



white paper

Starting Out as a Compliance Officer

5 Proven Steps to Success

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introduction

Being a Compliance Officer in a heavily regulated industry like Healthcare can be exciting and scary at the same time. With Healthcare reform changing daily, new regulation introductions, data breaches, cybersecurity, the Opioid crisis, sanction management, and ensuring staff is adhering to the most current policies, the Compliance Officer role is extremely demanding.

Unlike other roles in a healthcare institution, the Compliance Officer did not necessarily study compliance in an educational setting but rather many of the individuals in the role have transitioned or been promoted from front-line roles such as nursing.

The Compliance Officer is a critical role as it can be reputationally damaging and costly for a hospital or healthcare system to be involved with a data breach, a cyber attack or to be fined for not meeting accreditation standards. Not making the grade during on-site accreditation surveys, can result in staff spending tremendous amounts of time on requests for improvements.

As the cost of data breaches for healthcare organizations continues to rise, from \$380 per record in 2017 to \$408 per record in 2018, according to a new study from IBM Security and the Ponemon Institute, the Compliance Officer plays a critical role in helping define the frameworks to prevent costly breaches and cyber attacks. While also preparing the organization to meet complex compliance requirements that include technical, physical, and administrative process elements such as HIPAA, NIST, ISO, and COBIT.

Some institutions may have multiple Compliance Officers each focused on different areas of specialty. Chief Compliance Officers (CCO) often address the business ethics, billing fraud, EMTALA, code of conducts, privacy laws and other business relations. Whereas, Regulatory Compliance Officers are responsible for the standards and accreditation requirements for a variety of regulatory agencies like The Joint Commission, College of American Pathologists (CAP), Healthcare Facilities Accreditation Program (HFAP), DNV GL and others.



The Compliance Officer typically reports to the CEO or Chief Operating Officer. The proliferation of CCOs dates back to a 2002 speech by SEC commissioner Cynthia Glassman, in which she called on companies to designate a “corporate responsibility officer.” The responsibilities of the position often include leading enterprise compliance efforts, designing and implementing internal controls, policies and procedures to assure compliance with applicable local, state and federal laws and regulations and third-party guidelines; managing audits and investigations into regulatory and compliance issues; and responding to requests for information from regulatory bodies.

steps to creating a culture of compliance

Today we live in an age in which patient data is incredibly sensitive. With the growing number of breaches experienced by healthcare facilities throughout the nation, so too have the number of regulations put in place for our protection. A single breach can cost an organization millions in unwanted fines, not to mention damaged reputation and the financial losses that can result from it. Ensuring staff is aware of all the policies and procedures regarding IT safety can go a long way in protecting an organization’s information.

Your role as the Compliance Officer is to educate, influence and motivate others to understand the importance of compliance and the business implications of not being compliant and not meeting accreditation and regulatory standards. HIPAA violations and Office for Civil Rights (OCR) breaches can result in very serious fines that can have catastrophic implications to an organization’s finances. Paying millions of dollars in fines can cripple an organization.

Creating a culture of compliance does not happen overnight. It will take time to gain the trust and respect of others. Establishing credibility across the organization will be key to your success. These five proven steps will provide guidance as you embark on your journey to success.



five proven steps to success

step one - understand your mandate

As you begin your new role, here are six key questions that you need to ask yourself to ensure you can be successful. It is important to know who within the organization is setting your mandate and if the mandate is achievable with the budget and the existing team.

1. What is your mandate?
2. Who is setting the mandate?
3. What is the budget?
4. Do you have a budget that can enable you to be successful?
5. Do you have a team?
6. Who is on the team?

step two - set your five-year working plan

Your role as the Compliance Officer is to protect the organization. Now that you have your mandate, understand the capabilities of your team, and budget parameters, it's now time to establish your five-year protection plan. This plan should govern the actions of the organization from an ethical and legal perspective.

