

I. SANCTION CHECK PROCEDURES

OVERVIEW

The Institutional Compliance Office (ICO) is responsible for oversight of University sanction check program in accordance with ICO Policy #ICO-002 – Sanction Checks. As part of this program, University employees, vendors, and appropriate affiliated individuals are checked against the following federal and state exclusion/debarment/suspension lists to ensure eligibility for hire and/or to participate in University programs:

- U.S. Department of Health and Human Services, Office of Inspector General’s (OIG) List of Excluded Individuals/Entities (LEIE)
- General Services Administration’s (GSA) Excluded Parties List System (EPLS)
- U.S. Food and Drug Administration’s (FDA) Debarment List and Disqualified/Totally Restricted List for Clinical Investigators
- U.S. Department of the Treasury, Office of Foreign Asset Control’s (OFAC) Specially Designated Nationals List (SDN)
- U.S. Department of Commerce (DOC), Bureau of Industry and Security’s (BIS) Denied Persons List, Entity List, and Unverified List
- U.S. Department of State’s (DOS), Directorate of Defense Trade Control’s List of Statutorily Debarred Parties and List of Administratively Debarred Parties
- Kentucky Cabinet for Health and Family Services, Department for Medicaid Services (DMS) List of Excluded Providers

ORGANIZATIONAL RESPONSIBILITIES

The following departments and administrative offices are responsibilities for sanction check procedures as follows:

Institutional Compliance Office (ICO) – Responsible for oversight of University sanction check program, including the following:

- Administration of vendor (Compliance Concepts, Inc.) contract for the University’s vendor online searchable database system (VOD), including serving as System Administrator.
- Development of departmental user instructions for VOD.
- Maintenance of University-wide sanction check policies and procedures, including serving as subject matter experts in conjunction with University Council and the HSC Office of Compliance on federal and state requirements.
- Execution of annual sanction check for University employees.
- Execution of annual sanction check for University vendors.

See “VOD User Instructions for ICO” (*Attachment C*)

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Human Resources Department (HR) – Responsible for sanction checks of all new University employees via VOD. This employment eligibility process includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system prior to hire. In addition, HR is responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action. HR is also responsible for supplying the ICO with a current list of all University employees for annual ICO sanction check procedures.

See “VOD User Instructions for HR Department” (*Attachment D*).

Health Sciences Center (HSC) Office of Compliance Office (OOC) – Responsible for sanction check process for HSC employees via VOD in compliance with the HSC Compliance Plan (*CPP-002 – Item #3 and CPP-006 - Item #6*). This eligibility for participation in federal and state healthcare programs function includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system. In addition, the HSC OOC is responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action. (*Note: As addressed in #INT019REP, the HSC OOC obtains annual attestations from affiliated physician practice groups that the practice is aware of its responsibility to ensure its employees and vendors are not excluded/disbarred/suspended on applicable governmental lists and that it is not aware of any current exclusion/disbarment/suspension activity for any of its active employees or vendors.*)

See “VOD User Instructions for HSC OOC” – (*Attachment E*).

Controller’s Office – Accounts Payable Department – Responsible for sanction checks of all new University commercial vendors via VOD. This vendor eligibility process includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system as part of the new vendor approval process. In addition, Accounts Payable is responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action.

See “VOD User Instructions for HSC OOC” – (*Attachment F*).

Purchasing Department – Responsible for sanction checks of all new University contractors and contractor renewals via VOD. This contract eligibility process includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system prior to contract award. In addition, Purchasing is responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action - See Purchasing Department Policy #35.00 – Federal Debarment. The Purchasing Department is also responsible for supplying the ICO with a list of Procurement Card (ProCard) vendors/merchants with annual expenditures of \$1,000 or greater for annual ICO vendor sanction check procedures.

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See “VOD User Instructions for Purchasing” – (*Attachment G*).

Sponsored Programs Grants Administration (SPGA) and Office of Industry Contract (OIC) – Responsible for sanction check process for federal contracts (as opposed to grants) at time of sub-contract award via VOD. This contract eligibility process includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system. In addition, SPGA and OIC are responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action.

See “VOD User Instructions for SPGA and OIC” – (*Attachment H*).

Financial Services Department – Responsible for supplying the ICO with a list of all active University vendors with annual expenditures of \$1,000 or greater for annual ICO vendor sanction check procedures.

Office of Research Integrity (ORI) – Responsible for sanction check process for affiliated research personnel via VOD. This eligibility to participate in University research programs function includes identification of potential matches to applicable governmental exclusion/debarment/suspension lists and the verification of potential matches returned by the VOD system. In addition, the ORI is responsible for reporting confirmed positive matches to the ICO for joint determination and implementation of appropriate action - See ORI Standard Operating Procedures Manual #RI-050.

See “VOD User Instructions for ORI” – (*Attachment I*).

II. DEFINITIONS FOR PROCEDURE

1. “Contractor” means any individual or other legal entity that:
 - a. Enters into the bid process through the Purchasing Department; or
 - b. Receives federal contract flow down through SPGA or OIC.

2. “Affiliated Research Personnel” means any Non-University employed individuals involved in University research.

3. “Commercial Vendor” means any organization or individual providing goods or services to the University, excluding refunds and reimbursements.

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