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Office of Personnel Management.

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Deputy Director.

OPM/CENTRAL-14

SYSTEM NAME:

Debarment or Suspension Records for Federal Employees Health Benefits Program (FEHPB).

SYSTEM LOCATION:

Administrative Sanctions Branch, Office of the Inspector General, Office of Personnel Management, 1900 E Street, NW., Room CHP 1314, Washington, DC 20415-0001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Health care providers (physicians, hospitals and other individuals or entities which furnish health care services or supplies) and other participants who have been or are in the process of being debarred, suspended, determined to be ineligible, or otherwise excluded from participating in the Federal Employee Health Benefits Program (FEHBP), and other federally authorized financial and nonfinancial assistance and benefits under programs and activities (nonprocurement) administered by OPM.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains a listing of health care providers and other participants, debarred, suspended, determined to be ineligible, or otherwise excluded from participation in the FEHBP and other federally authorized financial and nonfinancial assistance and benefits under programs and activities (non-procurement) administered by OPM. It includes records such as general correspondence, statements of cause, case files, and other related documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM INCLUDES THE FOLLOWING WITH ANY REVISIONS OR AMENDMENTS:

5 U.S.C. Appendix 3, Executive Orders 12549 and 12689, and 5 CFR part 970.

PURPOSE:

Executive Orders 12549 and 12689 provide that Executive departments and agencies participate in a governmentwide system for nonprocurement debarment and suspension. This system of records documents OPM's participation in the program to reduce fraud and abuse in Federal nonprocurement programs and decisions regarding actions taken to

exclude participants in Federally authorized nonprocurement programs administered by OPM.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where OPM becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a suitability or security investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is a party to the judicial or administrative proceeding. In those cases where the Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge.

e. To disclose information to the National Archives and Records Administration for use in records management inspections.

f. By OPM in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related workforce studies. While published studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which OPM is authorized to appear, when:

(1) OPM, or any component thereof; or

(2) Any employee of OPM in his or her official capacity; or

(3) Any employee of OPM in his or her individual capacity where the Department of Justice or OPM has agreed to represent the employee; or

(4) The United States, when OPM determines that litigation is likely to affect OPM or any of its components; is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or OPM is deemed by OPM to be relevant and necessary to the litigation provided, however, that the disclosure is compatible with the purpose for which records were collected.

h. To disclose information to officials of the Merit Systems Protection Board or the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of OPM rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

i. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures or other functions vested in the Commission and to otherwise ensure compliance with the provisions of 5 U.S. 7201.

j. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

k. To disclose information to contractors, grantees, or volunteers performing or working on a contract, service, grant, cooperative agreement, or job for the Federal Government.

l. To disclose records to appropriate Federal, State and local agencies if necessary and relevant to administering Federal financial or nonfinancial assistance programs or benefits.

m. To disclose records for performance of a Federal duty to a State or local agency, or financial institution.

n. To disclose information on excluded health care providers to other persons involved in or affected by the action.

o. To disclose information to agencies or organizations that license, certify, regulate, investigate, or prosecute persons or organizations that provide health-related services or items to