

Topic: Vendor Management	Department: Compliance
Original effective date: 2/08	Last Revision Date: 9/26/24
Owner: VP for Quality and Compliance	Frequency of reviews: Annual
Internal/Regulatory Reference(s) (all that apply): 42 USC 1396a(a)(68)	
Related documents/Links: Please see references within the document	

Policy: It is the policy of The Arc of Monroe that business, administrative and support functions promote personal and organizational outcomes.

Additional Information:

Definitions:

Vendor: A person or company, not employed by The Arc, from whom we receive certain products or services.

Subject Vendor: A vendor who is affected by our Medicaid risk areas and who is subject to the Deficit Reduction Act (DRA) requirements (please cross-reference that policy), including those being reimbursed via Medicaid funds. This includes those vendors who:

- Provide a health-related service or items (regardless of volume) AND has a contract with us; OR
- Provide a service or item that has to do with health care; OR
- Provide general, non-health-related supplies to the agency including, but not limited to office supplies, items used in the provision of services to the people we support, car parts, automobiles, printing, food, shipping services, maintenance supplies, manufacturing supplies, appliance purchase or repair, or technology vendors; AND
- Receive at least 2 payments from us within any quarter of a calendar year; AND
- Get paid at least \$4,000 in any quarter of a calendar year

The following won't ever be subject vendors:

- Utility companies (electric, gas, phone, cell phone, internet, cable, trash removal, water, etc.)
- Professional organizations
- Insurance companies
- Benefit companies
- Investment companies
- Government agencies or offices

Procedure	
Task:	Responsible party:
1. In the month following the end of each quarter, the VP for Quality and Compliance will request: *A list of new vendors for the prior 3 months from the finance office; and *A list of all checks the agency wrote for the same period	VP for Quality and Compliance; Finance

<p>2. The received list of vendors will be reviewed to determine if any meet the criteria for a subject vendor.</p>	<p>VP for Quality and Compliance</p>
<p>3. For any that do, we will send them the following information and policies via certified mail: *Our compliance plan *Corporate Compliance Policy for Affected Parties *False claims acts *Non-compliance detection and response; and confidential communications *Whistleblowers, Non-intimidation and Non-retaliation *The core compliance training curriculum</p> <p>This includes information on where to find all corporate compliance and HIPAA privacy policies and procedures (Arcmonroe.org), and how to report a concern anonymously or confidentially (our compliance hotline).</p> <p>Copies of cover letters and/or certified mail return receipts will be kept as evidence of compliance.</p>	<p>VP for Quality and Compliance</p>
<p>4. Every vendor will be reviewed to ensure that they exist (are not fabricated) and are not excluded from participation in Medicaid check (please cross reference the policy, “Exclusion checks” for further information). Exclusion checks will then occur monthly thereafter.</p>	<p>VP for Quality and Compliance or designee</p>
<p>5. If a vendor is determined to be excluded, they will no longer be able to work with or for us in any capacity.</p>	<p>VP for Quality and Compliance</p>
<p>6. Vendors are responsible for conducting exclusion checks to confirm the identity and determine the exclusion status of its employees to the degree that they are impacted by The Arc of Monroe’s Medicaid risk areas.</p> <p>Minimally, these must be done every 30 days by reviewing the following databases: *NYS Office of the Medicaid Inspector General Exclusion List *Health and Human Services Office of Inspector General’s list of Excluded Individuals and Entities</p>	<p>Vendors.</p>
<p>VP for Quality and Compliance:</p>	
<p>1. The VP for Quality and Compliance acts as the agency’s Compliance Officer, as required in NYS law.</p>	<p>VP for Quality and Compliance</p>
<p>2. They have primary responsibility for administering the agency’s compliance program, and related policies and procedures.</p>	<p>VP for Quality and Compliance</p>
<p>3. They have primary responsibility for reviewing and vetting vendors, for identifying which meet the criteria for “subject vendor” consistent with this policy, for conducting initial exclusion checks, and for ensuring that they receive required compliance-related information consistent with the DRA.</p>	<p>VP for Quality and Compliance</p>

Document revision record:

Revision Date	Release Date	Reason for change	Approver
5/30/08	5/30/08	Reasons for change not documented	VPQC
10/30/09	10/30/09	Reasons for change not documented	VPQC
5/4/10	5/4/10	Reasons for change not documented	VPQC
10/21/11	10/21/11	Reasons for change not documented	VPQC
2/21/12	2/21/12	Reasons for change not documented	VPQC
8/3/12	8/3/12	Reasons for change not documented	VPQC
6/5/17	6/5/17	Reasons for change not documented	VPQC
2/11/20	2/11/20	Transferred to new procedural format	VPQC
8/18/21	9/8/21	Adjusted the minimum disbursement level for subject vendors; added a discrete section for VPQC; added all general vendors to be considered subject vendors	ICC
7/18/22	7/18/22	Added technology vendors to the list under subject vendors	ICC
3/22/23	3/28/23	Further defined who a subject vendor is; added that information will be mailed certified; set frequency of vendors checks to quarterly from semi-annually; and added that core compliance training curriculum will be sent as well	ICC
4/12/23	4/28/23	Updated criteria for subject vendor to paid 2x and minimum \$4000 per quarter versus semi-annually	ICC
10/30/23	10/30/23	Added "Cover Letters" to #3 in general procedure. Formatting and typos corrected.	ICC
8/16/04	8/21/24	Added that vendors are responsible for conducting exclusion checks	ICC
9/26/24	9/26/24	Added a cross-reference and some clarifying information	ICC