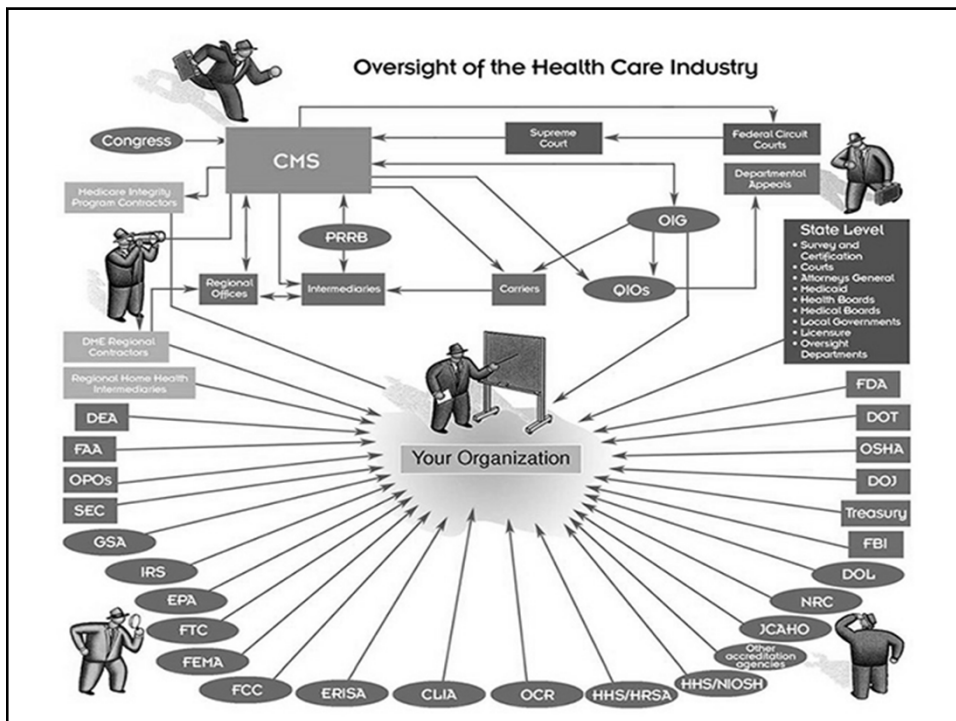




# Compliance Program Effectiveness

R. Brett Short, CHC, CHPC



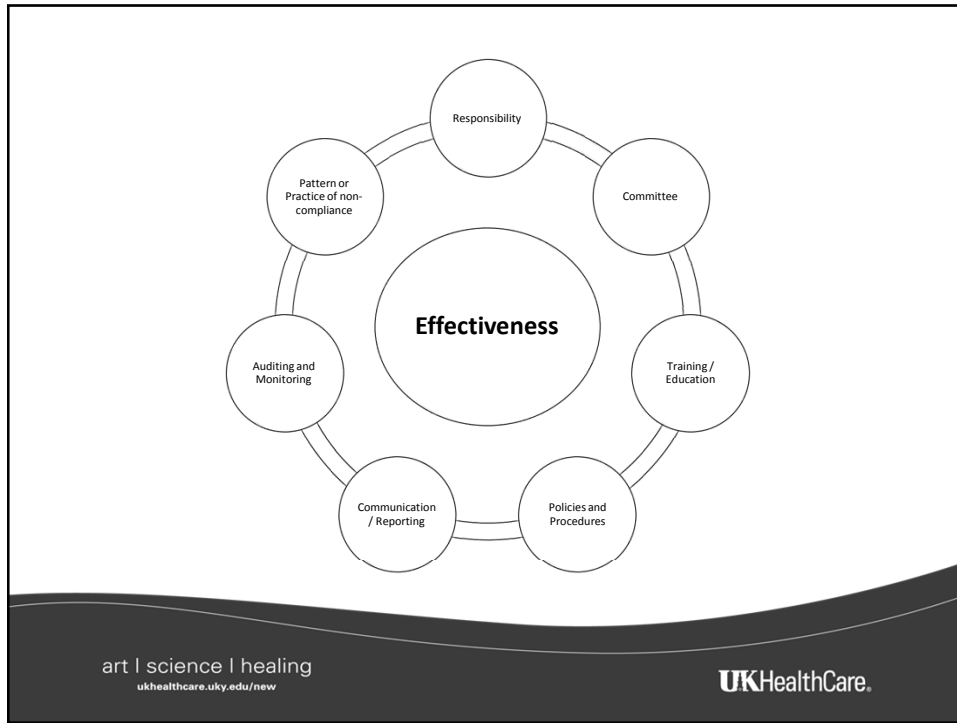
## HOW DO YOU MEASURE EFFECTIVENESS?

