



*Strengthening Oklahoma's Safety Net,  
One Community At A Time*

## **Board Bulletin**

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### **Creating a Compliance Program that Works: Part 3**

Community health centers (CHCs) have a critical role in health care reform efforts designed to reduce costs and improve patient outcomes. CHCs must be committed to performance improvement goals that include responsible conduct, efficient operations, and full compliance with all applicable Federal, State and local laws and regulations. Those goals will only be successful if the health center Corporate Compliance Program includes provision for reporting possible problems followed with appropriate corrective action measures for detected offenses - Step 5 and 6 respectively of the seven-step development approach outlined in this series.

#### **Step 5: Establishing Open Lines of Communication**

Early detection of potential problems is key to an effective Corporate Compliance Program. CHC employees should be encouraged to communicate compliance concerns by establishing an effective reporting system.

**Confidentiality & Non-Retaliation** – Boards must develop reporting confidentiality and non-retaliation policies to promote open communication across the organization. While confidentiality is important, be careful not to guarantee anonymity as some situations require full disclosure. Strong policies that make it clear to all associated with the CHC that retaliation for reporting offenses will not be tolerated are essential in creating a compliant environment. As part of the reporting process, boards should ensure that there are procedures in place for employees to seek clarification from the compliance officer if they have questions.

**Communication that Promotes Compliance** – Two-way communication is necessary: 1) CHC leadership informing staff, at the time of hire and thereafter, of their obligation to report offenses; and 2) staff reporting concerns to leadership. Make sure employees are routinely reminded that they are required to report compliance concerns. Cost-effective ways to do this include having a prominently displayed bulletin board devoted to compliance and placing notices in common areas such as break rooms. CHCs may want to invest in a compliance campaign that includes promotional items (e.g., notepads) distributed to all employees that serve as a constant reminder that compliance is a top priority within the organization. Make it comfortable for staff to discuss issues by having an open door policy that assures access to the compliance officer/senior management.

**Reporting Systems** – A ‘user-friendly’ process is essential to timely reporting of improper conduct. This may be as simple as having an anonymous drop box that serves to trigger investigation. CHCs may choose to establish a hotline with an outside vendor that allows employees to report concerns. Policies should address issues that require a formal report and how confidentiality will be handled. Procedures should include development of a logging process that will keep track of reports, record associated action, and document results.

#### **Step 6: Responding Appropriately to Detected Problems**

Effective compliance programs demonstrate to employees that reporting offenses results in appropriate action. Otherwise, employees will lose confidence in the process and CHC compliance will be severely compromised.

**Investigations** – The corporate compliance officer must routinely monitor reports, prioritize issues according to risk exposure and promptly initiate investigation of potential problems. The Executive Director and the compliance officer will conduct the investigation which may include interviews and document review. It may be necessary to seek legal counsel, outside auditors or other experts to assist with the investigation. Records of the investigation must be maintained that document appropriate response based on the merit of the non-compliance report with reasons clearly outlined as to why further action is either being pursued or dismissed.

**Corrective Action Process** – If further measures are warranted, a corrective action plan must be developed immediately to show that decisive steps are being taken to resolve the issue. A plan to report violations as appropriate to government/law enforcement agency should be in place and further guidance from legal counsel may be necessary. The corrective action plan should also include measures that will prevent likelihood of recurrence of the non-compliance issue as well as provision for follow-up reviews.

CHC boards should receive monthly corporate compliance reports to ensure the program is working. To review the entire series, visit [www.okpca.org](http://www.okpca.org) and click on the home page *Board Bulletin* link.

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