

Summary of Sanctioned Medical Providers and Medical Evidence of Record

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Office of Audit

Objective

To determine the feasibility of using the Department of Health and Human Services (HHS), Office of Inspector General's (OIG) List of Excluded Individuals and Entities (LEIE) to screen medical evidence of record (MER) providers used by the Social Security Administration (SSA).

Background

HHS OIG has the authority to exclude individuals and entities from federally funded health care programs and maintains the LEIE—a list of all excluded individuals and entities, also known as sanctioned medical providers (SMP).

On October 3, 2012, SSA's Office of Disability Programs asked us to review SMPs in SSA's MER files.

Our Findings

The statutory requirement for exclusions did not apply to SSA because the Agency did not provide or pay for health benefits, and screening MER providers with the LEIE would not be productive because

- our limited testing identified only three SMPs in Alaska, and none received payments from SSA;
- the Agency processes over 15 million MER requests to over 500,000 providers, annually; and
- SSA's MER files contain information for medical record providers, whereas the LEIE contains information on medical service providers.

Additionally, we identified legal and technical issues that SSA should consider if it screens MER providers using the LEIE.

The *Social Security Act* requires that HHS OIG exclude all individuals and entities who meet certain criteria from participating in any Federal health care program. Since SSA does not provide or pay for health care services, these statutory requirements do not apply to the Agency.

SSA has regulations to screen consultative examination (CE) providers who are excluded from participating in Federal programs or whose licenses have been revoked or suspended. The disability determination services (DDS) use the LEIE to screen CE providers, but SSA plans to pilot a new system for continuous monitoring in Fiscal Year 2013.

We tested the number of SMPs in the Alaska MER provider file and identified three SMPs. The DDS did not issue any payments to these SMPs from January 2011 through November 2012. Additionally, excluding some MER providers from receiving payment might disadvantage claimants.