



Practical Guidance for Health Care Governing Boards

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Practical Guidance for Health Care Governing Boards on Compliance Oversight

Office of Inspector General,
U.S. Department of Health and Human Services
Association of Healthcare Internal Auditors
American Health Lawyers Association
Health Care Compliance Association



Start a Conversation

- Use this document to start a conversation
- Boards need information to make good decisions
- ***Boards should be actively engaged in oversight of compliance***



Board Oversight

- Accountable to shareholders and communities
- Government incentives for self-policing
- Select and guide the management of the organization

OIG recognizes that compliance program design will depend on the size, resources, and complexity of the organization.





Compliance is a Team Sport

- Compliance
- Legal
- Audit
- Human Resources
- Quality Improvement
- Risk Management
- Clinical Departments
- Sales, Marketing, Business



Compliance is a Team Sport

Think about your own organization

- Who is involved in the following?
 - Identifying compliance risks
 - Investigating compliance risks
 - Designing and implementing appropriate corrective actions and decision-making
- How do the departments in your organization communicate throughout the process?
- How is the Board informed?





Everyone Plays on This Team

- Use compliance metrics to evaluate organizational performance
- Make compliance a part of employee performance
 - Eligibility for bonuses
 - Clawback/recoupment provisions
 - Performance improvement plans
- Management certifications



Informed Decisions...

... require information!



- How does your board get information?
- From what sources?
- What kind of information?

- How do they keep abreast of external changes?



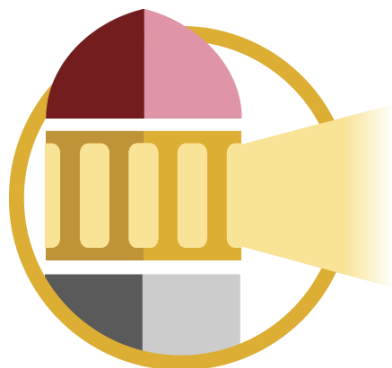


Our Suggestions

- Consultation with outside regulatory, compliance, or legal professionals
- Regular reporting of predetermined data
- Risk-based reporting
- Multiple reporting streams
- Use of scorecards or dashboards



If a Tree Falls...



Effective compliance programs proactively identify risks

- What are your risk areas?
- What tools are in your toolkit?





What are your risk areas?

Industry

What arrangements or reimbursement structures you deal with?

Organizational

How is your organization structured?

Historical

Have prior audits identified a risk?

Circumstantial

Have you received reports from employees or others?



What tools are in your toolkit?

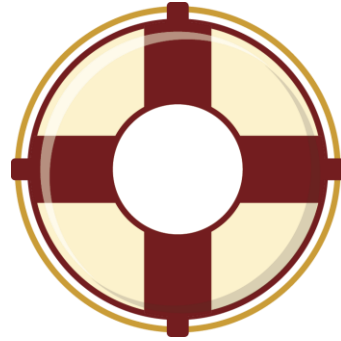
- Internal or external audits
- Employee reporting
- Management and employee surveys
- Public data from comparable institutions
- Public reports of enforcement actions





Corrective Action

- Team approach to problem solving
- 60 Day Rule for overpayments
- Disclosure to the government



Questions?

