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Compliance for medical facilities in the age of COVID-19

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The core message of compliance is fairly simple: Follow the rules.

That is not to say that the work of a compliance officer is simple. In order to ensure that people follow the rules, a compliance officer must (1) know the rules, (2) communicate the rules, (3) monitor compliance with the rules, (4) impose discipline for violating the rules, and (5) rinse and repeat. Although these steps seem simple enough, a compliance officer spends a lifetime acquiring the education, training, and experience necessary to perform them effectively. Even then, all of this education, training, and experience presupposes that the underlying circumstances to which it is applied are at least somewhat consistent with the norm.

But what happens when something occurs that literally shatters the norm? What happens when the scope of that occurrence is global in scale? What happens when the powers that be struggle to grasp and accept the significance and impact of that occurrence? What happens when, as a result, those in charge are slow to respond? What happens when the rules they create are poorly constructed, disjointed, and infected by political agenda? What happens when the very people making those rules refuse to follow them and encourage others to do the same? What happens when the people who have been negatively affected by this occurrence (or the government acting on their behalf) are looking for someone to blame for the manner in which the healthcare industry responded to this occurrence?

Unfortunately, no one knows the answers to any of these questions yet. Welcome to the world of compliance in the age of COVID-19.

So, what is a compliance officer to do when faced with this reality? The good news is that all the education, training, and experience you have accumulated at this point in your career provide you with all the tools necessary to address this situation.

Throughout your career, you have honed your skills in learning the rules so you could communicate them to others.

Let's be honest; it is not like the world of healthcare was stagnant before COVID-19. Quite honestly, I cannot imagine a field that sees more changes in its underlying rules on a daily basis than healthcare. Given this fact, you have been forced to become adept at tracking the underlying rules as they change so you could communicate the changes to others. COVID-19 will just force you to take this ability to a new level.

What's next in COVID-19 compliance?

Because of the constant changes in the rules of healthcare, you have also become skilled in developing ways to communicate these changes to the members of your organization. You have also learned to deal with the natural tendency of people to resist change. As a result, to combat this tendency, you have created strategies to help

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people become more comfortable with the need for change.

Most importantly, you have learned to help the leaders of your organization embrace both the need for and the benefit of change in the face of new circumstances.

This skill set will be particularly important in the current situation. Given the inconsistencies in the government's response to the COVID-19 outbreak, its tendency to undermine the views of the very experts upon which it relies for guidance, its tendency to ignore that guidance, and its rhetoric about those who comply with that guidance, you will be faced with a number of constituents who believe the new rules are merely an orchestrated attack on their civil liberties, not an effort to protect the health and safety of themselves and others.

You have also created systems to monitor compliance with a variety of rules (both technical and behavioral) and have worked with your organization's human resources team to develop scaled and appropriate discipline for those who do not comply. Quite honestly, your ability to be effective at each of these tasks in the current situation (especially discipline) will be directly affected by your success at communicating the extent and need for the changes in the rules. The greater your success in communicating these messages, the easier it will be to monitor and enforce compliance with the new rules.

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