

HCCA



**HEALTH CARE
COMPLIANCE
ASSOCIATION**

COMPLIANCE TODAY

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**Meet
Richard Kusserow
Former HHS Inspector
General, and CEO,
Strategic Management**

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The Compliance Institute logo is in the bottom left. It features a black cowboy hat with a yellow band on a red background. Above the hat, the words 'COMPLIANCE INSTITUTE' are written in blue, all-caps, sans-serif font. Below the hat, the text '2010 DALLAS April 18-21' is written in green and blue.

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**Feature Focus:
Employment law
compliance in a
changing legal
landscape**

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**THE FRAUD AND ABUSE
LAWS THAT COMPLIANCE
PROFESSIONALS NEED TO KNOW**

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Letter from the CEO



Doing more with less

Many reporters have called in response to our survey about the economic impact on compliance budgets. The short explanation is that a few compliance budgets are declining and few are expanding. Most are staying the same. The problem as I see it is that the number of regulations is increasing, the number of government investigations is increasing, the pressure for leadership to perform in a bad economy is increasing, etc. etc. Everything is increasing except compliance budgets. Kudos to the CEOs who are not cutting compliance budgets. However, our job is clearly tougher than ever before. What the reporters want to know is, how can the compliance professional respond? I thought I would share with you some of the thoughts I share with them.

I stressed the need to work with other departments. There are a lot of resources in the organization that you might be able to tap. Audit, Legal, Risk, HR, and all of the operational departments might be able to help. It's tough, but it is the creative and relentless compliance professional who will survive.

The key is to try to get Audit, Risk, Legal and HR (or any other department you can think of) to help switch some of their projects to compliance projects. What many of these departments do is to focus on audits, risks, laws, and education that help the company find out what others are doing to their organization, such as to see who is cheating on time cards, stealing a bottle of water, or which of their vendors are over billing them. They often think they are helping Compliance. They are helping, but they are not helping Compliance. Compliance focuses on what your organization is doing to others, not what others are doing to your organization.

If you can get them to understand Compliance a little better and get some compliance projects moved up their endless list of things to do, you might get a little more help. Get the lawyers to check your

compliance with the contracts, as opposed to checking the contractor's compliance with the contract. Ask Risk to focus on studying risks the company causes others, as opposed to risks others cause your organization. Have HR help with compliance education. Ask Audit to spend more time on compliance audits.

It's not easy, but we need to get some commitment from leadership that other departments need to spend a percentage of their time on compliance issues. Then we need to monitor what they are working on and ensure the balance of compliance and non-compliance projects is appropriate.

This is hard, but it is what separates the good from the great. Some people have a way to get everyone focused on what they need help with; others do not. This is why I tell recruiters who call me that they should be looking for people with administrative experience. Legal, Risk, Billing, etc. are great areas of expertise, but the truly successful people know how to move others in the direction they need them to go. More specifically, they should be looking for people with skills in the area of collaboration, cooperation, negotiation, delegation, communications, motivation etc. It does not always work. It doesn't work with every person or every department every time, but it sure doesn't work if you don't try. It doesn't work if you give up when someone says no. It may not work today, but it might work if you try again in a week or a month.

People do well at what they work hard on. If you are constantly whaling away at this (in a civil manner), you will eventually be more effective. You will make some progress. Your compliance program will be more successful. You might just create a culture of people who want to do this on a regular basis. You might just create a perpetual motion machine. I think you can, even though everyone else says it's tough. ■