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A portrait of Stephen Cohen, a man with short dark hair, wearing a dark suit jacket, a light blue patterned shirt, and a pink striped tie. He is smiling and looking towards the camera.

How a strong compliance culture affects whistleblowers

an interview with Stephen Cohen

Former Associate Director, Enforcement Division
Securities and Exchange Commission;
Partner, Sidley Austin LLP

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“ The SEC’s whistleblower program has been a force multiplier for its enforcement efforts as evidenced by the fact that they’ve surpassed \$142 million in awards in cases yielding nearly \$1 billion in financial remedies. ”

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VOLUME 19, ISSUE 5

by Anne Van Dusen, CHC; Walter E. Johnson, CHC, CCEP, CCEP-I, CHPC; and Frank Ruelas

The other annual work plan, Part 3

- » Maintaining an annual personal development plan (PDP) is important.
- » A physical fitness plan is an essential component of a PDP.
- » Committing to a schedule reduces interruptions.
- » For best results, have written goals to support your activities.
- » Establishing a budget can be a simple process.

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This is the third article of a three-part series devoted to a Personal Development Plan. Part 1 was published in the March issue of Compliance Today and Part 2 was published in the April issue of Compliance Today.

Ethics and compliance officers (ECOs) should consider including physical fitness in their personal development plans (PDPs). Physical fitness increases energy and contributes to mental fitness. Deciding to become physically fit becomes an easier commitment after developing a template on paper. Similar to the ECO's traditional compliance work plan, the PDP's physical fitness section is really the same idea. Our organizations have varying risk levels; ECOs must establish goals and implement plans to reduce or eliminate organizational exposure. This process often includes setting a benchmark metric and a

timeframe, monitoring regularly to measure progress. Physical fitness requires the same commitment and follow-through. If there is a lack of commitment and/or follow-through, the risk increases for the physical fitness routine to fail. Here are some considerations for creating a physical fitness plan.

Activity

There must be activity to achieve results. For many trail runners, running is a "go-to" exercise. Luckily, one of us (Anne) has some expertise in a thriving trail running community year round, including the winter! Trail running is her primary physical activity. Endurance running takes time, planning, patience (with yourself), and money. If you don't have a "go-to" activity, find an activity that is reasonable to accomplish and commit to it. It is also important to mix it up a bit. Cross-training is a good idea. On her non-running days, she finds that weight-lifting at the gym and attempting something new, like spin class, offer variety.



Van Dusen



Johnson



Ruelas

Table 1: Sample Personal Development Plan

2017 PHYSICAL FITNESS PLAN					
PRIORITY	ACTIVITY	GOAL	TIMEFRAME	BUDGET	STATUS
1.	Go Running	Maintain 10-15 Miles Minimum Per Week	Ongoing; 3 Days Per Week Minimum	\$0	On Track
2.	Plan for 2017 Races	Plan Budget and Schedule Sign-Ups in iCalendar	Due Date: December 31, 2016	\$150 Annually	On Track
3.	Replace Winter Trail Shoes	Obtain New Pair to Alternate	Due Date: January 31, 2017	\$125	On Track
4.	Replace Road Shoes	Obtain New Pair for the Summer	Due Date: June 30, 2017	\$125	Not Done
5.	Go to Gym & Cross-Train	3 Times Per Week	Ongoing		Delayed
6.	Volunteer at Races	Minimum 2 Trail Races in 2017	Ongoing	\$0	Not Done
7.	Budget for Exercise Gear: Clothing, Socks, & Fuel	Purchase New Shorts, Pants, Socks, Ongoing GU, Salt Tablets	Quarterly	\$500 Annually	On Track
8.	Recruit Additional Road Runners to Trails	Introduce 4 People to Trails in 2017	1 Per Quarter	\$0	On Track

Goals

Goals are important. Even if there isn't a stretch goal, staying committed to your physical fitness is a goal. As an endurance runner, running farther and longer is a continuing goal. Goals should be reasonable and attainable. Approximately five years ago, she started running using the "Couch to 5k Program." She started on the couch and, within a six-week period, she could run a 5k without stopping! To achieve this goal, she committed to the schedule. This past year, she ran her first trail marathon and first 50k ultra marathon. Both are huge goals. Before achieving these extensive distances, she had years of preparation by participating in 5Ks, 10Ks,

and a 15K. Each time, she continually pushed herself to run a little farther. Setting goals is personal commitment and it doesn't require committee approval.

Time

Life is busy and often unpredictable. Balancing between organizational responsibilities and personal responsibilities, such as family, can be taxing at times. It's important to carve out and keep the commitment to your physical activity. Maintaining this commitment will make it easier to have the physical and mental stamina to balance organizational and personal responsibilities. One approach to maintaining this commitment

is to establish a consistent time and day(s) of the week to exercise. These are calendar appointments that are not broken for nearly anything. It is that important. Yes, we all have days when we don't have the energy and don't want to exercise, but Anne says she never regrets the run afterwards. The hardest step is walking out the door.

Budget

Physical fitness requires a financial investment as well as the physical and mental investments. There are expenses associated with gym membership, race fees, running shoes, and clothing. It is important to establish a budget for each activity (see Table 1). It is simple to calculate these expenses to include in the PDP. With races, many registrations (i.e., sign-up's) open at the beginning of the year, so the expense is front-loaded. Be sure to manage your fitness budget. Keeping active should help to reduce your stress level. Before committing

to every activity, ECOs should conduct research before engaging to determine the expense and how it fits into the PDP. By taking a staggered approach, the investment level can increase incrementally each year.

Conclusion

The PDP is for ECOs. It is great resource for referencing personal expectations and documenting personal achievements. By establishing and committing to a PDP, ECOs may improve their efficiency with their compliance work plan and with their other initiatives within the organization. Using a PDP template that is similar to your compliance work plan will make the commitment easier and manageable. ☺

Walter E. Johnson contributed to this article in his personal capacity. The views expressed are his own and do not necessarily represent the views of the Kforce Government Solutions, Inc.

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Compliance 101, Fourth Edition

Authors Debbie Troklus and Sheryl Vacca have updated Compliance 101 with changes in federal regulations, including HIPAA, HITECH, and the Omnibus Rule as well as new insights on what it takes to build an effective compliance program. This book reviews the fundamentals in healthcare compliance, including the seven essential elements of a compliance program. It includes:

- **Step-by-step instructions on setting up and maintaining a compliance program**
- **A chapter dedicated to HIPAA privacy and security regulations**
- **A glossary with compliance terms and definitions**
- **Sample compliance forms and policies**

This book is ideal for compliance professionals new to the field, compliance committee members, compliance liaisons, board members, and others who need a foundation in compliance principles.

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