



Compliance

TODAY

September 2017

A PUBLICATION OF THE HEALTH CARE COMPLIANCE ASSOCIATION

WWW.HCCA-INFO.ORG



An in-depth look into the Federal Sentencing Guidelines

an interview with
Kathleen Grilli

General Counsel
United States
Sentencing Commission
Washington, DC

See page 16

24

**IRO claims
reviews revisited**

Cornelia M. Dorfschmid

31

**Guidelines for
self-disclosure: Who,
what, how, and when?**

Gabriel Imperato

40

**Ten key facts
regarding the CMS
overpayment rule**

Joette Derricks

46

**Creating and
maintaining a collegial,
harassment-free workplace**

Scott M. Gilbert and
Michael J. Lorden

by Roy Snell, CHC, CCEP-F

Compliance policy simplification coordinator?

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

612-709-6012 Cell • 952-933-8009 Direct

roy.snell@corporatecompliance.org

🐦 @RoySnellSCCE 🌐 /in/roysnell

The Nature of Policies

Policies are often conceived of for good reason, but those who write the policy tend to make the policy more complicated and potentially onerous than is needed to achieve the spirit of the policy. People occasionally suggest a policy that many people would be inconvenienced by to address an issue that rarely ever happens. Occasionally, the people who ask for the policy are the people inconvenienced by the policy. The point is, the law of diminishing returns can apply to policies too.



Snell

Employees often say things can't get done quickly because of all the bureaucracy. A strong leader can reduce this problem, but not without criticism associated with refusing to write a complicated policy every time someone demands one. Bureaucracy is a choice; however, for some reason it must be a tough choice, because we all end up with so much bureaucracy.

Having no policies is possible; however, it is a ridiculous idea and most everyone seems to agree with that perspective. Having some policies is possible and necessary, and most everyone seems to agree with that perspective too. What we seem to have

trouble agreeing on is when to stop writing or unnecessarily complicating a particular policy. Some people think more is better. Some people think the more complicated their creation is, the better their creation is. People often write policies to cover every eventuality regardless of the odds that a particular eventuality will occur. As a result, some policies become more problematic than the problems they are intended to prevent or fix. I have watched people question where all the bureaucracy comes from while they are creating more bureaucracy.

Somehow we don't see the negative downstream impact of an onerously written policy as we write it. We all get a little indignant occasionally about an issue and passionately pursue a good policy relating to the important issue. I am all for developing policies. I am just suggesting that we should be more careful about writing policies that have negative unintended side effects on people and companies. We should revisit the wording of policies every once in a while to see if the policy is still needed or if the policy has had unnecessary negative impact that can be easily fixed. Although I doubt it will ever happen, I would consider creating a position of Compliance Policy Simplification Coordinator. They would wander the organization looking for good intentions gone bad and work with the department to unwind the unnecessary bureaucratic unintended consequences of a policy. 🍷