



Expanding the Role of the Compliance Professional

Chris Anderson

Vice President, Audit Services and Quality Assurance & Chief
Compliance Officer

Traditional/Historical Role



- Compliance Program development
- Program maintenance
- Historically reactive
 - Created as a response to internal/external pressures
 - Perhaps installed due to external reviews
 - Initial focus on industry “Hot Topics”
- The “Necessary Evil”
- The Gestapo
- Curious Skepticism



Where Are We Today?



- Tenure and stability
 - Profession
 - Business Orientation
- Generally more proactive in nature
 - Business Analysis
 - Operational Analysis
 - External Threats vs. External Realities
- Moving towards business need

Bodyguard that is “pretty darn savvy”



Where are we going (ancillary providers)



- “What else can we give this guy. We need more like him.” (gal/her applies equally 😊)
- Regulatory scope is broadening
 - Creates opportunity
 - Career enhancing
 - “Non-historical”
- Facing the Conflict of Interests issues
 - Operations
 - Finance
 - Legal



Broadening the Scope



- Historical focus purely on fraud and abuse related issues
- Other regulatory issues
 - Wage and Hour
 - Discrimination
 - FDA
 - Conditions of Participation
 - GAAP
 - CMS



Corporate Governance



- Sarbanes Oxley
 - Public or not- Here we come!!
 - Enhanced validation and accountability
 - Personal certification of accuracy
 - Material or non-material issues of malfeasance
 - Supports disclosure requirements
- Compliance Officer
 - Creating/validating review and certification process
 - Closer ties to Board/Governing Body
 - Dealing with Board/Governing Body reactions
 - NYSE/NASDAQ Requirements



HIPAA



- Like this is a surprise!!
- Privacy focus alone probably not good enough
- Compliance Involvement
 - Transaction and Code Sets
 - Process Oriented
 - Measure internal controls
 - Could have ROI
- Security
 - Can't have one without the other
 - Room for failure/success



Quality of Care



- Enforcement issues of the future
- Can Quality of Care lead to a False Claims violation?
- Compliance Professional
 - Closer ties to Clinical Oversight
 - Audits evaluating state/national averages of clinical data including outcomes
 - Enhanced involvement in clinical/operational procedures and training
 - Hard look at “protocols”
 - JCAHO/NCQA



Internal Audit



- Can be a natural fit to compliance profession
- CPA not required
- Allows for review of procedures and controls
- Greater command for resolution accountability
 - Front End/Back End Enhancement Opportunity
- Provides greater access to information

Risk: Value Add vs. Internal Cop



Evaluating the Skill Set



- Compliance Professional Opportunities
 - Business Approach
 - Financial Approach
 - Marketing
 - Corporate or Administrative Support
 - Capacity
 - Financial Pressures on Organization

Staying True to Compliance Obligations

- Conflicts of Interests

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Potential Opportunities



- Mergers & Acquisitions
 - Process Oriented
 - Strong Compliance Due Diligence
 - Compliance need to integration support
- Corporate/Administrative Functions
 - Human Resources
 - Procurement
 - Real Estate
 - Process Improvement
 - Communications/Marketing (Not Sales obviously)



Closing Comments



- Chris Anderson
 - 631-501-7390
 - Chris.anderson@gentiva.com

