How the “Three Amigos” of a Compliance Program Can Work Together to Support and Advance an Effective Compliance Program

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Objectives

• Assess and identify how Compliance, Legal, and HR play critical roles in several key elements of a compliance program to include those related to policies and procedures, auditing and monitoring, response and investigation, and enforcement
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- Assess and identify how Compliance, Legal, and HR play critical roles in several key elements of a compliance program to include those related to policies and procedures, auditing and monitoring, response and investigation, and enforcement.
- Identify and learn how to align the strengths and weaknesses of these three areas so as to optimize their overall, collective contributions to the development of a compliance program.
- Identify risks to mitigate the potential of sub-optimization in the level of collaboration among Compliance, Legal, and HR given their respective duties that support an effective compliance program.
Let’s meet the Three Amigos!

Compliance Officer

• Develop, modify, implement compliance policies and procedures
• Administer compliance activities
• Monitor system wide compliance with the Code of conduct

Source: Health Care Compliance Association
Job Description: Compliance Officer

Compliance Officer (continued)

• Maintain compliance reporting systems
• Evaluate, investigate, and document report of non compliant activities
• Coordinate internal compliance investigations and routine audit
Compliance Officer

• Coordinate internal compliance investigations and routine audit
• Develop and review compliance education program
• Serve as coordinator for external investigations and inquiries related to the program
• Report compliance issues and activities on a regular basis to Board of Trustee

Source: Society for Human Resource Management
Job Description: Director of Human Resources

Human Resources Director

• Annually reviews and makes recommendations for improvement of the organization's policies, procedures and practices on personnel matters.
• Maintains knowledge of industry trends and employment legislation and ensures organization's compliance.
• Maintains responsibility for organization compliance with federal, state and local legislation pertaining to all personnel matters including AA/EEO compliance and labor relations.

Human Resources Director

• Coordinates or conducts exit interviews to determine reasons behind separations.
• Consults with legal counsel as appropriate, or as directed by the CEO, on personnel matters.
• Recommends, evaluates and participates in staff development for the organization.
• Participates on committees and special projects and seeks additional responsibilities.
Legal Counsel

- Give accurate and timely counsel to executives in a variety of legal topics (labor law, partnerships, international ventures, corporate finance etc.)
- Collaborate with management to devise efficient defense strategies
- Specify internal governance policies and regularly monitor compliance
- Research and evaluate different risk factors regarding business decisions and operations

Source: Society for Human Resource Management
Job Description: Director of Human Resources

Legal Counsel (continued)

- Apply effective risk management techniques and offer proactive advise on possible legal issues
- Communicate and negotiate with external parties (regulators, external counsel, public authority etc.), creating relations of trust
- Draft and review legal documents to ensure the company’s legal rights
- Deal with complex matters with multiple stakeholders

Legal Counsel (continued)

- Provide clarification on legal language or specifications to everyone in the organization
- Conduct your work with integrity and responsibility
- Maintain current knowledge of alterations in legislation
Scenarios
Ours and Yours

Which Amigo to Involve?

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Legal
Human Resources
Compliance
Compliance, Human Resources and Legal

The Three Amigos thank you for attending!