

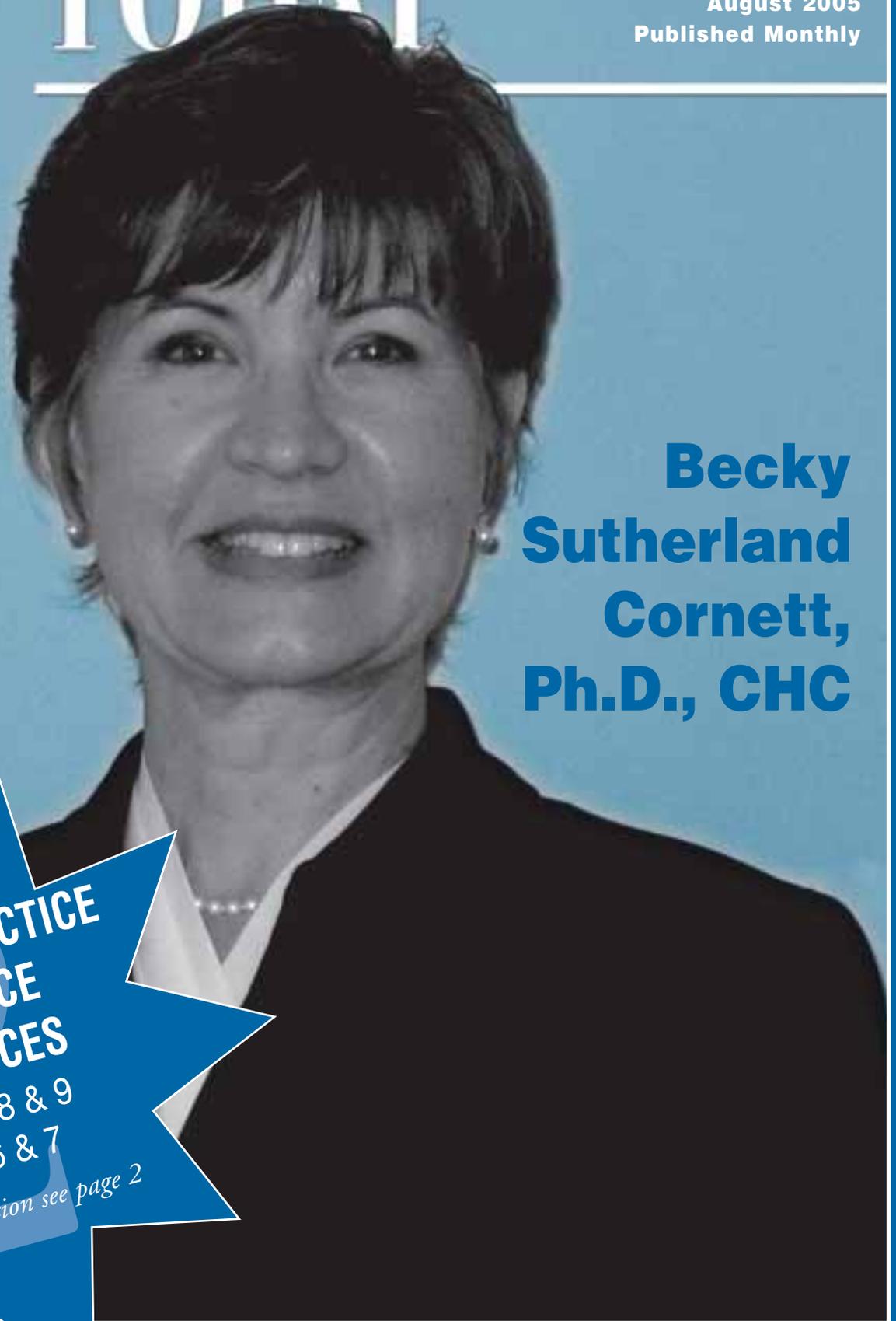
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HEALTH CARE  
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# COMPLIANCE TODAY

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**PHYSICIAN PRACTICE  
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*For more information see page 2*

# Letter from the CEO

Roy Snell



## We deny any wrongdoing...

The following excerpts were taken from an article that I discussed with Jim Sheehan, DOJ, Eastern District of Pennsylvania. Jim felt it was an interesting example of a compliance problem. The text comes from a BNA [Bureau of National Affairs] article. I have selected two pieces of the article to make an observation.

*".....Hospital denies any intentional wrongdoing in the disputed claims," ... said in a statement. "The mistakes made were the result of human error in a complex billing system that includes tens of thousands of billing codes, with complicated and ambiguous guidelines."*

From a legal perspective, denials must be important because they are in most every settlement statement. However, I am not so sure that denials help from a compliance perspective. What message does it send to the staff? We always deny wrongdoing. It's always someone else's fault. Part of the spirit of compliance is facing up to your mistakes, as opposed to denying and pointing fingers, intentional or not. I think the word that helps make the denial have some degree of integrity is "Intentional." I guess you can't argue with denying "intentional wrongdoing" unless you have proof that the problem was done intentionally. The article went on to state...

**“Compliance is about finding and fixing problems. To get people to fix problems, it helps a little if you admit you have a problem.”**

*“The same billing problems were discovered by Pennsylvania officials in a Medicaid audit and were called to the hospital's attention in 1993. This should have alerted the hospital to the likelihood of similar failings in its Medicare billings for outpatient laboratory services, the government alleged.”*

I am not a big fan of spinning. I am passionate. I am enthusiastic. I probably spin a little now and then. But there is a

limit to how much I can do. Where I draw the line is when it involves serious issues in which the spinning could have negative side effects or lack integrity. I must admit that it is a judgment call and is different for everyone, but I feel good about my approach. At the end of the day, that's all you have... your own judgement

and can you live with yourself?

Compliance is about finding and fixing problems. To get people to fix problems, it helps a little if you admit you have a problem. It seems to me, if we would just spin a little less, we may get health care out of the enforcement communities' bull's-eye. My guess is that for every time we deny wrongdoing, we get another week at the top of the investigatory charts. Isn't that what we are ultimately shooting for? To get healthcare out of the bulls eye?

By the way, I deny any wrongdoing with regard to the comments made in this article. ■