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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

WHO IS RESPONSIBLE?

Responsible Party:
- Board
- Leadership
- Privacy Officer
- Workforce
INSTITUTIONAL PARTICIPATION

Committee
Finance
Leadership
Clinical Administrator
Provider
Front-line Employee
Patient

ARE THE RULES UNDERSTOOD?

Policies and Procedures

LOW
Reputation
Financial

HIGH

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 "..."?
DO YOU HAVE YOUR LIST?

Examples

High
• Mobile Devices
• Laptops
• Social Media
• Email

Medium
• Waiting room
• Paper PHI
• Misdirected information

Low
• Workers
• Hallway access to PHI
• Common areas

TRENDS?

Business Associate
• Lost laptop
• Lost Data

Contract workers
• Billing company
• Housekeeping

Employees
• What is your tolerance?

KNOW BEFORE THEY ASK

Privacy Complaints and Investigations

Review Regularly
• Quarterly
• Semi Annual
• Annual

Respond
• People?
• Process?
• Policy?

Mitigate
• Which “P” needs fixing?

Measuring Effectiveness
WHAT DOES YOUR DATA SAY ABOUT YOUR PROGRAM?

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>0</td>
</tr>
<tr>
<td>Year 2</td>
<td>1</td>
</tr>
<tr>
<td>Year 3</td>
<td>2</td>
</tr>
<tr>
<td>Year 4</td>
<td>3</td>
</tr>
</tbody>
</table>

Complaints or Compliance?

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

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