



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 52.11, **Sanction Check Process**

PURPOSE: The purpose of this Health Sciences Center Operating Policy (HSC OP) is to establish and implement processes to verify whether TTUHSC Team Members, Vendors and/or Contractors fail to align with our values based culture because they are excluded from participation in any federal and/or state health care programs, or debarred from participating in any federal contracts.

REVIEW: This HSC OP will be reviewed on January 15 of each odd numbered year (ONY) by Human Resources, the Directors of Procurement Services and Sponsored Programs, the Office of General Counsel, and the Institutional Compliance Officer, with recommendations for revisions forwarded to the President by March 30.

DEFINITIONS:

These terms shall have the following meaning throughout this policy.

1. "Team Member" is defined as any person employed by TTUHSC, whether full or part-time, faculty or staff, regular or temporary, including a student employee.
2. "Vendors" means any individual or entity that TTUHSC purchases goods or services through its Purchasing Department.
3. "Contractors" means any individual or entity from which TTUHSC contracts through its Contracting Office to obtain goods or services for consideration from TTUHSC.
4. "Sanction Lists", for purposes of this policy are:
 - a. The Office of Inspector General List of Excluded Individuals/Entities (LEIE): <https://oig.hhs.state.tx.us/oigportal2/Exclusions>
 - b. The System for Award Management (SAM): <http://www.sam.gov>
 - c. The Texas Health and Human Services Commission (HHSC) Medicaid and Title XX Provider Exclusion Data: <https://oig.hhs.state.tx.us/oigportal2/Exclusions>
 - d. The U.S. Food & Drug Administration Debarment List: <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/compliance-actions-and-activities/fda-debarment-list-drug-product-applications>
 - e. The U.S. Food & Drug Administration Clinical Investigators Disqualification Proceedings: <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/compliance-actions-and-activities/clinical-investigators-disqualification-proceedings>
 - f. The U.S. Food & Drug Administration Warning Letters: <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/compliance-actions-and-activities/warning-letters>
 - g. The Office of Foreign Assets Control Sanctions List Search: <https://sanctionssearch.ofac.treas.gov>

- h. Any other government exclusion/sanction list necessary to comply with state and/or federal laws.

POLICY/PROCEDURE:

1. Initial Sanction Checks

a. Team Members.

- 1) In accordance with [HSC OP 70.20](#), Employment Background Screening Policy, all prospective team members have background checks conducted as a condition of employment with TTUHSC. Such background checks include a check of the Sanction List.
- 2) The Human Resources Department shall notify the Institutional Compliance Officer (ICO) before any offer of employment is made to an individual who is listed on any of the Sanction Lists. **Any offer of employment will be voidable if an applicant's name is found on any Sanction List.**

b. Contractors. The Contracting Office shall check the Sanction Lists for Contractors. The Contracting Office shall notify the ICO if a proposed contract involves a Contractor who is listed on any of the Sanction Lists.

c. Vendors.

- 1) The Purchasing Department shall check the Sanction Lists before a Vendor is set up in the system and for any orders greater than \$15,000. The Purchasing Department shall notify the ICO if a Vendor is listed on any of the Sanction Lists.
- 2) A daily run against the Unified State Accounting System Hold List, which includes the Texas HHSC Medicaid and Title XX Provider Exclusion list, is conducted before payment is made on any purchase order. No payment is made on a PO to any vendor identified on the state list until the vendor is removed from the list. Any vendor hold due to a match with the Texas HHSC Medicaid and Title XX Provider Exclusion list shall be referred to the ICO. The ICO shall establish a monthly check process for the federal Sanction Lists not currently contained in the state list.

d. Grants and Sponsored Projects. The Office of Sponsored Programs shall check the Sanction Lists for individuals and entities (excluding those TTUHSC Team Members, contractors and vendors who are checked as part of the processes outlined above) receiving payments under any TTUHSC grant and sponsored project before the agreement/contract is signed.

2. Routine Sanction Lists Checks

A monthly search of the Sanction Lists shall be conducted by the ICO against all current TTUHSC team members, Vendors and Contractors, with the results reported immediately to the respective Directors of each area identified in 1 above, and the ICO shall include this information in reports to the Institutional Compliance Risk Committee (ICRC) and in the annual compliance report.

3. Retention of Sanction Lists Check Results

Documentation of Sanction Lists checks shall be retained by the originating Department for a period of ten (10) years after the search.

4. Right to Change Policy. TTUHSC reserves the right to interpret, change, modify, amend or rescind this policy in whole, or in part, at any time without the consent of Team Members.