

**Harvard Pilgrim Health Care, Inc.**  
**Harvard Pilgrim Health Care Institute, LLC**  
*Office of Sponsored Programs*

**Policy and Procedure**

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**TITLE:** Export Controls and Restricted Party Screening in Procurement and Payment

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**PURPOSE:**

This policy is intended to prevent Harvard Pilgrim Health Care, Inc. (HPHC) and Harvard Pilgrim Health Care Institute, LLC (HPHCI) (together HPHC/I) from making prohibited payments to individuals or entities found on any government-issued restricted, blocked, or denied party lists.

Activities subject to this policy may include but are not limited to: contracts requiring pre-screening of payees, international subcontracts, procurement transactions, honoraria, payroll, and compensation to research study participants.

Compliance depends on timely screening of prospective vendors and payees and appropriate responses by HPHC/I personnel when HPHC/I identifies listed parties.

**PERSONS AFFECTED:**

This policy & procedure (P/P) applies to all Harvard Pilgrim Health Care, Inc. (HPHC) and Harvard Pilgrim Care Institute, LLC (HPHCI) (collectively, HPHC/I) personnel engaged in research, teaching or research administration activities in support of the charitable and educational mission of HPHC, Inc.

**POLICY:**

HPHC/I shall not enter into contracts, conduct business, or otherwise participate directly or indirectly, in any such activities with any entity or person found on any government-issued restricted, blocked, or denied party lists. HPHC/I shall comply with all applicable legal, regulatory and contractual requirements intended to prevent it from making prohibited payments to individuals or entities, including those from sanctioned or embargoed countries, found on any government-issued restricted, blocked, or denied party lists.

**DEFINITIONS:**

*Consolidated Screening List (CSL)* - a list of parties for which the United States Government maintains restrictions on certain exports, reexports or transfers of items.

System for Award Management (SAM) – a list of parties for which the United States maintains restrictions on certain exports, reexports or transfers of items.

**PROCEDURE:** HPHC/I may contract for software services (such as Visual Compliance) or use other appropriate methods to implement appropriate screening of prospective payees against the SAM and CSL databases (“Restricted Party Screening”). Individuals and entities to be screened include but are not limited to employees, students, independent contractors, and vendors. Finance, Human Resources, the Office of Sponsored Programs and Research Administration will cooperate with requests for data to support such screenings.

Appropriate action to prevent prohibited transactions based on screening results will be taken, which may including but not limited to: notifying other HPHC/I stakeholders, notifying the prohibited party, terminating contractual negotiations, and cancelling payment or procurement transactions.

### **Duties of Associate Grant Coordinator**

It is the responsibility of the Associate Grant Coordinator (AGC) to perform Restricted Party Screening:

1. On individuals, subcontractors, and sub-awardees supported by research grants and contracts.
2. on all identified subcontract institutions and personnel prior to submission to the funding agency.
3. Prior to execution of a subcontract, the AGC will perform Restricted Party Screening of each subcontract institution and each person associated with the subcontract.

The AGC will also check the Visual Compliance System when HPHC is receiving a grant from a foreign institution.

If at any time an individual or entity name appears during the Restricted Party Screening, the Research Integrity & Compliance Officer shall be notified immediately for appropriate action.

### **Duties of HPHC Procurement Services**

If a vendor appears in either the SAM or on the CSL, Procurement Services will contact the requisitioner and will not create the PO until the issue has been resolved with the Director of OSP.

Electronic approval for requisitions for these expenses follows workflow approval process.

### **Duties of Principal Investigators:**

All Principal Investigators at HPHC/I shall complete Section IX: Pre-Approval for International Collaboration of the HPHC Sponsored Programs Application.

### **Training**

All HPHCI personnel shall participate in training on U.S. export control laws and regulations.

## Penalties for Non-Compliance

Failure of any HPHC/I personnel to comply with this Policy and/or the requirements of any applicable federal export control regulations may lead to disciplinary action up to and including unpaid suspension or termination of employment.

<b>Department:</b> OSP Grants & Contracts/Research Integrity & Compliance	<b>Title:</b> Export Controls and Restricted Party Screening in Procurement and Payment
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<b>Related Documents:</b>	
<b>References:</b> <a href="http://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl">Bureau of Industry and Security, U.S. Department of Commerce: (http://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl)</a> <a href="http://www.pmdtdc.state.gov/compliance/debar.html">http://www.pmdtdc.state.gov/compliance/debar.html</a>  <a href="http://developer.trade.gov/">http://developer.trade.gov/</a>  <a href="http://business.usa.gov/consolidated-screening">http://business.usa.gov/consolidated-screening</a>  <a href="https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/consolidated.aspx">https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/consolidated.aspx</a>  Policy and Procedure: Requisitioning for Goods and Services  Policy and Procedure: Subrecipient Monitoring	
<b>Approved By:</b> 	