

## Compliance Today – October 2022



Jennifer Mason ([Jennifer.mason@kindred.com](mailto:Jennifer.mason@kindred.com), [linkedin.com/in/jennifer--mason/](https://www.linkedin.com/in/jennifer--mason/)) is SVP, Chief Compliance Officer, ScionHealth, Louisville, KY.

### Client-centric compliance: Applying customer service skills to drive effectiveness

---

By Jennifer Mason, MBA, CHC

As compliance professionals, our ability to positively influence others is paramount to the success and effectiveness of the programs we run. We strive to be, and hire, seasoned professionals with deep subject-matter expertise, strong communication skills, and analytical thinking abilities. While these are all important attributes in our profession, I have found that the ability to sell compliance to our stakeholders is an often-overlooked skill that can easily differentiate a great compliance program from a good one.

To build a truly excellent compliance program, it helps to take a client-centric approach. This means understanding that compliance may not be top of mind for all stakeholders and taking some simple steps to help them recognize what's in it for them. These small steps go a long way toward forging relationships and strategically positioning you as a trusted partner rather than the infamous and stereotypical “compliance police.”

You interact with a myriad of clients daily, whether you work for a complex healthcare delivery system, a hospital, a physician or other healthcare provider practice, a health plan, or a healthcare vendor. These clients can be internal to your team or business, third parties paying your company for services, patients, and—often the most challenging to sway—physicians. Understanding and appreciating their unique perspectives, motivations, and misgivings regarding the compliance function will set you up for success in becoming the trusted partner we all strive to be.

#### Why the shift to a client-focused program is crucial

With the publication of the Department of Justice's guidance, the *Evaluation of Corporate Compliance Programs* in 2017, as updated in 2019 and 2020, the standards for effective healthcare compliance programs have evolved from merely checking the boxes of the Office of Inspector General's seven elements to programs that fundamentally:

- Are well designed
- Are “adequately resourced and empowered to function effectively”
- Work in practice<sup>[1]</sup>

This evolution in program focus and approach heightens the need for compliance professionals to better influence their stakeholders, which means that we need to think of stakeholders as clients rather than people who are required to do what we say just because we work in compliance. We are now in a time where compliance

---

programs must be responsive to operational dynamics, reflective of organizational risk landscapes, and strategically integrated into the organization's workings. To achieve this, the leaders of these compliance programs must embrace the notion of serving, partnering, and guiding rather than merely directing.

## **Some fundamental tools**

Viewing your key stakeholders as clients can help drive your overall compliance program effectiveness. We will examine how applying some simple customer service skills can kickstart your momentum and enhance your ability to inspire change.

### **Recognize the power of empathy**

In her book *The Empathy Edge: Harnessing the Value of Compassion as an Engine for Success*, brand strategist Maria Ross discusses how “empathy can increase financial success, productivity, and retention” and yield overall “positive behaviors” in the workplace.<sup>[2]</sup> Taking this mindset one step further in applying it to the world of compliance, we must contemplate how we can, essentially, put ourselves in our stakeholders' shoes. By better understanding their perspectives, pressures, and drivers, we can leverage those to gain their support, bolstering our efforts to refine our programs while managing our ever-evolving compliance risk landscapes.

In the last decade, empathy has been increasingly recognized as a critical tool in effectively influencing others and driving performance in business, so much so that many large corporations now incorporate empathy training into their leadership development programs.<sup>[3]</sup> A 2011 study of 6,731 managers from 38 countries by the Center for Creative Leadership uncovered strong performance by empathetic bosses, saying they “effectively build and maintain relationships.”<sup>[4]</sup> These findings translate well to the role we play as compliance professionals. What better way to convince stakeholders to genuinely embrace compliance than foster relationships through empathy? Compliance, after all, is largely about people. Understanding your stakeholders' perspectives when attempting to influence them to adopt compliant behavior or support your program will best position you for success.

### **Make it easy**

If an organization's compliance program is designed well, compliance should not just be the responsibility of the individuals in the compliance function but rather an integral part of everyone's job. That said, given the various pressures in the business and limited resources, even the most fundamental of activities are driven by compliance programs. Training, policy and process development, audit responses, corrective action plan development and execution, or even simply pausing to raise concerns when they arise, can prove quite taxing. Candidly, it can be quite burdensome to those internal clients with broad responsibilities not squarely in the compliance function and who may view compliance as a barrier to their success instead of a support function or differentiator.

This is where empathy comes into play yet again. By helping to make compliance easy for your stakeholders, you enhance your ability to drive compliance performance without being “that annoying compliance person,” placing even more demands on the business. Making your training materials practical and succinct, offering policy and procedure development assistance and tools, clarifying roles and responsibilities in the audit process, and ensuring your team is friendly and accessible to your business partners are part of the process.

Here are a few of the things you can do to make compliance easy for your clients and, in doing so, foster a more transparent and compliance-driven organization:

- Make your training materials practical and succinct.
- Offer policy and procedure development assistance and tools.
- Clarify roles and responsibilities in the audit process.
- Ensure your team is friendly and accessible to your business partners.
- Simplify the process for raising concerns.

## **Gain credibility and build trust**

It is human nature to put up barriers to ensure survival when you feel threatened. Frequently, compliance professionals may appear threatening to particular stakeholders, especially those whose roles inherently implicate significant compliance risks for our organizations. In the World of Work Project’s “Five Dimensions of Trust in Sales,” *expertise* is cited as a primary driver for building trust.<sup>[5]</sup> If an individual can demonstrate high levels of expertise concerning the product, in this case, compliant behavior, and answer any questions that a client may have, our clients will place greater trust in us.<sup>[6]</sup> Suppose we recognize that our positions may sometimes be perceived as threatening out of the gate. In that case, we can position ourselves as guiding partners to our stakeholders—not only as compliance experts but as leaders who want to support them in ethically reaching their goals. Ensuring we are well versed in existing and emerging compliance risks, collaborative with subject matter experts throughout the organization, knowledgeable and aligned with the organization’s strategy, understanding of the various pressures of the business, and strategic in our approach to collaborating to come up with pragmatic solutions, we can more easily gain our stakeholders’ trust and, ultimately, a seat at the table.

Your effort to build credibility by being service-minded will lead your stakeholders to ask for input in advance, hear you out when you escalate a concern, and become increasingly supportive of efforts to promote your compliance program within your organization. When your stakeholders regularly come to you, instead of the other way around, you’ve hit the jackpot for a sustained awareness of emerging risks for your program to help address, improving actual effectiveness of your compliance program.

## **Communicate, both ways, all the ways**

Let’s face it, many of us in the compliance profession are rather set in our ways. We have things we want to accomplish in our compliance programs and know exactly how we want them to be done. Because of this, we may have found ourselves trying to force our agendas on people in our organizations rather than listening and understanding what will truly work for them. Fostering an environment in which open, two-way conversation is welcome will further help you earn your stakeholders’ trust. For example, the more time you spend communicating with your stakeholders, the more you will learn about their unique choice of language and functional/departmental acronyms and jargon. Use their language in your communications so that your stakeholders have no doubt about expectations, but also be open to the possibility of there being more than one way to accomplish something and flexible enough to adjust your approach when given feedback. Where possible, offer your stakeholders guardrails that they must stay within rather than an exact path they must follow.

This document is only available to members. Please log in or become a member.

[Become a Member Login](#)