

# Compliance Education and Awareness Tools and Techniques

By Kathy Thomas

A focus group of Health Care Compliance Association (HCCA) and Association of Healthcare Internal Auditors (AHIA) members has been meeting throughout the past twelve months to explore opportunities to better define and explain auditing and monitoring, clarify the roles of compliance and internal audit functions as they address issues within their healthcare organizations, and develop guidance and reference materials on key aspects of health care auditing and monitoring processes. The *Seven Component Framework* developed by the HCCA/AHIA focus group for compliance auditing and monitoring is comprised of the following activities:

1. Perform a risk assessment and determine the level of risk.
2. Understand laws and regulations.
3. Obtain or establish policies for specific issues and areas.
4. Educate on the policies and procedures and communicate awareness.
5. Monitor compliance with laws, regulations, and policies.
6. Audit the highest risk areas.
7. Re-educate staff on regulations and issues identified in the audit.

This article provides guidance on compliance training and awareness tools and techniques. This is the seventh and final article in the series of articles prepared by the HCCA/AHIA auditing and monitoring focus group.

A key goal of an effective compliance program is a culture that encourages open lines of communication. For such a culture to exist, the organization must provide an on-going program of compliance education and awareness activities that promotes understanding of the regulatory requirements of the organization and the policies and procedures the organization has implemented to meet such requirements. The educational program should strive to ensure that all employees comprehend their role in the compliance process.

The Compliance Office will want to work with management to develop a detailed compliance education and

awareness plan that is designed to address compliance issues faced by all departments within the organization, with specific emphasis on those areas at greatest risk for non-compliance. In addition, the compliance education and awareness program should be proactive and flexible so that education can be delivered as needed to rapidly address risk areas as deemed appropriate.

An effective compliance education and awareness program should be a multi-tiered system that addresses varying levels of employee learning abilities, available technology, and personal preferences. The program should provide education to these different audiences through multiple

channels, while relaying a consistent message.

### Know Your Audience

Compliance training must recognize that diverse audiences require both different levels of detail as well as various approaches to education. These different audiences include new employees, existing workforce members, and employees that are in positions that require compliance with specific regulations. Volunteers, vendors, and other non-employed agents of the organization may also need compliance education or awareness training.

1. Compliance education at orientation is important for new employees as they join your organization and for the initial training of staff during the rollout of the compliance program. The compliance orientation should:
  - a. Provide an overview of the compliance program.
  - b. Outline the significant legal and regulatory requirements the organization must follow.
  - c. Clarify the duty of employees to report any possible non-compliance.
  - d. Publicize compliance hot-line information.
  - e. Provide contact information for key compliance staff members.
2. At a minimum, existing employees should receive education/awareness about the compliance program annually. This annual activity will facilitate employees' continued understanding of how to recognize potential compliance issues, reemphasize the different means available to address such concerns and will reinforce the organization's commitment to compliance.
3. For employees in positions that require compliance with specific regulations, specialized education on the policies and procedures that have been implemented in their areas to deal with regulations specifically affecting their job functions should be provided to those employees. Examples of staff that may require specialized education include employees involved in billing, coding, admissions, and physician relations. The Compliance Office should work with department management to be sure that appropriate education is provided for those areas within the organization that are deemed to be high risk.
4. Contractors, volunteers and other non-employee agents doing business with the organization should be provided information about the organization's compliance program and relevant policies and procedures in order to understand how their actions directly impact compliance.

## Delivery

Much has been written on the effectiveness of various delivery methods for education and awareness communications. When developing a specific educational program it is often helpful to conduct a learning needs assessment that includes both specific topics or questions the audience would like covered as well as their preferred learning method. This may help to ensure good attendance and understanding of the material presented.

Current compliance educational methods include: classroom sessions, computer or web-based training, self-study materials, videos, "lunch and learns", presentations at staff meetings, newsletters, e-mail alerts and promotional items. Each of these methods has a role in the effective delivery of compliance training.

1. *Classroom sessions* allow direct interaction between the Compliance Office training staff and the workforce. Attendees can associate a name and face with the compliance program. Face-to-face training is a good choice for orientation training of new employees. The disadvantage to classroom training is that it may be difficult to provide the training in a timely manner to a large number of individuals and monitor the level of comprehension of the material.
2. *Computer or web-based training, self-study training and videos* offer more convenience, allowing employees to complete the training at their own pace. With computer and web-based training, employees test their knowledge of the materials learned through quizzes and receive immediate feedback on their level of comprehension and completion of the educational course can be automatically recorded.
3. *Sponsored training during lunchtime*, a.k.a. "lunch and learns", as well as presentations at department staff meetings provides the opportunity for the Compliance Office to deliver specialized training on critical regulatory issues in a timely manner to staff. In addition, this training allows staff to place a face and name to the compliance program.

