

OK To Use

 AUDIT NAME  
 2024 Standard XXI Disclosure of Ownership Control &  
 Criminal Conviction

 PASSING %  
 100

 Consumer linked to this audit

 Staff Audit

SECTIONS			
Section			
NUMBER	TITLE		
1	XXI. Disclosure of Ownership, Control, & Criminal Conviction		
SECTION QUESTIONS			
Questions			
1	21.1 Disclosure of Ownership, Controlling Interest and Management Statement and Attestation of Criminal Convictions, Sanctions, Exclusions, Debarment or Termination. The CMHSP ensures that its providers and contractors submit full disclosures identified in 42 CFR Part 455 Subpart B.	Met/Partially Met/Not Met	N/A
2	21.1a Name and address of any person (individual or corporation) with an ownership or control interest in the disclosing entity.	Met/Partially Met/Not Met	N/A
3	21.1b Date of Birth and Social Security number of each person with an ownership or control interest in the disclosing entity.	Met/Partially Met/Not Met	N/A
4	21.1c Other tax identification number (in case of a corporation)	Met/Partially Met/Not Met	N/A
5	21.1d Whether the person (individual or corporation) with an ownership or control interest in the disclosing entity is related to another person with an ownership or control interest in the disclosing entity as a spouse, parent, child or sibling.	Met/Partially Met/Not Met	N/A
6	21.1e The name of any other disclosing entity in which an owner of the disclosing entity has an ownership or control interest	Met/Partially Met/Not Met	N/A
7	21.1f The name, address, date of birth, and Social Security number of any managing employee of the disclosing entity.	Met/Partially Met/Not Met	N/A
8	21.1g The identity of any individual who has an ownership or control interest in the provider or is an agent or managing employee of the provider and has been convicted of a criminal offense related to that person's	Met/Partially Met/Not Met	N/A

	involvement in any program under Medicare, Medicaid or the Title XX services program since the inception of those programs.		
9	21.2 Time of Disclosure: The CMHSP has a process to obtain disclosure from its providers / contractors at any of the following times:	Met/Partially Met/Not Met	N/A
10	21.2a When provider submits a provider application	Met/Partially Met/Not Met	N/A
11	21.2b Upon execution of the provider agreement	Met/Partially Met/Not Met	N/A
12	21.2c During recredentialing or re-contracting	Met/Partially Met/Not Met	N/A
13	21.2d Within 35 days of any change in ownership of a disclosing entity	Met/Partially Met/Not Met	N/A
14	21.3 Monitoring Provider Networks: The CMHSP must search the OIG exclusion database monthly to capture exclusions since the last search and at any time providers submit new disclosure information--there may be more places to search added in the future.	Met/Partially Met/Not Met	N/A
15	21.4 Reporting Criminal Convictions: The CMHSP has a policy and process to identify and notify the PIHP (who notifies MDHHS BHDDA Division of Program Development, Consolation and Contracts) when any disclosures are made by providers with regard to: The ownership or control by a person that has been convicted of a criminal offense described under sections 1128(a) and 1128(b)(1)(2), or (3) of the Social Security Act, or that have had civil money penalties or assessments imposed under section 1128A of the Act.	Met/Partially Met/Not Met	N/A
16	21.4a Reporting Criminal Convictions: The CMHSP has a policy and process to identify and notify the PIHP (who notifies MDHHS BHDDA Division of Program Development, Consolation and Contracts) when any disclosures are made by providers with regard to:  Any staff member, director, or manager of the CMHSP, individual with beneficial ownership of five percent or more, or an individual with an employment, consulting or other arrangement with CMHSP has been convicted of a criminal offense described under sections	Met/Partially Met/Not Met	N/A

	1128(a) and 1128(b)(1)(2), or (3) of the social security Act, or that have had civil money penalties or assessments imposed under section 1128A of the Act.		
19	21.5 At the time of enrollment and re-enrollment, CMHSPs must search the OIG exclusion database to ensure contractor and any individuals with ownership or control interests in the provider entity have not been excluded from participating in federal health care programs.	Met/Partially Met/Not Met	N/A
20	21.6 The CMHSP shall search the OIG exclusions database monthly to capture exclusions and reinstatements that have occurred since the last search, or at any time providers submit new disclosure information	Met/Partially Met/Not Met	N/A
21	21.7 CMHSP has a process for notifying the PIHP Credentialing Specialist of provider disclosure new information.	Met/Partially Met/Not Met	N/A
22	21.8 Prior to employment, the agency/CMHSP verifies that the individual is not included in any excluded or sanctioned provider lists.	Met/Partially Met/Not Met	N/A
23	21.9 Agency must search monthly the OIG exclusion database to ensure individuals or entity have not been excluded from participating in federal health care programs. Monthly review of General Services Administration (GSA) and MDHHS exclusion lists.	Met/Partially Met/Not Met	N/A
24	21.10 Agency employment, consulting, or other agreements must contain language that require disclosure of any such convictions to agency.	Met/Partially Met/Not Met	N/A

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