HCCA
HEALTH CARE COMPLIANCE ASSOCIATION

COMPLIANCE TODAY

Volume Five
Number Nine
September 2003

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Letter from the CEO

ROY SNELL

Health care– Leaders in corporate responsibility

I continue to be amazed at the slow progress of corporate compliance in non-health care industries. They look like health care did six to seven years ago. Given the settlements announced every night on CNN, corporate America knows they need to do something. They just are not sure what to do. People with very little compliance experience are doing the best they can. Organizations have "compliance departments" and lots of paper in three ring binders but little substance behind it. There are some industries that have mature compliance programs such as the Finance and Defense Industries but there are many other industries that are lagging behind.

Some of my conversations with new compliance professionals from other industries remind me of health care years ago. They often go something like this: "So what are you working on?" I ask. The compliance officer from the service industry responds, "I am developing a character that represents our support for a positive corporate culture." "A character?" I inquire. "Yes, I call him 'Captain Do-Right.' We put him on posters, coffee mugs, buttons, and pens. We are developing a game with 'Captain Do-Right' as the main character that teaches people how to do the right thing." I ask about auditing, monitoring, investigations, enforcement, hot lines, discipline, and the other elements of effective compliance programs. Captain Do-Right's creator says, "Oh, that wouldn't be very nice." I excuse myself and race off to the parking lot before the FBI shows up in a yellow Rider truck with reporters taking pictures in which I don't want to appear.

I wonder what the creator of Captain Do-Right would think if he sat at a Compliance Institute luncheon listening to HCCA members discuss the seven elements of a compliance program. He would squint; tilt his head to the side, and say, "I don't get it." At that point, the people at the table would simultaneously think... "Precisely." Health care has more people working in compliance than any other industry. Health care has more experienced people. Health care has more people who understand that Captain Do-Right offends 98% of the employees and cause the other 2% to laugh. Although it is a sincere effort to help, Captain Do-Right unfortunately trivializes compliance programs.

Board members sit and watch settlement announcements every night followed by a morose view of a formerly respected CEO in handcuffs walking toward a windowless building. Board members see that Captain Do-Right and his creator are offending the people who do the right thing by implying they don't.

They see the small percent of people who don't do the right thing unaffected by coffee mugs and buttons. They are calling search firms asking them to find someone to replace Captain Do-Right and his creator. The search firms are calling people like myself asking if I know of any compliance candidates for a high paying position in a large company. These search firms are calling because many of the roads leading to experienced compliance professionals take them to health care. They are calling on health care professionals because search firms make a living by finding the most experienced and respected individuals.

This is not a new concept. Health care went to the defense industry to get help getting started in compliance. Alan Yuspeh went from the Defense Industry Initiative to HCA Healthcare. Other industries are already getting help from health care. Odell Guyton has gone from University of Pennsylvania to Microsoft, and Vallie Baldassano has gone from a major pharmaceutical company to Tyco. If the settlements continue to affect other industries, experienced compliance professionals will be in high demand. The offers to come help will represent significant financial and professional opportunities. What will accelerate this discovery of health care compliance talent?

Other industries will see our strengths if we invite them to our conferences. Other industries will see our strengths if we invite them to attend our audio conferences. Other industries will see our strengths if we write articles for their publications. Other industries will see our strengths if our compliance experts speak at their conferences. Other industries will see our strengths if

we share our compliance documents with them. If we help other industries learn from our experience they will seek out our experts to help them shorten the learning curve and avoid feeling the pain we have felt. For those that are tapped to help it could be a tremendous opportunity.

Last year, HCCA worked with Odell Guyton from Microsoft to develop a Corporate Responsibility Conference. Speakers and attendees came from a dozen different industries. Those in attendance were very impressed with the content. HCCA Board members that attended the Corporate Responsibility meeting said it was the best meeting they had attended in years. The Second Annual Corporate Responsibility meeting will be held on October 2nd and 3rd in Redmond, Washington at the Microsoft campus. Attendance is limited due to the size of the facility but it is a step in the right direction. We intend to continue to bestow the virtues of our membership. ■

An interesting observation submitted by Roy Snell

"My sister works in Child Support and her husband is a cop. They frequently request information which is tough to get now due to HIPAA. She thinks they are overreacting and calls them HIPAA-Chondriacs. The irony here is inescapable– people working for the government are creating regulations that cause problems for people working for the government." ■