HCCA Regional Conference
Anchorage, Alaska

Making Your Compliance Committee Effective

Lynda Hilliard, MBA RN CHC CCEP
February 28, 2014

Presentation Objectives

At the end of this session, the participant will be able to:

1. List the key elements required of an effective compliance committee (CC);
2. Describe steps to determine most optimal organizational structure of the CC.
3. Outline key strategic and operational elements needed for an effective CC.

What Makes the CC Effective?

Where Do We Start??

What does the government look for in an effective compliance program?

- Leadership support – tone at the top
- Issues identified and resolved
- Communication of issues
- Assessing education and auditing to assure continual process improvements
- Assessing the comprehensive of the program (inclusive of the FSG 7 elements)

What Makes the CC Effective?

Where Do We Start??

How do we translate government criteria to the committee?

- Per FSG, the ***committee*** assists the "high level individual" in implementing the Program
- Need to document evidence of progressive movement and ongoing improvement in overall processes across the organization.
- Establish goals and objectives on an annual basis with scrutiny and potential consequences for non-action.

Key Elements

Management "Buy-In"

- Obtaining senior leader support
  - o Clearly defined resolution from Board that delineates support for compliance committee
- Gaining business unit support
  - o Involve in development process
  - o Rotate committee leadership

Key Elements (continued)

Committee Charter

Clearly Defined With Detailed Elements, e.g.,

- ✓ Frequency of meetings
- ✓ Reporting structure
- ✓ Membership categories
- ✓ Formal reports
- ✓ Others

Key Elements

Education of Committee Members

✓ Structured orientation for new members and periodic updates
- Detailed discussion on what is a compliance program and how it is integrated within organization
- Delineate differences between operational compliance (management responsibility) vs oversight compliance (independent oversight) *"c"ompliance vs "C"ompliance*

Key Elements

Education of Committee Members

✓ Education on compliance as a function and emerging compliance risk factors
  ✓ Involve members in discussion of educational needs
  ✓ Include risk assessment observations
  ✓ Periodically report on industry emerging risks

Key Elements

Membership and Role Descriptions
✓ Clearly defined roles and responsibilities (to include accountability for attending meetings and replacement level)
- ***Need to keep management from delegating their role to subordinates without sufficient management authority***
✓ Work with leadership to "co-lead" or rotate committee chair among relevant management

Committee Composition

Executive Compliance Committee (decision makers)

Small committee with C-Suite, VP/Directors that cover ALL aspects of business (nooks and crannies)

Operations Compliance Committee (doers)

- Human Resources
- Education
- Quality
- Risk Management
- Patient Care (Service Line Leaders)
- Billing/Finance
- HIMs/Records Management
- Business Development/Marketing
- *Others* (dependent upon business – but include high compliance risk areas)

Agenda Development

- Establish a "standing agenda" with key topics to be discussed at each meeting (See Exhibit 1 – Sample)
  - o Reporting statistics, e.g., status of general training, LEIE and other screening, etc. (especially if these are problem areas)
  - o Include time slots to discuss "last minute" relevant topics
  - o Ongoing updates of "open" business items (monitor until resolution or committee closure"
- Review standing agenda and specific agenda items with management sponsor/co-chair for buy-in and support.

Agenda Development

- Schedule time for ongoing education/briefings
  - o Current regulatory changes/updates, e.g., from the OIG Work Plan or other guidance notices that are disseminated throughout the year
  - o Assign presentation to relevant operational unit to present and provide status of department compliance

Agenda Development

Monitor Progress Towards Work Plan Goals

- o Based upon risk assessment findings, develop a schedule of reports of business unit monitoring and remediation activities through out the calendar year
- o Develop and measure progress to agreed upon goals/objectives to remedy identified compliance risks

Measuring Committee Effectiveness

Establish structured evaluation on a periodic basis
- Annually or at minimum, biennially
- Interview members as to their role on committee and their observation of its value
- Review documentation, from minutes to assess:
  - o Attendance at scheduled meetings – was a quorum met?
  - o Did meetings occur as scheduled, e.g., monthly, quarterly, etc.
  - o Was there documented resolution of issues and/or completion and implementation of processes

Measuring Committee Effectiveness (continued)

- Review documentation, from minutes to assess:
  - o Were recommendations from committee to senior leadership and/or Board accepted and acted upon?
  - o Were audit and monitoring findings/observations acted upon?
  - o Was general and specific compliance education approved by the committee implemented and mandated, as appropriate?
  - o Were key risks identified on risk assessment dealt with – i.e.., development of mitigation plan, responsibility assigned, reported on, and resolved?
  - o Others

Summary

- ✓ Compliance Committee effectiveness is an integral element of a Compliance Program
- ✓ It should be assessed on a periodic basis and improvements to structure or processing completed as needed.
- ✓ Goal achievement and process improvement should be documented and celebrated as a demonstration of the organization's commitment to *detect, deter and prevent fraud, waste and abuse*

Questions?

For further questions, contact me at
lyndahilliard@hotmail.com

Exhibit 1: *Sample Standing Agenda*

**Compliance Committee
"Standing" Agenda**

I.   Approval of Minutes
II.   Education/Regulatory Updates
III.   Mandatory Training/Monitoring Reports
IV.   Open Items
    I.   Status Reports on Projects, Issues, etc.
V.   Scheduled Work Plan Reports (from Calendar)
VI.   New Items –
    I.   Newly Identified Risk Areas
    II.   Upcoming Risk Assessment
    III.   Others
VII.   Adjournment/Next Meeting Date

18

Exhibit 2: *Sample Minutes Template*

Item	Topic	Discussion	Action	Update
1	Minutes Approval	Minutes approved with one correction	Correction made	None
2	Regulatory Update	CO presented summary of Fed Register notice regarding XXXX. Discussion ensued and it was determined further impact study needed	Jane Smith, Coding Director to to research and present impact on operations at next meeting.	Ongoing
3	Mandatory Training Status	John Doe, Compliance Education Manager presented quarterly results. Several department continue to lag and are overdue.	Reports of deficient departments to be submitted to senior leadership for review. CO to follow-up and report at next meeting.	Ongoing
4	Project XXX	Project Lead Judy Jones reported on observations and recommendations	Motion approved to have XXX Manager develop new policy and collaborate with Education on development of specific training	
	ETC			