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### OIG Message in CIAs: 'Individuals Are Responsible for Compliance,' Exclusion Is a Risk

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By Nina Youngstrom

Individual accountability is increasingly a linchpin of corporate integrity agreements (CIAs), according to officials from the HHS Office of Inspector General (OIG).

“In recent CIAs, individuals—not just organizations—are legally bound to meet the CIA’s terms,” HHS Inspector General Christi Grimm said March 29 at the Health Care Compliance Association’s Compliance Institute.<sup>[1]</sup> “This has included CIAs for several individual owners of medical practices, owners of a laboratory company, and an owner of a hospital system.”

That’s one of the trends of newer CIAs. “Individuals are responsible for compliance,” said Lisa Re, acting chief counsel, at the Compliance Institute March 30.<sup>[2]</sup> To that end, OIG requires certifications in CIAs from organizational leaders and individual owners. The certifications are statements that managers sign taking responsibility for compliance with federal health care requirements and the CIA in the areas they supervise. Certifying managers include top executives, such as the CEO, chief financial officer, chief medical officer and chief nursing officer, depending on the type of organization.

“We have also bound the owners of certain companies to the CIAs,” Re said. “This is important because we can then exclude those individuals if the entity that has the CIA breaches its CIA obligations.” She said it “dovetails nicely” with the “stronger breach and default language” in CIAs (e.g., stipulated penalties), which should “clarify OIG’s intentions for enforcement.”

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