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## 42 U.S. Code § 1320b-6

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### Exclusion of representatives and health care providers convicted of violations from participation in social security programs

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#### **(a) In general**

The Commissioner of Social Security shall exclude from participation in the social security programs any representative or health care provider —

- (1) who is convicted of a violation of section 408 or 1383a of this title;
- (2) who is convicted of any violation under title 18 relating to an initial application for or continuing entitlement to, or amount of, benefits under subchapter II of this chapter, or an initial application for or continuing eligibility for, or amount of, benefits under subchapter XVI of this chapter; or
- (3) who the Commissioner determines has committed an offense described in section 1320a-8(a)(1) of this title.

#### **(b) Notice, effective date, and period of exclusion**

- (1) An exclusion under this section shall be effective at such time, for such period, and upon such reasonable notice to the public and to the individual excluded as may be specified in regulations consistent with paragraph (2).
- (2) Such an exclusion shall be effective with respect to services furnished to any individual on or after the effective date of the exclusion. Nothing in this section may be construed to preclude, in determining disability under subchapter II or subchapter XVI, consideration of any medical evidence derived from services provided by a health care provider before the effective date of the exclusion of the health care provider under this section.

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