As part of the planning process, you should conduct a thorough risk assessment of the following:

1. Gain access to all available policies and procedures
2. Identify policy gaps and if new policies need to be written or existing policies updated to meet regulatory standards



3. How easily policies can be accessed by administrative and front-line staff at the time of patient care
4. The process for updating policies and when they were last updated
5. Communication protocols for notifying staff of new or updated policies and verification that staff have read the policies
6. Accreditation standards your organization is working with and the practice for complying with the standards
7. Understand the timing of the last on-survey, the outcome and the timing for an upcoming survey
8. Existing compliance and quality frameworks that have been implemented
9. Security protocols and governing policies that are established

step three - establish communication strategies

Like with any role, effective, timely communication is the key to success. Establishing a code of ethics that will govern the policies and procedures that your organization follows and ensuring that it is communicated across the organization and verifying that staff has read and understood is paramount.

It may seem trivial, but this is by far one of the most important things you can mandate as part of your compliance program. Having a thorough and well thought out program can be the difference between meeting standards or not. An important step in training that most programs tend to leave out or forget is documenting comprehension that can be achieved through short quizzes or attestations on your policy and procedures management platform. It goes without saying that by equipping staff with the right knowledge can empower them to jump into action when the need is, in case of emergency. What's more, doing it this way can provide you as compliance officer the peace of mind you need in knowing that the staff at your organization are all equipped with the knowledge required to keep patients safe and healthy.

“ It is important for Compliance Officers to act like Switzerland as it is their responsibility to remain neutral as they focus on building trusting relationships with stakeholders, colleagues, peers, and frontline staff. ”

Renee Blomme
Manager Patient Experience & Corporate Risk, North York General Hospital

There is a multitude of other ways in which compliance plays a part in saving lives. Namely policies and procedures that center around improving quality of care, which in turn impacts patient safety and quality of care. Whether you chose to believe it or not, when it comes to saving lives, every little bit counts and the Compliance Officer's role in it all is just as important as the doctor holding the scalpel.

Ultimately, a proactive environment will improve employee and patient safety, which can potentially save your organization.

step four - increase your visibility

Your first order of business should be focused on increasing your visibility across the organization, to ensure that everyone is aware of your mandate and to share your expectations with the broader team. And to get to know the cross-functional teams that you will be collaborating with day to day. Getting to know others on a personal level will help you forge stronger relationships that will help you in the long run.

Actively participate in rounding to get familiar with the front-line staff team members and their processes. When Bridgeport Hospital in Connecticut instituted Senior Staff Safety Rounds, they found the practice of regular "direct, face-to-face feedback to senior administration - resulted in real-time improvements that have positively impacted safety and consequent improvement in scores measuring safety across all areas."

No one is more familiar with the comings and goings of the hospital like your frontline staff. Therefore, it's important to develop a rapport with them. Make time for coffee or chit chat in the halls and genuinely get to know them. It's always easier to confide in a friend, so let them know they can trust you. The more comfortable they feel with you the more they'll trust sharing their opinion of what's working and what's not on the floor. In the end, if you don't know you can't act and this is one of the most direct ways to uncover opportunities.

Having champions in your corner is crucial to the continued success of your program. Find middle managers who believe

“ A common mistake that Compliance Officers make is being too dependant on the job specs and not investing enough time and effort into knowing the importance of the culture and the power relationships play in setting them up for success. ”

Renee Blomme

Manager Patient Experience & Corporate Risk, North York General Hospital

in your compliance agenda, and who understand the role compliance plays. To be clear, their grasp on the concept should be beyond “we need to follow the rules” but they should be able to see the bigger picture of what compliance lends itself to, from improving operational efficiency, reducing costs and driving patient safety. Having individuals at this level who are in agreement with your efforts means there’s a good chance that those above and below them on the food chain will hear about it, but also be encouraged to participate in it. What’s more, having them reward their staff or publicly recognize them reinforces compliant behavior as it lets them know that they can win some major brownie points with the boss this way.

step five – identify a mentor

Seeking a mentor within your organization or outside your organization can be a good way to kick-start your role as a Compliance Officer. Finding a mentor can be extremely productive. Mentors should be an individual that you get along with well and respect. The mentor could be a Compliance Officer in another organization who has years of experience and is willing to share their insights, lessons learned and pitfalls to avoid. And always be sure to thank your mentor as they are taking time away from their responsibilities to support you. Most mentors are happy to help you, but don’t take advantage of their generosity. Let them know you appreciate their time. In the end, if you don’t know you can’t act and this is one of the most direct ways to uncover opportunities.

