

# Gratitude in Governance: A Thanksgiving Tribute to Compliance Professionals



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In past years at Thanksgiving time, we've written about the reasons compliance professionals should be thankful for working in the compliance profession. This year, let's explore why organizations should be grateful for you, the compliance professionals, who build and manage compliance programs.

## PREVENTION

Organizations should be grateful for the roles compliance programs and professionals play in preventing non-compliance. According to the U.S. Sentencing Commission, data suggests that the lack of an effective compliance and ethics program may be a contributing factor to criminal prosecutions against organizations.

In 2022, the commission wrote that since 1992, the overwhelming majority of organizational offenders (89.6%) did not have any compliance and ethics program. Of course, that does not automatically mean that organizations with compliance programs avoid prosecution, but it does suggest compliance programs play an important role in preventing non-compliance.

You might never hear an executive say, "thanks for preventing that prosecution or non-compliance." But if a prosecution occurs,

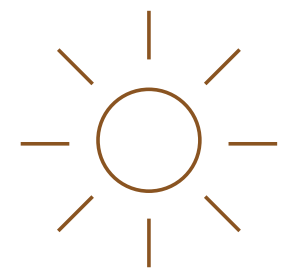
you are bound to hear executives to ask, "why was this not prevented?" Organizations should be grateful for the work of prevention that compliance professionals do.

Let's explore why organizations should be grateful for YOU, the compliance professionals, who build and manage compliance programs.

## DETECTION

Another reason organizations should be grateful is a compliance program's ability to detect incidents of non-compliance. Not every instance of non-compliance can be prevented by a compliance program, but many of the activities that compliance professionals are engaged in can assist in identifying non-compliance before it gets worse.

For example, a compliance program's auditing and monitoring efforts can often detect non-compliance when it occurs. Additionally, hotlines and other channels for reporting concerns create an environment that encourages quick and efficient reporting of non-compliance if it is detected.



## CORRECTIVE ACTION

The compliance structure encourages follow-through and corrective action once a problem has been identified. This is another reason organizations should be grateful for their compliance programs. Identifying root causes and correcting them is an essential component of an effective compliance program.

The HHS OIG wrote, “Throughout an investigation of any noncompliant conduct the compliance officer should be gathering information to aid them in determining the root causes of the conduct. The compliance officer should, of course, ensure that any ongoing noncompliant conduct is stopped and make any immediate changes necessary to ensure that it does not resume.” Organizations should be grateful for compliance professionals who can ensure this is done.

## PROBLEM SOLVING

Effective compliance professionals are good problem solvers. Who isn't grateful for someone with a bias to solve problems? Not everything in compliance has a clear-cut answer. Often there are gray areas in interpreting regulations. Compliance programs

tend to be magnets for the gray issues. If the issue has a black and white answer, there is often little to do in terms of interpretation. But many of the toughest situations are brought to the attention of the compliance program.

Most compliance professionals conscientiously perform their due diligence and often times have to bring bad news to executive management. Most bad news is just slightly more palatable if the messaging comes with a proposed solution to the problem. Compliance professionals are usually very good at this, and organizations should be grateful for this skill in their compliance professionals.

## PROTECTIVE PERSPECTIVE

One of the most valuable roles that a compliance professional can play is offering others in the organization a perspective on issues that is grounded in protecting the organization from financial, operational, legal, or reputational harm.

Organizations benefit most when they give compliance 'a seat at the table,' so to speak. And the earlier compliance has that seat, the better it is for the organization. Many compliance officers have experienced the sad reality of operational leadership bringing a

completed plan to compliance just before a launch date because it needs to be 'approved by compliance.'

If there are issues of noncompliance and risk involved in the plan, compliance often has to say 'no.' Colleagues in the organization will be more grateful for compliance's perspective when they involve them earlier in the process, preferably at the beginning and especially during initial strategy meetings.

## CONCLUSION

These are just some of the many reasons why organizations should be grateful for their compliance programs and for the people who manage those programs.

What reasons for gratitude would you add to the list?



## CJ Wolf

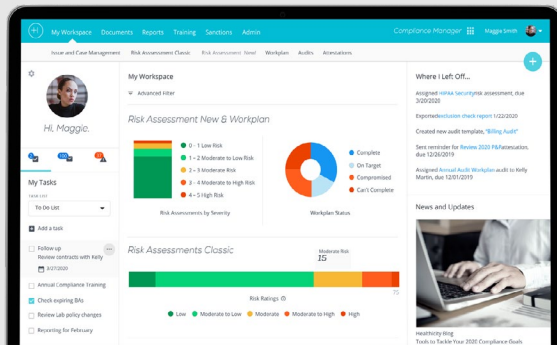
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CJ Wolf is a healthcare professional with more than 20 years of experience in hospital and physician revenue cycle, practice management, compliance, coding, billing, and client services. He has provided healthcare consulting and solution services to hospitals and physician organizations throughout the country.



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