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<https://www.hrsa.gov/provider-relief/reporting-auditing/reporting-non-compliance>

November 2021



Provider Relief Fund Reporting Non-Compliance Fact Sheet

Reporting Non-Compliance

Providers who attested¹ to Provider Relief Fund (PRF) payment(s) agreed to the [Terms and Conditions](#) of the payment(s), including a requirement to report on the use of the funds. Per the [Post-Payment Notice of Reporting Requirements](#), providers who received one or more payments exceeding, in the aggregate, \$10,000 during a Payment Received Period are required to report on the use of funds. Providers who do not submit a completed report on the use of funds by the applicable reporting deadline are considered non-compliant with the [Terms and Conditions](#). HRSA will officially notify all non-compliant providers alerting them of their non-compliant status with instructions on how to remediate their status (if applicable).

Repercussions for Non-Compliance

EXCLUSION FROM FUTURE PAYMENT(S)

As described in the Terms and Conditions, HHS reserves the right to administer penalties for non-compliance. Providers subject to enforcement actions whose organizations do not come into compliance by returning funds will be excluded from receiving and/or retaining future PRF payments – including any applicable Phase 4 payments.

REPAYMENT AND DEBT COLLECTION

- All non-compliant providers subject to enforcement actions will receive an official notice indicating that HRSA is seeking repayment of all PRF payments for the applicable Reporting Period.
- Providers will have **30 business days** after receiving their Final Notice of Reporting Non-Compliance to return the payment(s).
- HRSA will initiate repayment on all funds not reported on during the specific Payment Reporting Period.
 - **Example:** A provider receives over \$10k in PRF payments in Payment Received Periods 1 and 2. Reporting period 1 has concluded and the provider did not report by the deadline. The provider will be considered non-compliant and will need to repay all funds received in Period 1. When Reporting Period 2 opens, the provider will be able to retain and will be required to report on the use of funds received in Period 2.

Relevant Terms and Conditions

Non-compliance with any Term or Condition is grounds for the Secretary to **seek repayment** of some or all of the payments made.

The Recipient acknowledges that any deliberate **omission**, misrepresentation, or falsification of any information **contained in this Payment application or future reports may be punishable by criminal, civil, or administrative penalties [...]**.

Returning Funds

Details and instructions on how to return funds can be found on the [Returning Funds Fact Sheet](#), [PRF Reporting Portal](#), and [PRF Webpage](#)

¹ All providers that retain PRF payments attest to 1) confirm they received a payment and the specific payment amount received and 2) agree to the [Terms and Conditions](#) of the payment.