- Federal Sentencing Guidelines
- OIG's Voluntary Compliance Program Documents
- Corporate Integrity Agreements (CIA)
- Demonstration

## EFFECTIVENESS

### **Federal Sentencing Commission has outlined the elements of a compliance program**

- Designate Compliance Officer
- Establish a Compliance Committee
- Conduct Training and Education
- Establish a Code of Conduct and Policies and Procedures
- Ensure Open Lines of Communication
- Conduct Monitoring and Auditing
- Ensure those with Criminal Backgrounds don't do Business with Organization
- Measure Effectiveness of the Program



**Responsibility**

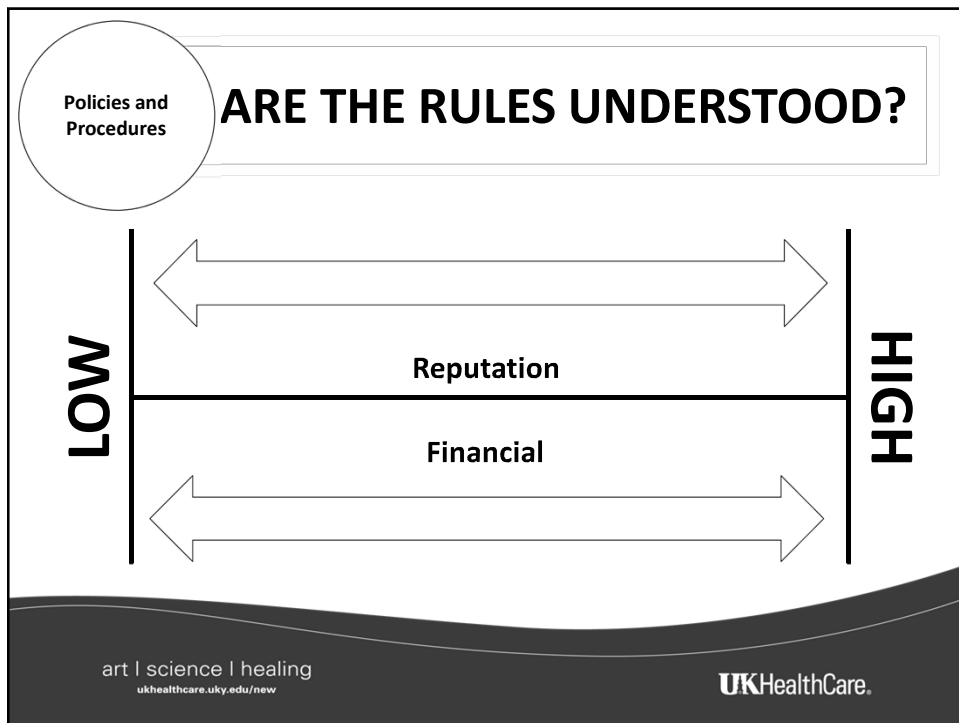
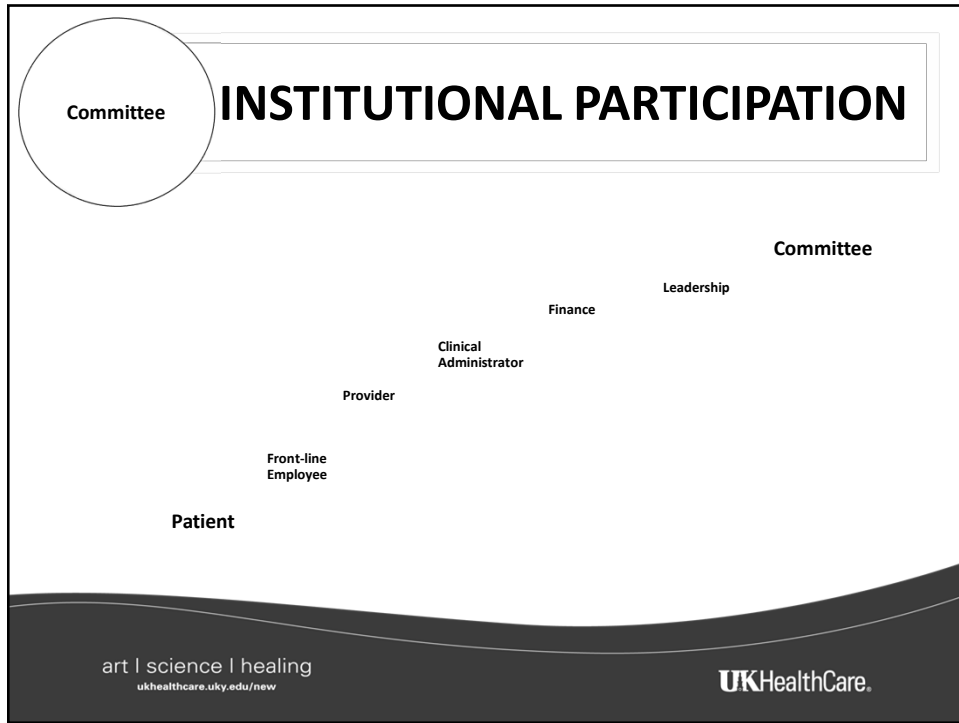
## WHO IS RESPONSIBLE?

