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How a strong compliance culture affects whistleblowers

an interview with Stephen Cohen

Former Associate Director, Enforcement Division
Securities and Exchange Commission;
Partner, Sidley Austin LLP

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**Using consultants is
fraught with danger—
choose wisely**

Paul P. Jesep

by Roy Snell, CHC, CCEP-F

The compliance officer: A coach or a clown?

Please don't hesitate to call me about anything any time.

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Compliance professionals might benefit from thinking like a coach. The most effective compliance professionals I have met talk and think like a coach. They are positive but do make people play by the rules. Effective compliance professionals assume people are capable of learning and that most people have good intentions. They talk about what is possible as well as what isn't possible, and they are nurturing and encouraging.



Snell

I haven't coached much, but I was an assistant coach for my daughter's 5th grade basketball team for one year. I focused on helping kids who were struggling with something, and I let the head coach coach. The tallest kid could not dribble at all. I was walking out of the gym after a practice and her mother stopped me and said she appreciated the fact that I was helping her daughter with her dribbling. She said it was particularly helpful because her last coach told her, "Whenever you get the ball, do not dribble." I was livid. I said nothing to her mother. I turned around and went back to her daughter. I stuck a finger in her face and maybe a little too sternly said, "Whenever you get the ball, dribble."

Her previous coach assumed she could not dribble because she was incapable of dribbling. I assumed she could not dribble because her body was growing too fast. I assumed she had a problem that was coachable. You cannot be an effective compliance professional if you assume people are not coachable. Anyone who makes sweeping negative generalizations about people in business could never be an effective compliance professional. If you think people generally mean well and can be coached, you will have a much better chance of being successful.

Effective compliance professionals assume people are capable of learning and that most people have good intentions.

As Paul Harvey used to say, here is the rest of the story on that kid who could not dribble. She ended up playing through her senior year on a varsity team at a very large competitive school. I would love to say that her 5th grade assistant coach made a difference, but no one will ever know. What we do know for sure is that clown who told her not to dribble was dead wrong. I guess the moral of this story is... be a coach, don't be a clown. 🍷