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22-23.

Letter from the CEO

Roy Snell

Compliance and Cancer:

I relate compliance to so many things. I have compared it to playing poker. I have related it to the cabin we have had in our family for 70 years (and are losing because of regulations). I have another very unusual comparison. It may be the most unusual one and yet it may be the most fascinating. My wife was just diagnosed with breast cancer and the relationship to compliance is interesting. It is very obvious that you should take no chances with cancer. Effective compliance professionals take their job seriously too.

Education

My wife, and many women, have constant exposure to breast cancer education through print media, TV, colleagues, and health care professionals. She was aware of the potential problem and knew what to look for because of the effective breast cancer education in this country. This education played a significant role in her early detection.

Monitoring

My wife had routine physical exams. She had a physical exam in June which spotted nothing.

Risk Assessment

Also as a result of effective education, my wife knew her family history of breast cancer was a risk and that she should be more vigilant than others. In the compliance profession, we do risk assessments to determine where we need to go beyond routine monitoring. After assessing the risk, she asked for more intensive monitoring.

Auditing

Women her age do not have frequent mammograms, but she insisted because of her family history. Some younger women are refused early exams. She did not let that stop her and insisted on more monitoring due to the increased risk. A couple of months after her physical exam, she had a mammogram that spotted a small but aggressive cancer. Compliance professionals constantly are hitting roadblocks. The good ones find a way around them and insist that the job be done thoroughly.

Investigation

Once she discovered the problem, she needed to find out exactly what was wrong and what needed to be fixed. She sought opinions from experts in the field. She received advice from her local provider and sought out an expert from the Mayo Clinic. She knew the people at Mayo. She had networked with them as an employee of Mayo several years ago. It is not unlike the networking compliance professionals do at our annual meeting in April. She knew specialists were available and she knew who to see. Effective compliance professionals seek out subspecialists to help them with serious issues rather than use the generalist down the street. Effective compliance professionals network with their peers.



Problem resolution

After the clinicians conducted their investigation (testing and consultation), they decided on a plan. The plan has many components. They surgically removed the problem/cancer. In addition, there will be chemotherapy treatments for six months to help ensure that the problem will not come back. The cancer was found in two lymph nodes. If cancer was found in four or more lymph nodes, they would have done radiation. They will do hormone therapy after chemo. Like an effective compliance plan, the problem resolution and follow-up is based on the facts of the case. A follow-up plan is implemented to ensure that the problem does not come back.

Reporting to the Board

The Board in her life is her family and friends. They expect (would like to) be kept informed and assured that everything possible is being done. To communicate, she uses a web site called CaringBridge.org. She posts her update; they keep up on her progress; and they send her notes to wish her well. She tells them what was found and what was being done to correct the problem. She reports to them on a regular basis.

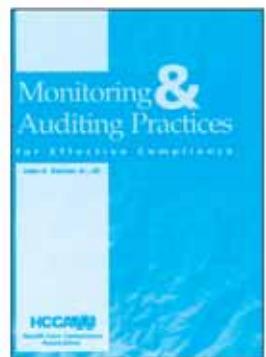
Discipline

As you can imagine (and is often the case), there is no need for discipline. Everyone had done the best they could. In fact, she was told that the radiologist could have easily missed this small and somewhat invisible tumor. They detected a small calcium deposit that is, on a rare occasion, a sign of cancer. They ordered a biopsy that confirmed cancer existed. Compliance professionals follow up on hints of trouble. Sometimes compliance professionals wish that they had followed

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Monitoring & Auditing Practices for Effective Compliance



Edited by John E. Steiner, Jr., JD
Chief Compliance Officer
Cleveland Clinic Health System
Cleveland, Ohio

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CEO's letter ...continued from page 20

up on that "whisper of trouble." There was an effective auditing and monitoring system in place. Everyone did their job. There was an effective detection and resolution system in place. Because her "breast cancer compliance program" was so effective, we are very optimistic about the outcome.

The carrot and the stick

The new sentencing guidelines talk about the need for positive reinforcement of compliance efforts. In the case of cancer, that can come in the form of well-wishing. Many people have asked what they can do to help and they have helped a lot. In fact, they have become part of her "cancer compliance program". Many people I have worked with have asked what they can do. I suggest to them to stop by her web site, caringbridge.org/visit/juliesnell, and put in a note to Julie from "Roy's colleague." Caringbridge.org is something you should know about, should you ever find yourself in this situation.

Conclusion

It is very obvious that you should take no chances with cancer. Everyone expects everything possible to be done. I don't always see that in compliance. Too often we settle for less. Effective compliance professionals take their jobs seriously. We must be reasonable, but we should do whatever we can to ensure success. ■