

COMPLIANCE TODAY



Volume Four/Number Seven
July 2002

A publication for
health care compliance
professionals

A black and white portrait of Patricia Slying, a woman with short, wavy, light-colored hair, smiling warmly at the camera. She is wearing a dark, sleeveless top. The background is a soft, out-of-focus light color.

meet
Patricia Slying

REGISTER TODAY!

FOR THE HCCA/AHCA Fraud and Compliance Forum, WASHINGTON, DC-SEP 29-OCT 1, 2002 *For more details go to conference central on the HCCA Website: <http://www.hcca-info.org>*

INSIDE

- 2 Leadership letter
- 3 On the calendar
- 4 Proposed EMTALA revisions
- 8 Authorization versus consent
- 9 Compliance monitoring in large health plans
- 12 The expanding roles, responsibilities, and obligations of IRBs
- 14 Meet Patricia Slying
- 18 CEO's letter
- 20 Thinking like a professional
- 22 GAPMS update
- 23 New members
- 26 People on the go

Letter from the CEO

ROY SNELL

Dealing with difficult encounters— Part I

Compliance professionals have no shortage of difficult encounters. In a previous life, many years ago, I taught a class entitled Dealing with Difficult Encounters. People registered for this elective class in droves. We ran about 1,000 health care professionals through the course. As you might imagine there was no shortage of difficult encounters to discuss in health care. I thought you might be interested in some of the concepts we discussed. Improving your relationship skills to minimize difficult encounters requires repetition of blatantly obvious simple concepts and discipline. This article will provide you with repetition of the obvious, you must provide the discipline.

We would always start out the Difficult Encounters class by asking what is the leading cause of failure at work. Our failure at work is typically rooted in our inability to work with others and manage our difficult encounters. Compliance professional's people skills are tested every day because of the difficult nature of our work. The second question we would ask the class was "What can you do when you are confronted with a difficult encounter?"

1. Quit - (not practical)
2. Complain to others (its been done)
3. Alter their behavior (it can't been done)
4. Accept them as they are (nice, but doesn't fix anything)
5. Change the way you deal with them (what this article is all about)

Most of the above choices are unacceptable for various reasons. The ideal choice is to change the way you deal with them. You are not giving up and you are not attempting the impossible. Here are some ways you can improve your interaction with others during difficult encounters.

Your interpretation of what you see and hear is just that... your interpretation.

It is amazing how often that a disagreement is rooted in interpre-

tation of the circumstances surrounding a difficult decision or event. A good reaction to a difficult encounter is to ask lots of questions. Be relentless. You may find that you are arguing about two entirely different issues. I can't tell you how many times I have become impatient with someone only to find that we were not arguing about the same issue. Remember Gilda Radner's famous line when she found out that she was going on and on about the wrong subject.... "Never mind". It was always too late; she looked like a pud. Sometimes I was so embarrassed that I had been arguing about the wrong thing I had to argue the "wrong" side of the issue so that I did not have to admit that I was arguing about the wrong thing. If you feel the hair on your neck rising, start asking questions, lots of questions.



Keep the lesson.... throw away the experience.

Sometimes bad encounters from the past cause us to have bad encounters in the future. Learn from a negative encounter but don't carry baggage relating to the person and the experience. If I have to go hammer and tong with an individual over an issue I try not to "remember" to whom the issue was related. The next time you have an encounter with that person try to start fresh with the attitude that this encounter will go well. It usually takes the other person off guard because they are expecting you to be defensive. When I do this I get a kick out of letting them know (indirectly) that we are starting over and it often causes them to do the same.

It is rewarding to have a positive encounter with a person that you were recently trying to take apart. Lawyers are absolutely outstanding at this. They consider the debate a healthy part of our existence on planet Earth. If their "opponent" does a good job debating they offer to buy them a beer after the discussion. When I loose an argument I want to buy them a plane ticket. Learn to appreciate the fine art of depersonalized debate from your legal colleagues; you will have much less stress in your life.

Criticize the performance not the performer.

