program: Background & Federal Sanctions Checks
P & P NUMBER:	Chapter 3.4
APPROVED:	Miriam Delphin-Rittmon, Commissioner Date: 10/15/2015
EFFECTIVE DATE:	October 15, 2015 <i>Miriam Delphin-Rittmon</i>
REVISED:	4/2, 2009, 3/3/2009
REFERENCES:	42 U.S.C. 1320a-7 - 7f. Public Act 08-46
FORMS AND ATTACHMENTS:	None

STATEMENT OF PURPOSE:

The purpose of this policy is to reaffirm the commitment of the Department of Mental Health and Addiction Services (DMHAS) to providing high quality care to clients and to maintaining the compliance standards that govern a public healthcare agency. DMHAS conducts required federal sanctions and exclusions checks and background checks to ensure adherence to federal and state laws, and the DMHAS Compliance Program.

POLICY:

All individuals recommended for hire will submit to background checks. All checks are conducted in accordance with federal and state laws. Applicants who are unwilling to submit to the background checks process shall be excluded from further consideration. Under the DMHAS compliance program all new and current DMHAS employees, current and proposed vendors, contractors and business partners providing services within the DMHAS healthcare system shall be free of any federal sanctions or exclusions. To ensure this end DMHAS conducts checks by reviewing government sanction and exclusion databases from Department of Health & Human Services, OIG and the National Practitioner's Data Bank.

PROCEDURE:

Background Checks

1. DMHAS Human Resources Department will verify the information on the employment application including the applicant's: previous employment as it relates to the qualifications of the position, professional state license(s), professional certification and references
2. DMHAS Division of Safety Services will do a criminal background check and a check of the State of Connecticut Department of Developmental Services neglect and abuse registry; and
3. DMHAS Human Resources Department will do a check of the State of Connecticut Department of Children and Families neglect and abuse registry. Additional checks may be done depending on the responsibilities of the position (i.e. credit, motor vehicle operator license, Federal Bureau of Investigation, Department of Corrections' background checks, etc).

Federal Sanctions Checks for Employees

1. All applicants are required to self-report any federal sanctions and exclusions on the employment application. Individuals who have been excluded, debarred, restricted, disqualified or sanctioned from any federal, state or government programs or organizations shall not be hired. All employees are required to self-report any exclusion they receive during their tenure with DMHAS within five days to their supervisor or Human Resources Department. The Employment Application and commitment letters to new employees include information relative to DMHAS' commitment to screening new and current employees. DMHAS has the right to discipline, including termination, any employee who has been found to provide false or inaccurate information or is discovered to be sanctioned at any time during their employment with DMHAS.
2. The Human Resources Department at the Office of the Commissioner shall download an electronic copy of the government sanction and exclusion database monthly.¹ This database will be electronically compared to the current DMHAS employee database to determine if there are any matches based on last name and date of birth.
3. If a potential match is discovered by the Human Resources Department at the Office of the Commissioner, the Social Security number of the employee will be manually entered into the OIG website for confirm status. Any confirmed matches will be immediately reported to the Agency Compliance Officer, the DMHAS Labor Relations Division and the facility Compliance Officer. This report shall include all identifying information from the government sanction and exclusion database.

4. The facility CEO in conjunction with the Director of Labor Relations may immediately place the employee on administrative leave with pay pending the outcome of the investigation.
5. The DMHAS Director of Labor Relations will conduct an investigation, including the facility Compliance Officer to determine if a Work Rule has been violated.
6. If this investigation confirms that a DMHAS employee is on the government sanction and exclusion database, an investigation shall be conducted to determine if disciplinary action or other corrective action is warranted. A final decision regarding the corrective action will be determined by the Human Resource Department at the Office of the Commissioner in accordance with the governing collective bargaining agreement.

Sanctions Checks for Vendors, Contractors, and Business Partners:

1. The Office of the Commissioner Fiscal Department shall download an electronic copy of the government sanction and exclusion database twice a year on January 1st and July 1st. This database will be compared to lists of current vendors, contractors, and business partners doing business on behalf of DMHAS.
2. If a potential match is found the Fiscal Department shall conduct an investigation to determine if the name in the government sanction and exclusion database is, in fact, the same person as the vendor, contractor, and/or business partner with the matching last name and date of birth.
3. If this investigation confirms that there is a match with the OIG Exclusion list, corrective action will be taken. Any vendor, contractor, and/or business partner doing business on behalf of DMHAS that is found to be on the lists is subject to possible termination of the contractual agreement in accordance with the provisions of the contract.

¹ This is a change of procedure from checking the OIG sanction/exclusion database twice a year on January 1 and July 1. Effective April 1, 2009.