4. *Newsletters, e-mail alerts, and promotional items* provide the Compliance Office with the opportunity to reemphasize the importance of specific compliance concepts with the workforce and address key issues.

## Content

In addition to the delivery, compliance education and awareness activities should provide content that is timely and important to the audience. Educational objectives should be clearly stated and measurable. Make sure that the material presented includes something that the audience can relate to in their jobs. The material should demonstrate how their actions could impact the organization. For instance, present relevant and entertaining case studies. Or provide for trainee interaction through games like "Jeopardy" or quizzes. Strive to make the training enjoyable, relevant, and memorable.

## Feedback

Whatever form or method the Compliance education takes there should be some form of feedback to verify that the educational objectives have been achieved. Staff should have the opportunity to assess whether the educational content was understandable. Did it keep the audience's interest? Compliance Office personnel can use the information obtained through feedback to validate that the information on compliance is getting across to the audience and that the audience understands how their actions can affect the organization and their own future.

Certain elements of compliance education should be mandatory to ensure that all members of the workforce receive an understanding of the key regulatory requirements faced by the organization and how the organization's compliance program operates. Senior management should set the proper tone by mandating attendance and participation. This can be done using either the carrot or the stick approach. Scheduling compliance education during regular staff meetings is one effective way to emphasize the importance of the education and assure attendance. To encourage staff to

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quality and reliability of the audit results may decrease if system conversions and major process changes have occurred during or immediately preceding the test period.

Other recommendations for ensuring data accuracy and integrity:

1. Reconcile accounts receivable data to the general ledger to ensure completeness.
2. Create a roll forward of all accounts to ensure that transactions are appropriately captured. Using the data obtained for the review, every account should be able to be re-created to agree with the ending period balance.
3. Differentiate bad-debt write-offs and charity write-offs from other types of adjustments.
4. Perform a second verification to test whether the write-offs agree with how your organization's internal controls identify bad debt. This may be especially important if your organization has more than one source of revenue.

### **Essential 3: Communication**

A valuation's accuracy depends heavily on open communication and feedback between the auditor and healthcare facility management. At the start of the project, all parties should meet to discuss the time period to be analyzed. This is an opportunity to bring to the surface any information — such as changes in collection activities or the accounting process — that could affect the results of the review. As preliminary results are generated, management should be involved to validate any assumptions made in the analysis. The ensuing discussions may reveal that some changes should be made.

In addition, management needs to be aware of the limitations of any historical analysis. Significant price increases, unusual large dollar balances, and/or changes in payor mix may impact the ability to use historical information as a predictor of future accounts receivable collections.

The results of a hindsight review should be reported not only to management, but also to the appropriate committee of the Board of Directors. This communication helps the committee

understand the high degree of judgment required in the accounts and financial reporting process. It also contributes to a strong system of internal controls.

### **Conclusion**

Shortages in reserve accounts are becoming more prevalent. A healthcare organization can eliminate such shortages and minimize risk by undergoing a hindsight review of its accounts receivables. But not all reviews are created equal. The best ones employ the latest audit technology, a thorough verification process, and continual communication. ■

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complete compliance education, some organizations offer continuing education credit. Some organizations track completion of mandatory compliance education as part of the annual employee performance evaluation. Some facilities have fined physicians and other healthcare providers who do not fulfill their training requirements and others have implemented disciplinary measures against employees who did not complete training.

### **Documentation**

As in all things related to compliance, compliance education and awareness activities must be documented. Documentation should include agendas, educational materials and sign-in sheets or other proof of who attended. Records should be retained in accordance with your organization's record retention policies.

### **Summary Comments**

Have fun with your compliance education. Look for experts in education of adult learners within your organization such as nursing educators, or educators within your Human Resources department to assist in the development of a compliance education and awareness program that recognizes your employees' learning abilities and makes the best use of available technology. "One size" will not fit all organizations so try different methods to determine what works best for your organization. ■

### **About the HCCA/AHIA Auditing and Monitoring Focus Group**

The HCCA/AHIA auditing and monitoring focus group completed a series of seven articles regarding the seven components to expand on the roles of compliance and internal audit functions, provide detailed "how to steps", and discuss the essential coordination links between compliance, internal audit, legal, and management that are necessary for each component.

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