

**How to Use
"Measuring Compliance Program Effectiveness" – Some Perspectives**


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**The Guide:
What It Is
and
What It Is Not**


**Measuring Compliance Program Effectiveness:
A Resource Guide**

ISSUE DATE: MARCH 21, 2017

HCCA-OIG Compliance Effectiveness Roundtable
Roundtable Meeting: January 17, 2017 | Washington, DC



**Right-sizing the Guide:
A Tool For Any Size Organization**



**Putting Measures into Practice:
A Discussion of Examples**

**Assessment
1.27**

Essential Compliance Policies and Procedures exist


- Can staff articulate Policies and Procedures?



**Compliance Officer
2.27**

Compliance Officer Independence and Objectivity


- Review the CO Job Description
- CO reporting structure?
- CO in the Org Chart
- Independence
- Authority to retain counsel



**Compliance Plan
2.45**

What is the Company Doing to Drive the Compliance Culture?

- Surveys
- What does the company incentivize?
- What does the company promote?
- Is the Compliance Program tied to Mission, Vision, and Values?




COMPLIANCE PROGRAM ADMINISTRATION

**Employee Screening
3.9**

All employees are screened prior to hire

- Audit HR files to ensure documentation supports that newly hired employees were screened prior to their first day worked




SCREENING & EVALUATION

**Training
4.10**

The organization evaluates policy and/or compliance failures and provides re-education to applicable staff

- Audit failures to determine if training is considered in corrective action
- Audit to ensure re-training completed
- Track for reoccurrence to determine understanding and effectiveness




COMMUNICATION, EDUCATION, & TRAINING



Monitoring and Auditing Work Plan 5.40

Auditing and Monitoring Process

- Document and process review
- How is the annual Work Plan developed?
- Who is responsible for the Work Plan?



MONITORING, AUDITING, & REPORTING


Sample Monitoring & Auditing Tool

Performance Indicator	Monitoring Parameters	Information Source	Method of Data Collection	Data Collection		Data Analysis & Reporting	
				Frequency	Who	Reason	Use
License and Sanction Checks							
- License verification	- For all licensed positions	- Employee application - State license database	- Copy license - Print	- Employment - Annual performance review - Biannual renewal	- Identify who is collecting & will review	- Therapy must be provided by licensed or qualified individuals	- Compliance Indicator - Compliance Metrics
- OIG LIE Sanctions Database	- For all employees	- OIG LIE List	- Print findings (page)	- Employment - Quarterly	- Identify who is collecting & will review	- Excluded individuals may not provide care/bill	- Compliance Indicator - Compliance Metrics
- Medicaid Exclusion Database	- For all employees	- State Medicaid exclusions database (if applicable)	- Print findings (page)	- Employment - Quarterly or monthly if required	- Identify who is collecting & will review	- Excluded individuals may not provide care/bill	- Compliance Indicator - Compliance Metrics

Awareness
6.12

Distinction between disciplinary action and non-retaliation

- Interview staff for understanding
- P&Ps support discipline
- Assess the difference between discipline and non-retaliation
- Make sure of appropriate protections




**DISCIPLINE FOR
NON-COMPLIANCE**

Timeliness of Response
7.42

Self Disclosure Guidelines

- Document reviews and interviews
 - Are there written guidelines for self disclosure?
 - Do they address everyone that is impacted?
 - Do they address information to be shared with regulators?



**INVESTIGATIONS &
REMEDIAL MEASURES**

Questions?


Comments?

How Will You Use This Guide?

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Laura E. Ellis, Office of Inspector General

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How do you know if you have an effective Compliance Program?



A window into compliance efforts in the real world an interview with Susan Gillin, Chief of the Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, U.S. Department of Health and Human Services
— an interview by Gabriel L. Imperato

Contact Information & Resources

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Resources:

<https://oig.hhs.gov/compliance/101/files/HCCA-OIG-Resource-Guide.pdf>
<https://oig.hhs.gov/authorities/docs/physician.pdf>