Four key characteristics to look for in your mentor:

1. Good listener – willing to commit time to hear about your issues, concerns and problems
2. Knowledgeable – has first-hand Compliance insights and experience
3. Passionate – they are a Compliance geek or have a solid understanding of your role as a Compliance Officer
4. Excellent Communication Skills – they can articulate and share their insights, knowledge and recommendations in a straightforward concise manner

“ Compliance Officers need to be organized, thoughtful, strategic, and subjective. It is vital that they possess the courage to enforce compliance.”

Abigail Fallen

Senior Program Manager, Health Information Exchange & Data Security, Camden Coalition of Healthcare Providers

tools every compliance officer should be using

Now that you have worked through the five steps, it is important to have the right tools in your arsenal to identify risks and measure compliance system-wide. Your success will hinge upon having the right action plan, communications plan and team in place. And by leveraging technology to automate labor-intensive manual processes, streamlining compliance system-wide is easier and less cumbersome to manage. Some areas where automation can play a key role are as follows:



- 1. Attestation** - being able to verify that staff has reviewed, read and understand the policies and procedures that govern your facility or facilities should be a key part of your compliance program. Attestation functionality can be found in many automated SaaS-based policy and procedure platforms.
- 2. SaaS-based policy and procedure management platform** - consolidating and centralizing all policies and procedures in one electronic repository that can be easily assessed and searched from anywhere at any time ensures that staff is referring to the most current policies at the point of patient care. An automated system can also help streamline on-site surveys as policies can be accessed by surveyors quickly and easily demonstrating you're in compliance.
- 3. Regulations and standards manager** - leveraging a SaaS-based policy and procedure management platform that enables the direct mapping of policies with the specific regulation standard and sends automatic email alerts outlining regulatory changes eliminates manual intervention saving enormous amounts of time and effort. Keeping policies aligned with regulations is much faster and easier and ensures that the staff is using up-to-date policies.
- 4. ISO 9001 QMS Framework** - ISO 9001 is the international standard that specifies requirements for a quality management system (QMS). Organizations use the standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory

requirements. Healthcare organizations like Advocate Healthcare and CoxHealth prescribe to the ISO 9001 QMS framework. To hear how they leverage this framework, listen to the on-demand webinar.

5. **Contract management** – leverage automated SaaS-based contract management solutions to centralize all contracts system-wide into one electronic repository that can be easily accessed and searched. Set up automated email contract renewal alerts to avoid missing renewal dates.
6. **Third party vendor risk management** – conduct ongoing real-time automated sanction checks across all Federal and State databases to ensure all third-party vendors, contractors, medical staff and employees are in good standing at the time of hiring and always. Avoid the embarrassment and costly fines associated with employing a sanctioned vendor or individual.
7. **Time and attendance** – automated solutions like Kronos monitor employee time and attendance and controls labor costs, minimize compliance risk, and improves workforce productivity.

final words of wisdom

Striving towards or maintaining a Just culture is key to your success as a Compliance Officer. A culture in which front-line operators and others are not punished for actions, omissions or decisions taken by them which are commensurate with their experience and training, but where gross negligence, willful violations and destructive acts are not tolerated drives balanced accountability and patient safety. A Just culture includes the ability to develop a positive patient safety profile to respond and comply to outside auditors such as The Joint Commission.

Creating a learning culture that is constantly improving and oriented toward patient safety is no easy feat. Developing strong collaborative relationships with your colleagues and understanding the organization's culture will be key as you establish governance and elevate the significance of your role in keeping your organization compliant in an ever-changing



additional resources:

- Health Care Compliance Association - <https://www.hcca-info.org/>
- Evaluating and Improving a Compliance Program – a Resource for Healthcare Board Members, Healthcare Executives and Compliance Officers - <https://www.hcca-info.org/Resources/View/tabid/451/ArticleId/4973/Evaluating-and-Improving-a-Compliance-Program.aspx>
- Institute for Healthcare Improvement - <http://www.ihl.org/>
- Book: How to be a Wildly Effective Compliance Officer by Kristy Grant-Hart <https://www.amazon.ca/Wildly-Effective-Compliance-Officer-Demand-ebook/dp/B019NSBNUO>
- Book: Wildly Strategic Compliance Officer Workbook by Kristy Grant-Hart <https://www.amazon.ca/STRATEGIC-Compliance-Officer-Workbook-demand/dp/0993478832>

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