

**HCCA**



**HEALTH CARE  
COMPLIANCE  
ASSOCIATION**

# COMPLIANCE TODAY

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**Meet**

**John P. Benson  
Chief Operating Officer,  
Verisys**

**PAGE 14**

**Feature Focus:**

**Will the Affordable  
Care Act lead to more  
accountable compliance  
officers?**

**PAGE 34**

**Earn CEU Credit**

**[WWW.HCCA-INFO.ORG/QUIZ](http://WWW.HCCA-INFO.ORG/QUIZ)—SEE PAGE 63**

**Crossing the great  
divide: Transitioning  
to ICD-10**

**PAGE 53**

# Letter from the CEO

*If you have any questions that you would like Roy to answer in future columns, please e-mail them to: [roy.snell@hcca-info.org](mailto:roy.snell@hcca-info.org).*

## What every business leader or governing body should ask the compliance officer

Getting leadership, particularly the governing body, involved in compliance is actually very simple. Many suggest (as I have below) a list of questions that the governing body should ask of the compliance officer. Everyone talks about this, but few do it. These sorts of lists are a dime a dozen. My list is no better than others, but it is shorter than most. Most lists are impractically long. Edit mine to your heart's content. We can focus too much on the list, but unless we get a list to the governing body, the list is useless.

### Process

What we need is a process to get the list to the governing body. I have a suggestion for a process:

- Edit the list to the point you believe in the list of questions. I would not lengthen it.
- Review your version of the list with your CEO.
- Work out edits or suggestions for change together.
- Have your CEO ask you any of the questions on the list to give him/her some understanding how you would answer the questions.
- Get advice from your CEO as to how to present sensitive information.
- Give the edited list to every governing body member before your regular governing body compliance and ethics program update (annual, quarterly, etc.)
- When your update is done, ask for questions.
- Debrief with your CEO. Make changes to your process/list.

## Sample list of questions the governing body should ask the compliance and ethics officer

- Is there anyone or anything interfering with your ability to prevent, find, or fix this organization's legal, policy or ethical issues? Have you been asked to "back off" a suspected problem?
- Is there anyone or anything that is interfering with your effort to implement any of the elements of an effective compliance and ethics program? Do we have any weak elements of our compliance program?
- Do you feel that everyone in this organization feels comfortable reporting potential issues, and do they have a reasonable opportunity/mechanism to share their concerns about a policy, legal, or ethical infraction with you?
- Are any of the concerns reported to you that are not being addressed?
- Is there anything that leadership can do to help further develop, maintain, or support the compliance and ethics program?
- Is there any further compliance and ethics education that you think leadership should obtain? Do we need more compliance and ethics expertise on our governing body?
- Are you independent and free from conflicts of interest? Do you have any responsibilities outside of compliance and ethics that could cause you to have a conflict? Do you report to anyone who has any responsibilities that could cause conflicts for you? Is anyone with a conflict of interest guiding or directing the compliance and ethics program?
- Have we ever had an evaluation of our compliance and ethics program? Are we staying abreast of current trends in enforcement and compliance program management?
- Are we anticipating any potential legal risks in the near future? Are there any substantive compliance issues currently under investigation?



*Continued on page 62*

## Letter from the CEO

...continued from page 20

- What are you most concerned about?

With this list, the governing body can engage in an effective dialogue with the compliance professional. The key is to work together with leadership to make sure that everyone is comfortable with the list of questions. Once your organization develops this best practice, the list and the interaction with the governing body can further evolve into a more effective relationship in the future. ■



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