

HCCA



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I believe the Compliance Institute (CI) is the most effective compliance conference in the world; however, that is not why I would go to the annual meeting of my profession.

I would go to sip orange juice in the morning and meet someone new who happens to have the same issues I do.

I would go for that first break in the morning to run into that person I had always wanted to meet and be reminded that we are in a great profession with a wonderful mission.

I would go to have lunch and listen in on the conversations and realize my problems are their problems.

I would go to drink a beer at the reception and listen to Al Josephs, John Steiner and Kelly Nueske tell funny stories that make me forget my challenges for the moment.

I would go to skip a session, sit in the lobby with a colleague, and solve a private difficult problem I have.

I would go to the CI to go to dinner with an old friend.

I would go to the annual meeting of my profession so I could come back reenergized, confident, and proud to be a member of this profession.

That's why I would go!

Roy Snell, CEO HCCA



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Letter from the CEO

Step up

Dozens in Congress under ethics inquiry: An accidental disclosure

House ethics investigators have been scrutinizing the activities of more than 30 lawmakers and several aides in inquiries about issues including defense lobbying and corporate influence peddling, according to a confidential House ethics committee report prepared in July.¹

As I finished writing this article, I was forwarded the above story from Odell Guyton. It just reminded me of why I wrote this article—so timely and so aggravating.

Given my current lifestyle and personal choices, it is difficult for me to get into trouble with the law. The best I can do is get the occasional speeding ticket. I don't get to practice what I preach much. One of the things I preach about a lot is that I would like to see people stand up and take their punishment. Admit you are wrong, when you are wrong. President Nixon probably wished he had done that. Examples are in the news every day. I see the "deny-and-defend" approach taken too often. Someone gets in trouble; they deny it. If there is clear and convincing evidence, they try to spin it as being unfair. I just wish people would start saying from the moment they get into trouble, "I screwed up."

It has been 14 years since I got my last speeding ticket. I have been in compliance for 13 years. I have been getting pretty self righteous about telling people that they should step up and admit their mistakes. I wondered if I could do it. My only hope was to get a speeding ticket. I had run the scenario through my head over and over. If I got pulled over, I would not fall for the officer's temptation to make excuses. If they asked why I was speeding, I would tell them, "There is no good excuse, I have no excuse. I was speeding and it was wrong." Well, last week I got my chance.

I was in a rush to return something to a store with a friend. We had to get back to a neighborhood gathering and we were in a hurry. He suggested a short cut that I thought would take longer. I agreed to go that way and compensated by going faster. We entered a construction

zone (at night with no one there.) Instead of slowing down from 50 in a 45 mph zone and then to 30, I kept up my speed. We immediately went by a police officer, just waiting for a guy like me. Of course, I knew speeding in a construction zone was not only a bad idea, but those of us who choose to do it receive an extra special fine. He pulled us over.

He asked, "Do you know what the speed limit was back there?" I nodded. He said, "What was it?" I said "30." He said, "Do you know how fast you were going?" I nodded. He said, "How fast were you going?" I said, "50." And I added, "I have no explanation. It was wrong." He said, "Well, you were doing 47. Do you have proof of insurance?" I was in my daughter's car and my copy of the insurance card in my wallet was outdated. It was in the glove box, but I wasn't thinking about anything but the execution of my first opportunity to "step up."

He came back from his car, I assume he was checking my criminal history. I told him, "I don't have current proof of insurance." He said, "Do you have insurance on this car?" I said "I guarantee you that we have insurance, because my wife would never let it run out." At that moment I also remembered that my wife would be none too pleased with this unproductive expense I was about to incur. He said, "I am going to let you off with a warning." Now, a real compliance zealot would have insisted on some punishment. I'm not that good. I just said, "Thanks, and I promise to slow down." If I was really honest, I would have said, "I promise to slow down for a while." But, I'm not that good.

I was thrilled. Not just because I did not have to shell out a bunch of money for 17 mph over the limit in a construction zone. There was at least some possibility that I was rewarded for telling the truth and not making excuses. It was a blow (albeit a small one) for all those who disagree with the "step up" approach in favor of the deny-fight-argue-and-spin approach. I feel like a wimp when I am trying to espouse the "step up" philosophy to the tougher than nails, deny-and-defend crowd.

Ya, ya, ya, I hear all the comments. "Put yourself in a real tough situation and see how you do." "Lets see how you do when its millions, not hundreds of dollars." I don't know how I would do if it was big



ROY SNELL

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money or jail time for me personally. I will tell you this. When I was a compliance officer at the University of Wisconsin, we did fess up on a couple of big ticket items. We did argue for no penalty or limited penalties, because we had been trying hard to find and fix all of our problems. But, we fessed up. I think we did quite well, and I think we ended up with smaller penalties.

My example is a small one, but I have to tell you—I think the level of integrity in this country is headed into the toilet. The only way out of this “national lack of integrity” is one small step at a time. We need more people with some integrity. If we can start the pendulum swinging back, we can help send a message to our children. I have four daughters. It bothers me to see so many young people lying, cheating, and stealing. Every time I hear the latest “deny-and-defend” approach taken by people trying to spin their way out of a real problem, I get sick to my stomach. Every one of these clowns are sending a message to our children, and it’s not a good message. The adults of this country need to break the cycle. They need to step up. ■

1. Ellen Nakashima and Paul Kane: “Dozens in Congress under ethics inquiry: An accidental disclosure.” Washington Post, October 30, 2009. Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/10/29/AR2009102904597.html?referrer=emailarticle>



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