

# When Compliance Isn't the Only Hat You Wear: The Art of Allocation of Time and Resources While Maintaining an Effective Compliance Program

## Who are we?

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## Why are we here today?

- ▶ Reality: Compliance Officers in smaller organizations may have additional responsibilities
- ▶ Prioritization of risks and initiatives to maximize efficient use of time and resources
- ▶ Promotion of a culture of compliance and program awareness when compliance isn't your only job

## Polling Question

- ▶ How many hats do you wear in your organization?

## How to play multiple roles

- ▶ Illustrate “compliance” in every aspect of all jobs - compliance is not a switch to be turned on and off
- ▶ Competence, Connection, Conversation, Consequences
- ▶ It is all about the approach - not the “Compliance Cop” or the “HIPAA Police”
  - ▶ Trying to catch people doing things wrong vs. trying to help them do it right

## Wearing all of the hats...and making it work

- ▶ Clear definition of each role
- ▶ Maintain lines
  - ▶ Committees
  - ▶ Documentation
  - ▶ Work Product



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## Staff awareness

- ▶ Make sure staff can identify their Compliance Officer, Privacy Officer, etc.
- ▶ Make sure your Compliance role is clear in:
  - ▶ Office signage
  - ▶ Email signatures
  - ▶ Voicemail messages

## What is our goal?

- ▶ Compliance is all about people doing the right thing, the right way at the right time
- ▶ Creating space for a culture of compliance

## Competence

- ▶ It is essential that the compliance officer be seen as a subject matter expert.
  - ▶ Without competence there is no credibility
- ▶ Doesn't mean you have to know everything, just have to be one page ahead of the class!
- ▶ Work Plan Handout

## Competence

- ▶ Job Description
  - ▶ Accurate depiction of compliance responsibilities and accountabilities
- ▶ Appropriate reporting structure
- ▶ Certification
- ▶ Ability to research
  - ▶ Where do you go for answers?

## Connection

- ▶ The goal is to connect, not correct
  - ▶ Seeking permission
- ▶ No one likes to have anything done "to" them
- ▶ When there is a connection, compliance isn't just something else staff have to do, rather is it part of the fabric of the organization that helps people do the right thing, in the right way at the right time

## Connection

- ▶ Compliance is a service department of the organization
- ▶ Becoming a resource
- ▶ Create a culture where stakeholders are comfortable reaching out for guidance - permission is better than forgiveness!

## Conversation

- ▶ Mutual dialogue - use their language - be interested in their work
- ▶ Be Right - Make sure the solution you bring is accurate and correct
- ▶ Customer first - Compliance serves the "customer"
- ▶ Outcomes not obstacles - goal is not to make them do additional work

## Conversation

- ▶ Clearly communicate what hat you are wearing in the conversation
  - ▶ "From a Compliance perspective" may have a different angle
- ▶ Documentation
  - ▶ Tracking of proactive inquiries along with reactive events
  - ▶ Where are you keeping the documentation?

## Consequences

- ▶ Make things better - keep track of what you do!
- ▶ Be invisible - compliance is like glue, when it works you can't see it
- ▶ Deflect credit
- ▶ Transform perspectives - help people see compliance as a positive

## Consequences

- ▶ Keep your Board apprised of compliance outcomes
  - ▶ Audit results
  - ▶ Investigation results
  - ▶ Discipline
- ▶ Understand that your level of involvement in certain processes, such as discipline, may be different from a compliance perspective



## Prioritization of Risks/Compliance Initiatives

- ▶ What will bite you in the butt first?



## Polling Question

- ▶ What other roles do you play in your organization?



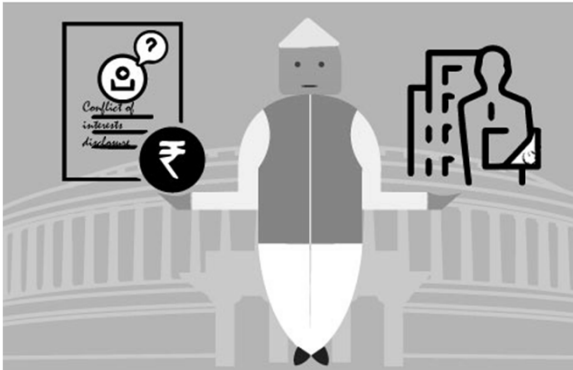
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# Competing Priorities

Compliance may not seem as time sensitive as other initiatives, particularly those with a direct patient care impact

Ask yourself on a daily basis, "Did I wear my compliance hat today?"

## Conflicts of Interest



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- ▶ Multiple roles may result in conflicts
  - ▶ Compliance/Legal
  - ▶ Compliance/Finance
- ▶ Have a plan for dealing with those conflicts
  - ▶ Use of outside counsel/consultants
  - ▶ Clear communication and documentation
- ▶ May need to consider alternative distribution of leadership resources

## Prioritization

- ▶ Which identified risk has the highest likelihood of occurrence and highest impact?
- ▶ What will bring the local TV station to your door?
- ▶ But don't forget the low hanging fruit as a good momentum builder
  - ▶ Quality of Care Dashboard Handout

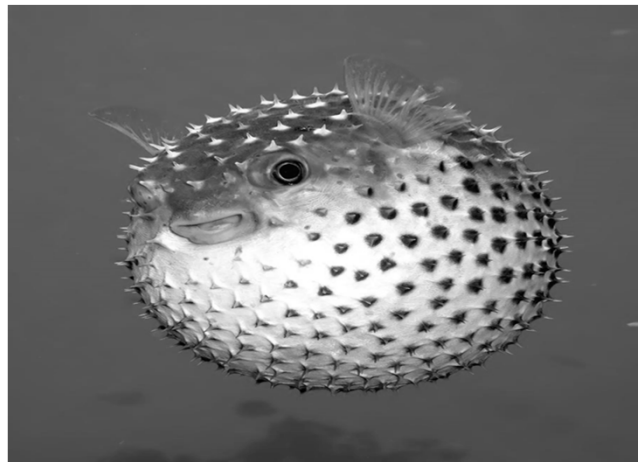
## Obtaining and Allocating Resources

- ▶ Use Risk Assessments to establish "the need"
- ▶ Create a business case showing the need, the solution and the benefit/result
- ▶ Utilize the language that is always understood, money.
  - ▶ How much can we save
  - ▶ What fines can we prevent
  - ▶ How will this make us more efficient

## Once you have the resources

- ▶ Return to the risk assessment to determine where you can best use precious resources
  
- ▶ Parlay allocated resources with “free stuff” to increase the impact of the compliance program
  - ▶ HCCA library of tools
  - ▶ OIG resources
  - ▶ Network of other compliance officers

## Look bigger!



## Successfully juggling the hats

- ▶ Constantly beat the drum that every employee is the eyes and ears of the compliance program
- ▶ Engage the compliance committee in a very real and active way
- ▶ Find a compliance mentor
- ▶ Plug into networking groups



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## Questions

