



Meet Cleaster "Cle" Ewing

Chief Compliance Officer
HealthSouth

See page 16

22

Five essential features of the Chief Ethics and Compliance Officer position

Donna Boehme

28

Antitrust compliance: The stakes are higher

M. Russell Wofford, Jr.
and John Daniel Carroll

34

Falsifying documents is never okay

Marita Janiga

37

Compliance lessons learned from Penn State

Renee H. Martin

by Roy Snell, CHC, CCEP-F

Is the role of a Compliance and Ethics Officer a profession?

*Please don't hesitate to call me about anything any time.
612 709-6012 Cell • 952 933-8009 Direct
roy.snell@corporatecompliance.org*

There are some people who don't think that compliance and ethics officers are in a profession. You might wonder how anyone could claim this isn't a profession given that we have an 11,000-member compliance and ethics professional association primarily made up of compliance and ethics officers (SCCE/HCCA). I just checked and there is still an active Flat Earth Society. To some people, facts should not get in the way of passion. Oddly enough, most of the people who oppose this becoming a profession are in the compliance and ethics profession—they just don't believe or want it to exist.



Snell

HCCA and SCCE were criticized for creating a compliance and ethics professional certification program because the certification implied we were in a profession. Their point was that compliance and ethics should be imbedded into all leadership positions rather than have a separate compliance and ethics profession. Just to be perfectly clear, no one involved in HCCA or SCCE has ever supported the position that we are not in a profession.

The other explanation I was given was that the role of the ethics officer should be rotated among the company's leadership to get buy-in, and therefore it should not be a profession. You just can't run the compliance and ethics profession the way the ethics profession was run in the past. I applaud their desire to get a commitment from leadership; however,

gaining leadership's commitment just can't be done this way.

It shows a clear lack of understanding of the Compliance and Ethics Officer's role. You would no more rotate the Compliance and Ethics Officer role than rotate General Counsel, Chief Audit Officer, etc. Yes, we need a commitment by leadership to compliance and ethics. However, we need a profession whose only focus is preventing, finding, and fixing regulatory and ethics issues. In fact, if we don't have the profession, getting leadership's support will be more difficult.

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Corporate America's reputation is on the ropes. We need to do something different than we have in the past. If we use the ideas of the past to override the new approach of assigning corporate compliance and ethics to an individual, then the new approach has no chance of working either. People can believe and advocate for whatever they want. However, I would suggest that if you don't think this is a profession, you should not be speaking for or leading this profession. ☐