

COMPLIANCE TODAY

MAGAZINE

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NIURKA ADORNO

REGIONAL COMPLIANCE OFFICER
MOLINA HEALTHCARE OF SOUTH CAROLINA &
MOLINA HEALTHCARE OF PUERTO RICO

FROM IN-HOUSE COUNSEL TO COMPLIANCE (P12)

The basics of 42 CFR Part 2 following
the 2017 and 2018 revisions (P18)



Providers and the opioid crisis:
Compliance officers need to be aware (P24)

Risk assessment obligations for Medicare
Advantage and Part D organizations (P31)

Security risk audits and risk mitigation
plans to protect PHI (P35)

Does your auditing & monitoring
program meet the mark? (P42)



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“The biggest surprise for me was that compliance officers are often identified as “fixers” or the “police” by company employees...”

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an interview by [Gerry Zack](#)
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by [Richard Chapman](#) and [Litany Webster](#)
The Part 2 updates are closer to the HIPAA regulations and make some changes to patient consent for use and disclosure of records pertaining to treatment for substance use disorders.
- 24 **[CEU] Providers and the opioid crisis: Compliance officers need to be aware**
by [Cornelia M. Dorfschmid](#) and [Alexis Rose](#)
Increasing government enforcement actions mean compliance officers should review their operations' efforts to deter inappropriate prescribing of opioids, drug diversion, and potential risks to patients.
- 31 **Risk assessment obligations for Medicare Advantage and Part D organizations**
by [Regan A. Pennypacker](#)
Routine risk assessments and regular auditing and monitoring plans are the foundation of compliant and ethical operations.
- 35 **Security risk audits and risk mitigation plans to protect PHI**
by [Gerry Blass](#)
Conducting periodic security risk audits, not just risk assessments, is the best way to safeguard PHI in use, in transit, and at rest to prevent breaches.
- 42 **Does your auditing & monitoring program meet the mark?**
by [Ruth Krueger](#) and [Mary Jo Henne](#)
Well thought-out processes, the right tools, corrective action plans, and a concise audit report to key stakeholders will help you meet the OIG's expectations for effectiveness.

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Compliance when nobody is watching

Everyone knows an effective compliance program needs leaders, policies, training, audits, reporting, investigations, corrective action, and discipline. You probably already have these elements in place.

You have policies and training to help your employees do the right thing.

You have audits to verify that your employees are following compliance policies (and doing the right thing).

You have a compliance hotline or other reporting mechanism to find out when employees aren't doing the right thing. And when that happens, you use your investigations, discipline and corrective action policies.

Many of us put these crucial compliance elements in place, cross our fingers, and hope our employees are doing the right thing.

But how do we motivate employees to do the right thing when nobody is watching? After all, most of the time, nobody is watching. And isn't the purpose

of compliance to help employees do the right thing - whether somebody is watching or not?

"Character, like a photograph, develops in darkness." - Yousuf Karsh.

This quotation is from the first page of the novel: *The Kite Runner*. I was reading it on vacation, and this quote instantly made me think about compliance! I was away from work, enjoying a beach read, and compliance culture immediately came to mind. How can we embed compliance into every employee's way of daily thinking?

Policies, annual training, audits, and a reporting mechanism are a good start. In fact, they are essential! But they are not enough to motivate staff to do the right thing all the time. Your challenge as a Compliance Officer is to make compliance part of daily life for your team. How can we help employees understand compliance all day, every day?



Margaret C. Scavotto

JD, CHC

*President, Management
Performance Associates*



Meet employees where they are: Incorporate helpful compliance reminders into their workflow. Would a shift-change chat work? Flyers in the bathroom stalls? (There's nothing else to read in there....) What about flyers on your break-room microwaves? Can you craft a compliance message short enough to make

a point in the amount of time it takes to heat up a TV dinner? (Yes, you can!)

Does the Compliance Officer walk the halls and take a couple of minutes to go over basic compliance concepts with staff? What about displaying short compliance messages on a digital photo frame, or sharing compliance videos on

an iPad? Training does not have to be an in-service to be effective.

In the era of social media, infotainment, and information overload, compliance has to make some noise. Think outside the box for ways to keep compliance top of mind, and help staff do the right thing when nobody is watching. ^{CT}

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