



Handling an Investigation in the Spotlight

HCCA Healthcare Enforcement Compliance Institute

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At the Outset



- Understand the questions/issues
- Scope: What will you cover; what won't you cover
- Ensure staffing is appropriate
- Manage expectations/transparency around process
 - Who are your stakeholders
 - What is your timing
 - What questions/issues do you intend to address

Investigation/Review



- Stay focused; don't get distracted; maintain a low profile
 - But be prepared if new issues arise and possible need to expand scope
- Just the facts approach
- Gather all relevant documents/interview all relevant witnesses
- To maximum extent possible, follow regular order/practice
- Maintain independence and objectivity; keep an open mind
- Engage regularly with your investigative team
 - Keep updated and informed
 - Provide guidance and direction while avoiding micromanagement

Public Report



- Report is for many different audiences
- Maintain focus on the facts
 - Findings and conclusions will only be accepted if supported by facts
 - Explain evidence gathering process
 - Describe any relevant evidence you could not obtain
- Report the good with the bad
 - Be tough but fair
 - Expectation of accountability
- Where appropriate, allow those whose conduct is criticized to review relevant portions of draft report and provide comments
- Offer recommendations to address systemic problems
