



COMMUNICATING WITH REGULATORS & ENFORCEMENT AVOIDING PITFALLS

PANEL DISCUSSION FOR HCCA' ARIZONA REGIONAL REGIONAL

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COMMUNICATING WITH REGULATORS & ENFORCEMENT PROFESSIONALS - PRESENTERS



Moderator

- » **James Rough** President, SunHawk Consulting, LLC.

Panelists

- » **Chris Schrank**, Special Agent In Charge, HHS Office of Inspector General, Office of Investigations, Los Angeles Regional Office
- » **Jim Schwegel**, Special Projects Coordinator for the Director of the Medicaid Fraud Control Unit at the Arizona Attorney General's Office
- » **Vanessa Templeman**, Arizona Health Care Cost Containment System, Deputy Inspector General, Provider Compliance

**COMMUNICATING WITH REGULATORS & ENFORCEMENT
PROFESSIONALS – FEW BEST PRACTICES****Please remember these three things:**

1. Be available and helpful.
2. Listen, and remember the Regulators are human - not things.
 - They don't bite, I promise
3. Be accurate, but timely with your responses.

QUESTIONS YOU SHOULD BE ASKING YOURSELF

1. You think it is legal however what is the intent of the law?
2. What is the regulator's perspective on the subject?
3. Are you afraid / avoiding the topic?
4. Waiting for the regulator to raise a concern?
5. Has your communication evolved into a negotiation instead of a working relationship?
6. Does your internal team have respect for the regulator?

**QUESTIONS YOU SHOULD BE ASKING YOURSELF
(CONTINUED)**

1. Are your data submissions or answers to auditor's questions coming back incomplete or with errors?
2. Be cognizant of your own time restraints.
 - Is there too much on your plate?
 - Is your team rushing to complete document requests?
3. Does the Regulator or your team has high turnover?

**BUILD A WORKING RELATIONSHIP WITH YOUR
REGULATOR NOW**

1. Start off on the right foot, get to know your regulator before you have a problem.
2. Don't communicating Corporate / National positions when dealing with State specific policies.
3. When the Regulator has a Request, tell them you will get an answer right away or you will find the person that can get the answer.
4. When your regulators calls, answer the phone with "What can I do to help you?"

AVOIDE COMMUNICATION BARRIERS



1. Is there literally a communication barrier on yours or the regulator's team?
 - English second language
 - Thick / heavy accent
 - Use of translators

HERE TO HELP - ANY QUESTIONS?



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Jim is Founder and President of SunHawk Consulting, LLC, a Compliance, Litigation Disputes, and Investigations Consulting Firm in Arizona. Mr. Rough is a Certified Healthcare Compliance Professional, Certified Fraud Examiner, and Certified Compliance and Ethics Professional. For 17 years, U.S. and international clients have trusted Mr. Rough to perform independent investigations and compliance effectiveness assessments; consult on complex contract disputes; perform data analytics.

Mr. Rough has led or had significant roles in high-profile forensic investigations and compliance reviews domestically as well as in Europe and the Middle East.

Mr. Rough has provided significant support to clients communicating complex issues to regulatory and enforcement personnel and has communicated investigation and/or audit findings directly to CMS, State Medicaid Auditors, and to the Securities and Exchange Commission's (SEC) enforcement personnel.