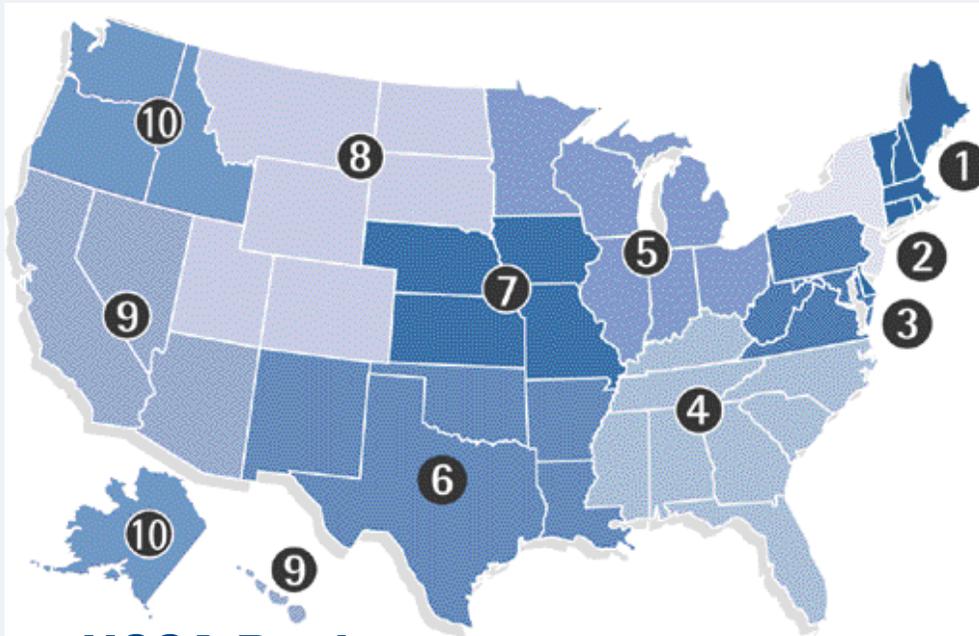
When delivering bad news it is always best to make sure they know you are not mad at them, you just need to change the performance. Use phrases like, "The process and procedure needs to change" as apposed to "You need to change."

We weaken what we exaggerate.

It is always best to make sure that we avoid words as always and never when discussing a problem. It is tough to do in the heat of battle. Some people believe that if they can disprove a portion of what you are saying then they can discount everything you are saying. So don't exaggerate and give them an excuse to ignore your "correct points." Another way to look at it is to understate what you are trying to correct so that when they dig into the

issue they see more of your point as apposed to less.

All these ideas are obvious and easy to understand, the trick is to put these ideas into action. It takes repetition and discipline. I have given you the repetition; you need to supply the determination. Let me know if you have any advice I can share about Dealing With Difficult Encounters. rsnell@hcca-info.org ■



Find your HCCA Region

The HCCA has ten regions which provide local programs and opportunities to network. The U.S. map at right will help you locate your HCCA region. To stay up-to-date on regional events, watch the calendar on page 3 and check the Website, <http://www.hcca-info.org> or get in touch with your regional contact.

HCCA 2nd Vice President: **Al W. Josephs**, CHC, Compliance Officer, Hillcrest Healthcare System, ajosephs@hillcrest.net

1 HCCA Region I Chapter

States: CT, ME, MA, NH, RI, VT
Contact: **Robert Freeman**, President
617/246-3533, robert.freeman@bcbsma.com

2 HCCA Region II Chapter

States: NJ, NY, Puerto Rico, Virgin Islands
Contact: **Bret Bissey**, President
609/893-3014, bisseyb@deborah.org

3 HCCA Region III Chapter

States: DE, DC, MD, PA, VA, WV
Contact: **Donna Thiel, Esq.**, President
202/739-5165, dthiel@morganlewis.com

4 HCCA Region IV Chapter

States: AL, FL, GA, KY, MS, NC, SC, TN
Contact: **Britt Crewse**,
President, 919/688-6250,
britt.crewse@duke.edu

5 HCCA Region V Chapter

States: IL, IN, MI, MN, OH, WI
Contact: **David Orbuch**, President
952/992-2795, dorbuch@allina.com

6 HCCA Region VI Chapter

States: AR, LA, NM, OK, TX
Contact: **David Lancaster**, President
817/810-1358, davidl@cookchildrens.org

7 HCCA Region VII Chapter

States: IA, KS, MO, NE
Contact: **Millie Johnson**, President
402/280-2107, milliej@creighton.edu

8 HCCA Region VIII Chapter

States: CO, MT, ND, SD, UT, WY
Contact: **Julene Brown**, President
701/234-3747, julenebrown@meritcare.com

9 HCCA Region IX Chapter

States: AZ, CA, HI, NV, Amer. Samoa, Guam
Contact: **Steven Ortquist**, President
602/495-4845, steven.ortquist@bannerhealth.com

10 HCCA Region X Chapter

States: AK, ID, OR, WA
Contact: **Tim Timmons**, President
541/618-7257, hfuture@aol.com ■