### Responsible Party

- Board
- Leadership
- Privacy Officer
- Workforce

art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.



**Communication**

# COMMUNICATION

- Who do you hear from the most?
- What is your #1 question?
- What is the highest volume?
- What is the biggest reputational risk?
- What keeps you up at night?
- What would not surprise you if you heard that "...”?

art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

**Auditing and Monitoring**

# DO YOU HAVE YOUR LIST?

Examples

```
graph LR; High[High] --> Medium[Medium]; Medium --> Low[Low]
```

**High**

- Mobile Devices
- Laptops
- Social Media
- Email

**Medium**

- Waiting room
- Paper PHI
- Misdirected information

**Low**

- Monitors
- Hallway access to PHI
- Common areas

art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

**Pattern or Practice**

# TRENDS?

**Business Associate**

- Lost laptop
- Lost Data

➔

**Contract workers**

- Billing company
- Housekeeping

➔

**Employees**

- What is your tolerance?

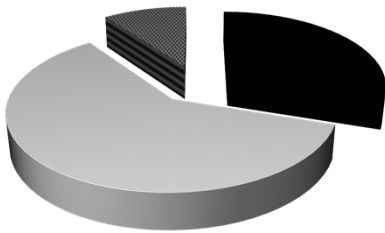
art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

**Measuring Effectiveness**

# KNOW BEFORE THEY ASK

## Privacy Complaints and Investigations



**Review Regularly**

- Quarterly
- Semi Annual
- Annual

➔

**Respond**

- People?
- Process?
- Policy?

➔

**Mitigate**

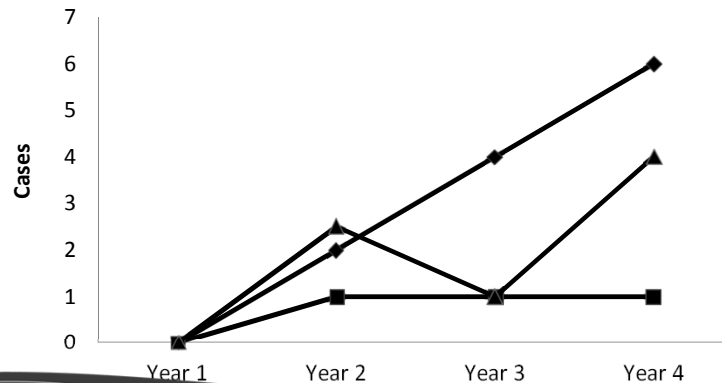
- Which "P" needs fixing?

art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

## WHAT DOES YOUR DATA SAY ABOUT YOUR PROGRAM?

Complaints or Compliance?



art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

## HOW DO WE MEASURE?

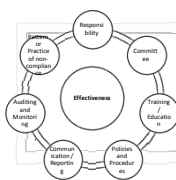
1. Designate Compliance Officer, Establish a Compliance Committee
2. Conduct Training and Education
3. Establish a Code of Conduct and Policies and Procedures
4. Ensure Open Lines of Communication
5. Conduct Monitoring and Auditing
6. Ensure those with Criminal Backgrounds don't do Business with Organization
7. Measure Effectiveness of the Program

art | science | healing  
ukhealthcare.uky.edu/new

UKHealthCare.

## QUESTIONS:

- Does the board have ultimate responsibility for the program?
- Are they ready to answer the questions from OIG?
  1. Do you know who the compliance officer is?
  2. Do you know about the risks, auditing and monitoring plan?
  3. Do you know about specific issues?
  4. Org charts?
  5. Telephone numbers of the board?



## SUCCESSFUL PROGRAM

- Understand your activity
- Know what the requirements are related to activity
- Be a champion of your program
- Defend your program

***“Where there is no money, there is no mission.”***



# THANK YOU

**Roger Brett Short**  
**Chief Compliance Officer**  
**University of Kentucky**  
**UK HealthCare**  
**[Brett.short@uky.edu](mailto:Brett.short@uky.edu)**

art | science | healing  
[ukhealthcare.uky.edu/new](http://ukhealthcare.uky.edu/new)

**UKHealthCare.**