

HALL RENDER AHLA BRIEFING ON COMPLIANCE PROGRAM EFFECTIVENESS

In case you missed it, on June 16, the American Health Lawyers Association released a comprehensive member briefing entitled "The OIG's Resource Guide: An Important New Tool for Measuring Compliance Program Effectiveness"^[1] (Compliance Program Briefing). The Compliance Program Briefing was authored by four Hall Render attorneys. A copy of the Compliance Program Briefing can be accessed [here](#).

The Compliance Program Briefing addresses the new federal government approach to measuring whether provider compliance programs are effective in accomplishing their goal of detecting, deterring and remediating fraud and abuse. This demonstrated compliance program effectiveness is critical not only for maintaining compliant operations on an ongoing basis but could also lead to consideration for more favorable settlements in the event providers become targets in federal investigations. As the Compliance Program Briefing explains, the federal government paradigm for evaluating compliance programs seems to be rapidly evolving to consideration of more objective and quantifiable measures. It will be critical for providers to keep up with these developments in order to reap the full benefit of their own compliance programs. Indeed, in the Compliance Program Briefing, our authors suggest that, with the current high stakes health care enforcement climate, the time is now for providers to take stock of their own compliance program efforts and make any necessary enhancements consistent with this new federal government focus in order to avoid the much more serious problems that can occur when compliance controls break down.

If you have any questions regarding your compliance program or otherwise require assistance in assessing its effectiveness under the new measures set forth in the Resource Guide, please do not hesitate to contact us. Hall Render offers the full spectrum of Compliance Counsel services. These services include, but are not limited to, the following: assisting providers in defense of federal Stark Law, Anti-Kickback Statute and False Claims Act investigations and government audits; self-reporting noncompliant behavior to OIG, CMS or other government agencies or payors; requesting advisory opinions on conduct that potentially implicates either the Anti-Kickback Statute, the Stark Law or both; and performing external compliance program effectiveness reviews or otherwise helping providers augment their compliance program activities through education and training, policy development and clarification of compliance issues that typically arise on a regular basis through an active compliance program function.

For more information or if you have any questions, please contact:

- **Scott W. Taebel** at (414) 721-0445 or staebel@hallrender.com;
- **Katherine A. Kuchan** at (414) 721-0479 or kkuchan@hallrender.com;
- **Leia C. Olsen** at (414) 721-0466 or lolsen@hallrender.com;
- **T. James Junger** at (414) 721-0922 or jjunger@hallrender.com; or
- Your regular Hall Render attorney.

[1] AHLA copyright: © 2017 American Health Lawyers Association. Washington, DC. Reprinted with permission.