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Strategic planning for compliance should be a major focus

by Betsy Wade

Short- and long-term strategic planning should be a major focus area for healthcare compliance officers.

Last fall, the Office of Inspector General (OIG) announced several changes to its standard corporate integrity agreement (CIA) that not only will impact those entering CIAs, but also should cause all compliance officers to consider changes to their compliance programs.^[1] One of those changes was the requirement of a transition plan, which OIG compared to a compliance strategic plan.

Compliance officers don't have to look far to find key examples of strategic plans with a compliance focus. The Department of Justice (DOJ) and OIG both have multiyear strategic plans.

The DOJ Strategic Plan covers fiscal years 2022–2026 and has five goals: upholding the law; maintaining safety; protecting civil rights; ensuring economic opportunity; and administering a just court and correctional system.^[2] Each goal is tied to multiple strategies.

The OIG Strategic Plan spans 2020–2025 and focuses on three goals: fighting fraud, waste, and abuse; promoting quality, safety, and value; and advancing excellence in innovation. Each goal includes related objectives.^[3]

The DOJ and OIG strategic plans are based on each organization's key priorities, much like compliance programs build on the seven elements from the Federal Sentencing Guidelines.^[4] For compliance officers, a short-term strategic plan is like an annual compliance plan, and a long-term strategic plan is three to five years.

Short- and long-term compliance strategic plans are informed by several factors, including but not limited to:

- Annual risk assessment results;
- The compliance department's resources;
- Organizational initiatives and priorities such as mergers and acquisitions, joint ventures, and divestitures;
- Annual regulatory requirements; and
- The evolving regulatory environment.

Compliance strategic plans should include input from and approval by the organization's compliance committee and the board.

Using the DOJ and OIG strategic plans as a guide below is a potential format for a compliance strategic plan:

- Compliance officer message
- Department mission, vision, and values
- Strategic Plan at a Glance
- Goal 1: Standards, policies, and procedures
- Goal 2: Compliance program administration
- Goal 3: Screening and evaluation of employees, physicians, vendors, and other agents
- Goal 4: Communication, education, and training
- Goal 5: Monitoring, auditing, and internal reporting systems
- Goal 6: Discipline for noncompliance
- Goal 7: Investigations and remedial measures

¹ Laura Ellis, Mary Findle, and Al Shay, *CIA Changes On The Horizon: What They Are And What They May Mean For You*, American Health Lawyers Association Fraud and Compliance Forum 2022, September 29, 2022, <https://www.americanhealthlaw.org/fraud-and-compliance-forum-2022/program-information/schedule>.

² U.S. Department of Justice, “DOJ Strategic Plan, FYs 2022–2026,” updated October 4, 2022, <https://www.justice.gov/doj/doj-strategic-plan-2022-2026>.

³ U.S. Department of Health & Human Services Office of Inspector General, “Strategic Plan,” accessed January 5, 2023, <https://oig.hhs.gov/about-oig/strategic-plan/>.

⁴ U.S. Sent’g Guidelines Manual § 8B2.1 (U.S. Sent’g Comm’n 2018), <https://guidelines.uscourts.gov/g1/%C2%A78B2.1>.

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