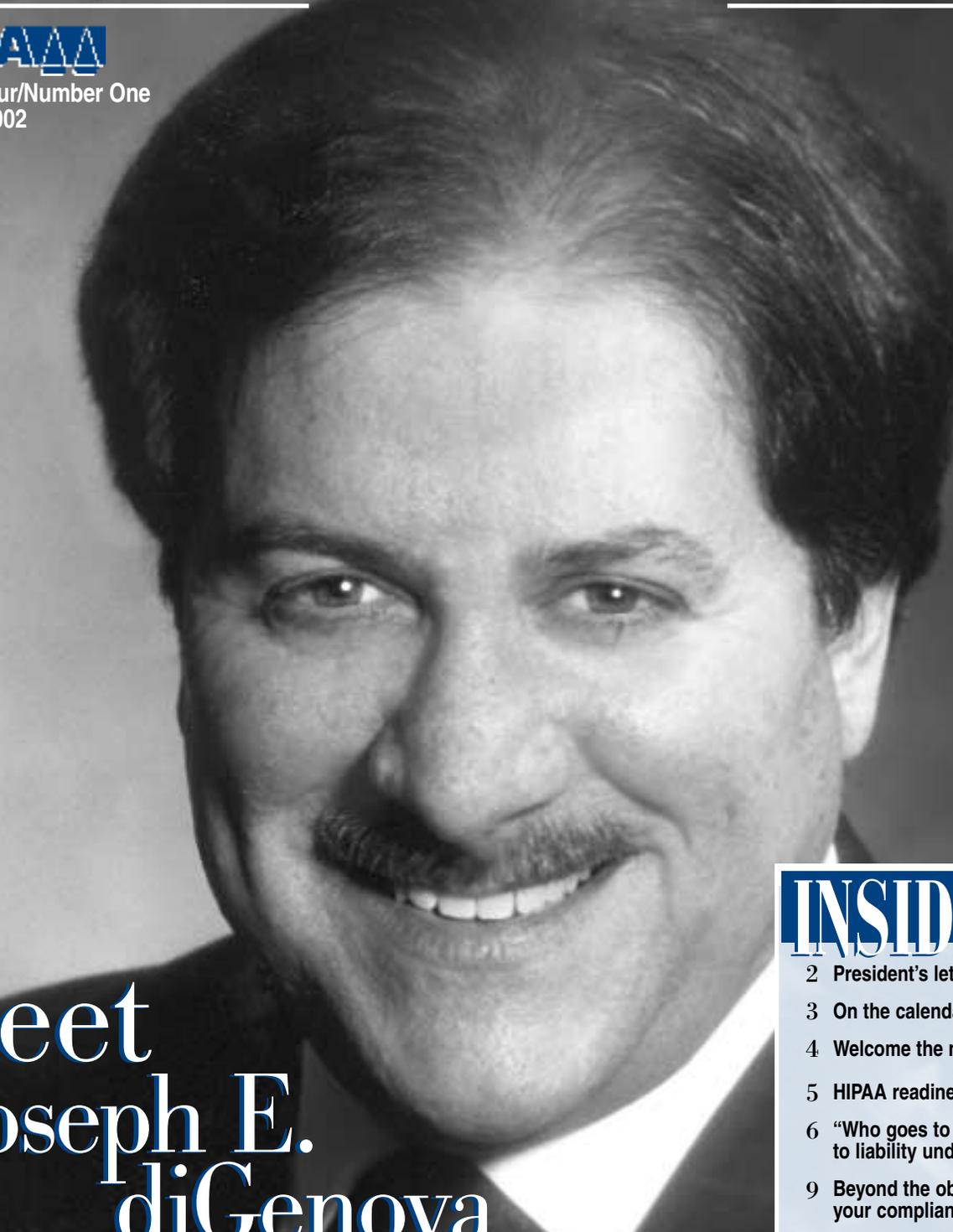


COMPLIANCE TODAY



Volume Four/Number One
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A black and white portrait of Joseph E. diGenova, a man with dark hair and a mustache, smiling warmly at the camera. He is wearing a dark suit jacket, a white shirt, and a dark tie.

meet
Joseph E.
diGenova

REGISTER TODAY!

FOR THE HCCA ACADEMY OF HEALTH CARE COMPLIANCE, LOS ANGELES, CA - FEBRUARY 18-22, 2002

For more information go to <http://www.hcca-info.org/documents> See page 27 for details.

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Letter from the CEO

ROY SNELL

There is a message in every bottle. I thought I had seen everything. There was the physician who billed the government repeatedly for group therapy because his patient had multiple personality disorder, the Compliance Officer who turned whistleblower, the controlling CEO who had the hotline ring into his office. And, of course, there is the recent \$875,000,000 settlement.

A recent conversation with a consultant started out normally until she dropped a bombshell. The discussion started out with the usual stuff about helping a Compliance Officer with the review of their compliance program. We were at the Compliance Academy, it was late in the third day, and I was hanging onto the conversation by my fingernails. Then it got interesting. She was telling me about her review of the hotline call log. She was making sure that the calls were all followed up on appropriately. She noted one call in particular where an anonymous caller had complained about the head of the billing department, accusing the billing supervisor of being incompetent. Using the hotline to do this was not a novel concept but who called the complaint in was just short of amazing. It caused me to completely understand why we have a hotline and why hotlines really work.

She told me the Compliance Officer had shared with her in confidence that the person who called in the complaint was none other than herself, the Compliance Officer. She told me that the call had been handled appropriately and taken seriously enough. It was investigated and brought before the compliance committee. I don't know why but my first thought was that the compliance officer was incompetent and unable to get along with the billing supervisor. I assumed that the call was unjustified and a way to get back at someone. I couldn't understand why a Compliance Officer would have to use the hotline. I thought that if my hunch was correct the claim would be baseless and would have been dropped. I asked what happened. The consultant said that the investigation proved the billing director was incompetent and the billing supervisor was fired. There was some special connection between the Billing Manager and CEO and no one was willing to address the problem because of

politics. To this day no one knows the Compliance Officer called in the complaint.

The Compliance Officer said it was the only way to remove the personalities and look at the problem with unbiased perspective. If she had complained through normal channels it may have been brushed off as a personality conflict. By sending it through the compliance committee as an unknown caller they would review the complaint on its merit.



Therein lies an important message. People often have a negative view of the hotline. We think it is for ratting someone out but that's not necessarily the best way to look at it. The hotline is a way to have an idea or complaint followed up without prejudice. We don't want prejudice in our investigations but we are human and it's tough to get it out.

The hotline should not be called the hotline. That sends the wrong message. People who use it feel like a rat. The name "hotline" is a mistake that was created by the early founders of compliance programs and we perpetuate it. The name suggests "rat out," which does not encourage its use; that isn't helping. The hotline is a "Compliance follow-up" line. It is a number you can call anonymously and be sure that the concern will be FOLLOWED UP no matter who turned it in or why. That's the beauty of a hotline, not to rat out but to ensure we follow up without bias or prejudice. It takes out the personalities, politics, and revenue implication. It's too bad the name does not reflect its real strengths.

Compliance has no interest in office politics. Compliance has nothing to do with what you think about the government or the regulations. It is not about defending the organization. It is not about revenue. It is about getting it right without prejudice. We should try to steer the perception of the hotline in a new direction. It is not going to change the course of humanity but it will help make things a little better. Some don't use the term hotline. I hope more people move away from it in the future. If you have an idea or use another term send it to me at rsnell@hcca-info.org and tell me why you use a different name. If I use it in a future article I will be sure to make it anonymous. ■