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**ADMINISTRATIVE SANCTIONS**

To maintain the programmatic and fiscal integrity of the Louisiana Medicaid Program, the federal and state governments have enacted laws, promulgated rules and regulations, and the Department has established policies concerning laws, rules, regulations, and procedures.

Providers, recipients, and others may be subject to criminal prosecution, civil action, and/or administrative actions if they violate laws, rules, regulations or policies applicable to the Medicaid Program.

**Definition of Administrative Sanctions**

Administrative sanctions refer to any administrative actions taken by the Department against a medical service provider of Title XIX services that are labeled as a sanction. An Administrative action is designed to remedy inefficient and/or illegal practices that do not comply with the Department's policies and procedures, statutes and regulations.

**Delegated Responsibility for Administrative Actions**

Federal laws and regulations and state laws provide the Department with the responsibility and authority to bring administrative actions against providers, recipients and others who engage in fraudulent, abusive and/or other incorrect practices against the Bureau. Sanctions which may be imposed through the administrative process include but are not limited to denial or revocation of enrollment, revocation of licenses and/or certificates, withholding of payments, exclusion from the program, and recovery of overpayments and imposition of administrative fines.

To ensure the quality, quantity, and need for services, Medicaid payments may be reviewed either prior to or after payment is made by the bureau. Administrative sanctions may be imposed against any Medicaid provider who does not comply with laws, rules, regulations or policies

**Grounds for Sanctioning Providers**

The Bureau may impose sanctions against any provider of medical goods, services or supplies if any of the following conditions apply:

- A provider is not complying with the Bureau's policies, rule, and regulations or the provider agreement that establishes the terms and conditions applicable to each provider's participation in the program;
- A provider has submitted a false or fraudulent application for provider status;
- A provider has failed to repay or arrange to repay an identified overpayment or otherwise erroneous payment; or

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- A provider has failed to furnish any information requested by the Bureau or the fiscal intermediary regarding payments for providing goods and services.

**NOTE:** This list is not all inclusive but rather illustrative of practices that are improper. For an inclusive list please refer to the General Information and Administration Manual.

**Levels of Administrative Actions and Sanctions****Corrective Actions**

- Suspending the provider or withholding payments from the provider.
- Requiring the provider to receive education in policies and billing procedures.
- Issuing a warning to a provider through written notice or consultation.

**Sanctions**

- Exclude an individual or entity from participation.
- Impose an arrangement to repay.
- Impose withholding of payments.
- Suspending a provider from participating in the Louisiana Medicaid Program.
- Excluding a provider from participating in the Louisiana Medicaid Program.
- Payment may be suspended to any provider who fails to meet the requirements for participation in the Louisiana Medicaid Program or any other authorized reason.

**NOTE:** This list is not all-inclusive. The provider should also refer to the laws and regulations related to sanctions for each program of enrollment and should review Louisiana Register, Vol. 25, No. 9, September 20, 1999, pages 1630 through 1650.