

Outsourcing the Compliance Officer Function

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Overview

Although most health care providers have developed a compliance program and appointed a Compliance Officer to manage the program, there are some providers, such as small physician practices, that have trouble implementing “a full-scale, institutionally structured compliance program” similar to those of larger health care organizations. Additionally, these smaller organizations may face challenges in hiring and sustaining a Compliance Officer to oversee implementation of the Compliance Program. As such, small organizations may consider outsourcing their Compliance Officer function to temporarily fill the role until a more permanent candidate can step in or until the Compliance Department gains additional staffing resources.

Outsourcing the Role of Compliance Officer

Outsourced Compliance Officers can offer both complete support for the entire compliance program and partial support, focusing on specific areas of the program that need the most improvement. Choosing to engage an outsourced Compliance Officer also provides fundamental and high-quality support with the added benefit of working with and learning from a highly trained compliance expert. When outsourcing the Compliance Officer function, providers should consider the following:

- **Expectations.** What are the expectations for the outsourced Compliance Officer and the Compliance Program? Providers should keep in mind that no two compliance programs are the same, and an effective compliance program should be tailored to the organization’s needs and specific compliance culture.
- **Availability.** Will the outsourced Compliance Officer be able to respond promptly to inquiries and potential government audits? Will the outsourced Compliance Officer provide sufficient interactions with the organization in order to understand its inner workings?
- **Experience and Certification.** Has the outsourced Compliance Officer had experience in the relevant industry (e.g., physician practice, hospital)? Does the outsourced Compliance Officer have any compliance certifications (e.g., Certified in Healthcare Compliance)?
- **Skills.** Does the outsourced Compliance Officer have the right skills to manage the Compliance Program? Does the outsourced Compliance Officer participate in health care

compliance conferences and/or continuing education to stay up to date on best practices?

Once the organization has selected the right outsourced Compliance Officer, he or she can immediately start reviewing current operations to determine what areas of the Compliance Program need the most attention. By getting a clear sense of the Compliance Program's strengths and weaknesses, the Compliance Officer can work with the compliance staff to organize a plan of action to make the Program as effective as possible. A well-designed compliance program managed by an outsourced Compliance Officer can provide several other benefits to small health care organizations. These benefits can include:

- Decreasing billing errors
- Avoiding conflicts with the Stark Law and the Anti-Kickback Statute
- Improving monitoring of compliance risks

In Review

Outsourcing the role of the Compliance Officer to an experienced individual can help any size health care organization that is lacking a full-time Compliance Officer and/or an effective compliance program. The option of outsourcing is particularly helpful for smaller organizations that may not have the budget or resources to hire a Compliance Officer as a W-2 employee but that still need significant help with development and implementation of the Compliance Program. By asking the right questions and prioritizing the most critical compliance needs, organizations can find an outsourced Compliance Officer that best suits them at that time.

About the Author

Jillian Concepcion is the Vice President of Business Development of Compliance Resource Center and a Senior Consultant at Strategic Management Services. Ms. Concepcion leads client engagements involving compliance program development, implementation, evaluation, and remedial action to correct deficiencies. She also helps organizations implement effective processes to enhance their compliance programs related to sanction and exclusion screening, hotline programs, policies and procedures and training programs.

About Compliance Resource Center

Compliance Resource Center has been leading the compliance industry since 2010 with our complete suite of solutions that are geared towards improving compliance program operations. Our solutions ensure that organizations regularly meet federal and state laws and supply the necessary resources to sustain long-term compliance.