

EPLS Migrates to SAM with Little Fanfare

It May Take Time to Get Familiar with the New System and Its Nuances



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With little fanfare, the General Services Administration (GSA) announced it was migrating data from the well-known Excluded Parties List System (EPLS) to a new and more comprehensive system called the System for Award Management (SAM). This was done in an effort to streamline the federal government contracting process. Those outside the federal contracting process received little notice that the EPLS, used by most health care providers to screen for excluded individuals and entities, has now become obsolete. This change without adequate notification has left many in the health care compliance industry scrambling to figure out how to access the exclusion list at a time when compliance with sanction screening requirements is imperative.

The Department of Health and Human Services (HHS) Office of Inspector General (OIG) encourages but does not mandate screening against the EPLS. The agency has not come out with a separate guidance document regarding the new SAM. The Center for Medicaid and CHIP Services at the Centers for Medicare & Medicaid Services (CMS) issued an informational bulletin on August 1, 2012, notifying the state Medicaid directors that EPLS migrated to SAM. The agency recommends that state Medicaid agencies advise their providers to conduct regular sanction screenings (monthly) against both the OIG and GSA lists. Inasmuch as a sanctioned provider may not submit claims for payment from Medicare or Medicaid, providers who do not screen against the federal sanction databases run the risk that claims may not only be denied but considered false and fraudulent.

EPLS VERSUS SAM

The EPLS was a separately maintained list that included individuals and entities debarred or suspended from doing business with the federal government, collectively referred to as excluded parties. Government agencies screened the EPLS as a component of the procurement process of new vendors to ensure the individual or entity was not excluded from federal contracting participation. Questions have been raised whether health care providers, non-government agencies, should screen EPLS. While health care providers do participate in government-financed programs, such as Medicare and Medicaid, it does not make them a government agency. Furthermore, those parties that contract with a health care provider are not contracting with the government.

Health care-related exclusions are the responsibility of the OIG. Any exclusion imposed by the OIG is posted to its List of Excluded Individuals and Entities (LEIE) and also on the EPLS. The OIG has only encouraged screening against the GSA database. In light of the EPLS migration to SAM, OIG actions now will also appear on the exclusion list included in SAM. CMS has gone further and states it takes into consideration whether an individual or entity is debarred and appeared on the EPLS, now SAM, as a condition of enrollment and maintaining active status.

Because SAM consolidates the procurement process from a federal government perspective, the new system incorporates several databases typically consulted during that process. Currently, SAM incorporates the Central Contractor Registration/Federal Agency Registration (CCR/FedReg), Online Representations and Certifications Application (ORCA), and the EPLS into one online Web site. Future phases of SAM will include additional databases screened during the procurement process; however, for the purpose of sanction and exclusion screening, health care providers simply need to check the exclusion data, formerly known as the EPLS.

Since SAM incorporates information from CCR/FedReg and ORCA, the results of a search must be filtered to display only exclusion records. This filter is helpful to eliminating records that are not necessary to review. It should be noted that SAM has maintained some but not all functionality or data elements previously available in the EPLS. Specifically, it is important to note the following changes:

- **Search Options.** EPLS included an Advance Search, Multiple Name Search and Exact Name and Social Security/Tax Identification Number Search. SAM allows for only a single name search; however, as you begin typing in the name, it auto displays possible name matches. Additionally, a wild card (i.e., * or?) can be used to yield fuzzy matches.

- **New Party Type.** EPLS included three party types: firm, individual, and vessel. Special entity designation is a new type of classification and is considered a miscellaneous party type.

- **Cause and Treatment Codes.** Going forward, exclusion records will not include a cause and treatment (CT) code, which indicates the reason why the entity has been debarred. CT codes will still display for all exclusion records prior to the migration. Going forward, the CT codes have been mapped to four exclusion types: ineligible (proceedings pending), ineligible (proceedings complete), prohibition/restriction, and voluntary exclusion.

It is equally important to note functionality that remains after the migration and that is especially important in efforts to conduct sanction and exclusion screenings.

- **Social Security Number Verification.** Although SAM does not allow for searching the exclusion list using the Social Security number (SSN), the results of a name search can be filtered using the SSN. SSN verification is important in verifying a match, particularly in SAM, since the date of birth is unavailable.

- **Address Verification.** After identifying a possible record match, the street address

can be verified. Similar to EPLS, SAM only publicly displays the city, state, and zip code.

- **Excluding Agency.** The federal agency that imposed the exclusion is indicated in the record. The excluding agency is helpful in determining whether HHS or another agency excluded the party.

Due to the change of the search capabilities and the new layout, it may take time to become familiarized with SAM and be-

come familiar with the nuances of using SAM. The important fact to remember is that the screening results historically received when screening EPLS will be similar to the results retrieved when screening the SAM exclusion list. If this changeover creates too much confusion, there are also options available that may be worth considering to either simplify this screening process or to simply outsource the entire screening process.

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