

DATA BANK GUIDE FOR REPORTING HEALTH CARE-RELATED CRIMINAL CONVICTIONS AND CIVIL JUDGMENTS

Start Here:

Select the reporting scenario that describes your Federal or State agency's or health plan's situation:

A criminal conviction against a health care practitioner, provider, or supplier is reportable when it is related to the delivery of a health care item or service and includes:

- 1) A judgment or conviction entered against the individual or entity in a Federal, State, or local court, regardless of whether there is an appeal pending or whether the judgment or conviction or other record relating to criminal conduct has been expunged.
- 2) A finding of guilt against the individual or entity in a Federal, State, or local court.
- 3) A plea of guilty or *nolo contendere* by the individual or entity accepted by a Federal, State, or local court.

OR

- 4) A case when the individual or entity has entered into participation in a first offender, deferred adjudication, or other arrangement or program where judgment or conviction has been withheld.

Health care-related injunctions also must be reported.

A civil judgment against a health care practitioner, provider, or supplier is reportable, regardless of whether the judgment is on appeal, when it is related to the delivery of a health care item or service. For multi-party suits:

- 1) A government agency in a multi-party suit must report the entire action, including all amounts awarded to all claimants, both public and private.

OR

- 2) If a government agency is not a party, but there are multiple health plan claimants, the health plan with the largest award must report the total action for all parties.

Are you a Federal or State prosecutor involved in a case in which a health care practitioner, provider or supplier was convicted?

Yes

Yes

Are you a Federal or State attorney or a health plan that was party to a civil judgment against a health care practitioner, provider or supplier?

Yes

Yes

Did a subsequent action (i.e., revision to sentence or judgment amount) modify or revise a previously reported conviction or judgment?

Yes

Submit a Revision to Action Report

Did your agency or health plan determine that there is an error or omission in a previously submitted report?

Yes

Submit a Correction Report

Did your agency or health plan determine that an action should not have been reported because of one of the following reasons:
 1) The report was erroneously submitted
 2) The action is not reportable
 3) The action was reversed or overturned
 Note: These are the only reasons for which a report may be voided.

Yes

Void the Report

Did the subject of a report appeal a previously reported conviction or judgment?

Yes

Submit a Notice of Appeal

Submit an Initial Adverse Action Report

Submit a Revision to Action Report

Submit a Correction Report

* This chart summarizes HIDPB reporting guidance for Federal or State criminal convictions and civil judgments (actions with respect to medical malpractice claims are not reportable to the HIPDB). In general, these actions should be reported within 30 days of when the action was taken. For more detailed information, please refer to the HIPDB Guidebook.