

DCH EXCLUSION STATEMENT

The DCH shall conduct business only with responsible participants. Participants will be excluded from participation in DCH programs not as a penalty but rather to protect public funds and to ensure the integrity of publicly funded programs and public confidence in its programs.

DCH will obtain a list to include vendors who have been sanctioned for unethical behavior in their dealings with the Department to include behavior such as:

- Being convicted of a felony within the last 7 years;
- Misdemeanor conviction relating to health care fraud within the last 3 years;
- Conviction relating to obstruction of an investigation within the last 3 years;
- Exclusion or suspension under federal or state health care programs;
- Repeated instances of non-performance under previous grant agreements. Non-Performance is defined as failing to successfully complete deliverables resulting in the grant's termination or non-payment of invoices;
- Fraudulently receiving funds from DCH to include falsifying invoices in order to receive payment for work not completed;
- Violating any state or Department policy with which the grantee is required to comply;
- Collusion or collaboration with any bidder, proposer or applicant in the submission of any grant application for the purpose of lessening or reducing competition;
- Conviction on three (3) or more occasions of exclusion offenses. Permanent exclusion.
- Any other behavior the Department deems unethical.

Exclusion shall be concurrent with the period of debarment, suspension, or exclusion imposed by the federal or state government; however, DCH reserves the right to modify this term based on the nature and the seriousness of the wrongful act or omission warranting exclusion, the length of time since any wrongful act or omission warranting exclusion and the goals and purposes underlying the rule. In any case, exclusions shall not be less than for one year and at least until all appropriated funds, costs, and penalties owed to DCH by the participant are paid full, the participant provides support that he is financial viable and the participant meets all applicable requirements in federal rules and laws.

Persons or Entities Excluded: In addition to the excluded participants, exclusion applies to:

- All participants related parties, and the heirs and assigns of the participants and related parties.
- The participant's immediate family members will generally be excluded from participation in any entity to which the excluded participant was a related party, any successor entity or start up entity in the same or similar program.