

## Report on Medicare Compliance Volume 32, Number 39. October 30, 2023 OIG: Compliance Committee's 'Inputs' and 'Outputs' Should be Clear; CCO Runs the Show

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By Nina Youngstrom

When compliance officers plan to bring up a compliance issue at a compliance committee meeting, they should consider letting the operational manager of the affected department know beforehand, an HHS Office of Inspector General (OIG) official said. Surprises won't go over well at compliance committee meetings.

"The goal of the compliance committee is to frankly discuss organizational risks and what the response needs to be to address those risks," said OIG Senior Counsel Adam Ribner. "One of the ways to do that is by avoiding potential surprises. You don't want to call someone out at a meeting. You want people to be candid and forthcoming and avoid finger pointing and blaming."

Establishing the compliance committee "as a safe space" will contribute to the effectiveness of your compliance program, he said Oct. 26 at an HCCA webinar.

Compliance committees are there to support compliance officers in the implementation, operation and monitoring of the compliance program, said Tamar Terzian, OIG senior counsel. That should be articulated in a charter because it helps compliance "understand the functional responsibility of the compliance committee in the organization" and "ensure it doesn't inadvertently overlap with existing committees," Ribner added.

Once you have the charter, it may be challenging to put your finger on how the compliance committee helps implement an effective compliance program. He finds it helpful to think about the process flow of a compliance committee and its "inputs" and "outputs." The inputs include identification of departmental risks; discussion of mitigation plans to address those risks; and the latest regulatory developments in their respective departments so the organization can determine if they're a risk. The charter also should spell out the expectations of the compliance committee, such as providing recommendations to a higher-level oversight committee (e.g., board's audit committee) or empowering the compliance committee to make determinations.

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