



STATE OF MARYLAND

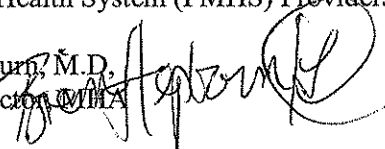
DHMH

Maryland Department of Health and Mental Hygiene
Mental Hygiene Administration
Spring Grove Hospital Center – Dix Building
55 Wade Avenue – Catonsville, Maryland 21228

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary
Brian M. Hepburn, M.D., Executive Director

MEMORANDUM

TO: Public Mental Health System (PMHS) Providers

FROM: Brian M. Hepburn, M.D.,
Executive Director 

RE: Compliance with Federal Requirements: Excluded Providers

DATE: October 6, 2010

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This is a reminder that all providers who participate in Maryland's PMHS and receive Medicaid payments are responsible for checking the Department of Health and Human Services' Office of Inspector General's (DHHS-OIG) website to assure that they are not wrongfully contracting with or employing an excluded individual. The attached legal background from the DHHS-OIG website explains that the prohibitions being described apply to items and services provided, directly or indirectly, to Federal program beneficiaries (Medicaid and Medicare recipients). As set forth, the Medicaid Program, which includes the PMHS, cannot reimburse a provider who employs or contracts with an individual to perform certain functions whom DHHS-OIG has excluded. Additionally, if an agency has employed/contracted with such an individual, the state may recoup monies wrongfully paid. Failure to screen employees and contractors, documenting same, can result in disciplinary actions.

It is every individual's and agency's responsibility to assure that all staff working in programs, either through direct service or administrative support, are eligible to participate in programs receiving federal reimbursement. Providers can find guidance at <http://oig.hhs.gov/fraud/exclusions.asp> where they can click on LEIE (Lists of Excluded Individuals and Entities). Additionally, please note information on DHMH-OIG web site, and the April 17, 2009 transmittal from Maryland Medicaid, attached. Thank you.

Attachments:

- 1- April 17, 2009 Transmittal from Maryland Medicaid, Susan Tucker
- 2- Excerpt Legal Background