



STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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July 12, 2007

Dear Executive Director:

Subject: Medicaid Disqualified or Excluded Providers List

This letter is written to draw your attention to important Medicaid Update articles regarding providers and practitioners who have been excluded from participating in the Medicaid program (June 2007 and June 2005). The attached articles identify the web-based resources that are available to agencies to identify disqualified providers and practitioners. The federal and New York State web sites are:

- http://nyhealth.gov/health_care/medicaid/fraud/index.htm (New York State)
- <http://oig.hhs.gov/fraud/exclusions/listofexcluded.html> (Federal Office of the Inspector General)

You should be aware that your agency's Medicaid billings are put at risk if an excluded staff person participates in any of your agency's service delivery. We recommend that agencies contact their own counsel for further information regarding this matter.

Sincerely,

Lisa M. Kagan
Associate Commissioner
Revenue Support

KIM/LM

Attachments

cc: Provider Associations
M. Chmura
J. Moran
K. Broderick
M. Gatens

G. Lind
C. Metevia
K. Marlay
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Disqualified Provider List

Do Not Hire!

It is important for all employers and individuals conducting business with the New York State Medicaid program to examine the list of *Providers Not Allowed To Order* before hiring an individual.

The New York State Department of Health's *Providers Not Allowed To Order* list includes:

- previously enrolled Medicaid providers who have been disqualified from the Medicaid program for various reasons; and
- individual providers who have never been enrolled in the Medicaid Program, but have been disqualified from the Medicare Program and therefore are not allowed to enroll in the New York State Medicaid Program.



The *Providers Not Allowed to Order* list can be found online at:

http://nyhealth.gov/health_care/medicaid/fraud/index.htm.

The Department of Health encourages those doing business with the Medicaid program to examine this list to ensure compliance and avoid potential administrative sanctions and denied claims.

Attention
All Providers!

Reprint from
the April 2005
edition

PROVIDER CREDENTIALING PVR-292 LISTING

Return to Table of Contents

CREDENTIALING

Medicaid providers need to ensure that they do not employ, or are affiliated with, any individual who has been excluded from either the Medicare or the Medicaid program.

- Pursuant to federal regulations and Department regulations at 18 NYCRR 515.5, an excluded person *cannot be involved in any activity* relating to the furnishing of medical care, services or supplies to recipients of medical assistance for which claims are submitted to Medicaid.
- The same prohibition applies to *activities related* to the Medicare program. Activities include both furnishing and ordering (i.e., prescribing) medical care, services or supplies.
- This prohibition extends to group affiliations and to employers (hospitals, nursing homes, pharmacies, etc.) who cannot be associated with, or employ, an excluded individual.
- Eligible Medicaid providers are prohibited from submitting claims or ordering services for excluded individuals.

Providers violating this regulation can be subject to exclusion, a demand for restitution, and/or civil penalties.

We urge providers to undertake appropriate credentialing procedures to ensure compliance. A list of all excluded Medicaid providers is contained on the Department's website at:

http://www.health.state.ny.us/health_care/medicaid/fraud/dqprvpg.htm

Click "next" after reading the text, and click "download the complete list in delimited format".

Additionally, providers should also check the **Health and Human Services/Office of Inspector General** website at <http://www.oig.hhs.gov> (click Exclusion Database) for Medicare exclusions.

If providers wish to check the **New Jersey** list of excluded providers, the website is:

<http://www.state.nj.us/treasury/debarred/>

The above lists are not indicative of a person's ability to practice their profession in this state. For credentialing on that issue, you should check with the appropriate state licensure agency.

PVR-292 LISTING

Historically, the Department has published a printed list of excluded providers (PVR-292) who, by reason of their exclusion, were not permitted to order services or supplies. This list was, in essence, a partial list of all excluded providers, since it only included providers who could cause orders to be made (e.g., physicians, dentists, optometrists, physician's assistants, podiatrists). Examples of providers, who were not listed, because they do not cause orders to be made, are pharmacies, durable medical equipment providers, registered nurses and transportation providers.

http://www.health.state.ny.us/health_care/medicaid/program/update/2005/iun2005.htm

6/5/2007

The complete list of excluded providers is now available electronically. As such, **we are discontinuing mailing the printed PVR-292 listing after June 2005.** For the months of April, May and June, we will mail an "add-deleted" list to supplement the paper PVR-292 issued in March 2005. As you are probably aware, there is an electronic edit in place in MEVS that precludes a billing provider (e.g., pharmacist) from submitting a Medicaid claim for an order made by an excluded provider. We believe the complete list of all excluded providers will facilitate your ability to perform proper credentialing and to accurately and quickly check a provider's Medicaid enrollment status.
