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The importance of teamwork during a crisis

an interview with Kim Lansford

Chief Compliance Officer
Shriners Hospitals for Children

See page 18



27

Clean claims:
There
are no
shortcuts

Janet Marcus

33

Kane v. Healthfirst
and the concept of
prosecutorial
discretion

Jared M. Barnes

38

Lessons
learned from
DSH 340B
audits

Aletheia Lawry

45

Final rule for
Accountable Care
Organizations: Enabling
technologies, Part 2

Paul R. DeMuro

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The overreacting compliance professional

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Something few people in business understand is the challenge compliance officers face when deciding if a problem is worth fighting over. It's hard to decide when to take a stand and when to "let the little things go." Frankly, it's easy to make a call on the blindly obvious problems. However, there is a continuum of problems from the "Enron-like" issue all the way down to the smallest and the issue that really is not an issue. Somewhere along that continuum there is an issue that you just have to let go. You can't run up and down the halls with your hair on fire all of the time.



Snell

Those who work with compliance officers can deal with an occasional overreaction. But getting frustrated and drawing a line in the sand "too often" is going to be a problem. Unfortunately, telling someone how to decide effectively is almost impossible. It's one of those things that is best described as, "You'll know it when you see it."

I meet the "overreactor" on occasion. They are fed up, nobody will listen to them, and they describe some examples. And sometimes, I just cringe. I think to myself, "If that is where you are setting the bar, this is going to end badly for you."

On the other hand, think about the position compliance officers are in: Problems are brought to us. Some are "small problems." Now we know about the problem. Say we decide it's "too small" to fuss over. Then we wonder if there will be an investigation. We wonder if the investigator will agree that the problem we were made aware of—and did nothing about—was a small problem. Then we wonder if a whistleblower is going to call the government and say, "I told the compliance officer, and the compliance officer blew me off."

Say we decide [a problem is] "too small" to fuss over.... Then we wonder if a whistleblower is going to say, "I told the compliance officer, and the compliance officer blew me off."

For those of you trying to decide what to fuss over... It might be best to find an outside counsel who you believe to have good judgement in this area. Let them give you advice about when to fuss and when to let go. Occasionally ask them if they think you have the right balance of drawing a line in the sand and letting the little things go.

And for those of you working with compliance officers... A little empathy would be nice. ☺