

# Compliance TODAY

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## On rising to the noble challenge of the Compliance profession

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and SCCE/HCCA Board Member

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by Walter E. Johnson, MSA, CHC, CRCMP

# Certification: Motivation for the encore certification candidate

- » Positive reinforcement may improve performance.
- » Certification resources are available in many formats.
- » There are advantages to taking the exam another time.
- » Pursuing certification demonstrates commitment to the profession.
- » HCCA/SCCE members are available to provide guidance.

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A few months ago, compliance professionals embraced another year of endless opportunities and accomplishments. As we enter second quarter, organizational objectives are underway. What about personal development objectives? For many, a compliance certification exam may be on their list, but it may not have secured one of the top priority slots. To some, it is due to competing priorities. For others, it is due to previous unsuccessful test results. Whether it is one or several unsuccessful attempts, the goal remains achievable.



Johnson

For compliance professionals who have previously taken the exam and decided not to retake it, you should reconsider. Certification is more than obtaining another credential to demonstrate competence. It demonstrates commitment to the public, the employing organization, and the Compliance profession.<sup>1</sup> Roy Snell wrote a *Letter from the CEO* entitled, “Compliance certification by the profession, for the profession, and of the profession”<sup>2</sup> which

provides details on development, testing, and exam purpose. In “Certification—the mark of a recognized professional,”<sup>3</sup> Margaret Dragon discusses value, heightened credibility, and employer awareness. Both are great resources to reinforce commitment.

## Words of wisdom

Certification candidates who experienced unsuccessful results should reevaluate their exam preparation approach and consider the following five quotes I found online.<sup>4</sup> I will review each of these quotes to encourage unsuccessful certification candidates to retake the exam. Of the five quotes, the third quote propels my motivation and reflects my experience on the road to certification. As an encore candidate, the process has been as rewarding as earning the certification. What is enjoyable about studying for an exam? Aside from reading the materials, I can tell you about an earthquake that started when I began the exam, participation in compassionate study groups, and the designated lucky pin. Let’s reserve those topics for later discussion. As you prepare for the exam, don’t forget the resources available to you.

1. *“A failure is not always a mistake; it may simply be the best one can do under the circumstances. The real mistake is to stop trying.”*  
— B. F. Skinner

In comparison to other professions, Compliance is a fairly new profession. Over the years, many organizations incorporated specific compliance positions and/or compliance duties within their position descriptions. Some organizations implemented effective compliance programs, and then there are others that are still developing or reevaluating their infrastructure. Some positions have little-to-no exposure to the entire compliance program. Individuals in these positions may find it challenging to have successful results with the certification exam. Are you up to the challenge?

Embrace the challenge and don't stop trying! Continue to do the best you can do under the circumstances. It is not impossible to achieve successful results. If you have limited exposure to the full compliance program, determine other approaches to obtaining necessary exposure to achieve success.

The certification exam is based on written resources and experience. Sometimes the professional experience doesn't lend itself to experiencing the full compliance program. Several factors may impact an individual's experience of the full compliance program. Organization size, scope, and resources contribute to the multiple traits of compliance programs. Candidates experiencing limited exposure may find it beneficial to network with professionals who have exposure and

experience with an effective compliance program. Another approach is to increase the amount of study materials. Implementing a diverse preparation approach may contribute to improved exam results.

2. *“For every failure, there's an alternative course of action. You just have to find it. When you come to a roadblock, take a detour.”*  
— Mary Kay Ash

Okay, you received the news. You did not achieve successful results this time. Think about your preparation process. Identify the areas that require improvement and the areas that remain the same. For example, should you join a study group or not? Reevaluate how you use the available resources. In some areas, you may need to reduce concentration, and in others, you may need to increase.

In preparing for my first attempt at the certification exam, I used three resources. Moments before taking the exam, I believed that I was prepared for the exam, but my results

displayed something different. On another attempt, I reviewed over 15 resources and participated in the online study group (<http://bit.ly/1Nm28L7>). If an approach leads to less than desired results, it is necessary to take action by incorporating a different approach.

Should you read additional resources

or not? Only the certification candidate will know what is best for their learning style. Networking with credentialed compliance professionals and/or certification candidates may provide insight to adjusting your approach for improved exams results.

If you have  
limited exposure to the  
full compliance program,  
determine other approaches  
to obtaining necessary  
exposure to achieve  
success.

3. *“I don’t believe in failure. It is not failure if you enjoyed the process.”*  
— Oprah Winfrey

Receiving unsuccessful test results is not enjoyable, whether it is waiting 6–8 weeks to receive them in the mail or receiving them immediately from the printer at the testing center. My personal experience includes both delivery methods. In fact, I remember smiling as the testing center printed my results. I was nervous, but hoping my positive energy would help the printer release a successful score. The smile remained until I walked across the threshold. It was at that moment, I recognized my studying approach failed and I was back at the starting point for developing a new studying strategy.

One thing is certain—I enjoyed the process to certification. In fact, I am still enjoying it. Studying for the exam in between professional responsibilities may be tedious and stressful. Each day, my routine included ensuring easy access to studying materials, such as *Compliance 101* and Chapter 8 of the Federal Sentencing Guidelines. Trying to memorize acronyms and the potential exam scenarios is stressful, especially if your position has limited exposure. Personally, the enjoyable part of the process is meeting other HCCA members committed to assisting, sharing, and learning. Take advantage of enjoying the process.

Reading the materials is enlightening, but sharing experiences is “priceless.” From the study groups to one-on-one meetings/calls, relish the process regardless of the results.

4. *“Success is not built on success. It’s built on failure. It’s built on frustration. Sometimes it’s built on catastrophe.”*  
— Sumner Redstone

In November 2013, I attended the Basic Compliance Academy. In so many words, a presenter’s statement was one of the best tips to prepare for the exam. The presenter recommended answering each question from the perspective of an effective compliance program based on *Compliance 101* and the Federal Sentencing Guidelines. If you answer based solely on your experience resolving compliance issues, you will try to fit your experience into answers on the exam. This will frustrate you. You will call the exam stupid and a waste of time.

For me, this was an enlightening statement. It clicked for me—that’s where I went wrong! In 2011,

that is exactly how I felt when I took the exam. I became frustrated with the exam. Needless to say, I failed the exam. I read *Compliance 101* again. I did not adjust my study approach, other than trying to find answers to questions that I remembered to be daunting. Failing to adjust my study approach resulted in the same result.

Learn lessons from frustration and failure. Incorporate lessons learned into your preparation strategy to propel your motivation and results on the road to certification success. Now, register for a certification exam!

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5. "There is no failure except in no longer trying."

— Elbert Hubbard

During my certification pursuit, I remember deciding to pursue another certification. As I dedicated more time and effort to the other certification, there was a void. I had a reliable studying strategy, but the passion was different. Immediately, I acknowledged that I no longer pursued the compliance certification as a result of failed attempts and not the result of adjusting priorities. After revisiting my original purpose for pursuing the compliance certification, my motives exceeded any rationale to no longer try.

Certification candidates are encouraged to evaluate their basis for pursuing the certification. This evaluation may be enlightening and reenergize the candidate with a new strategy for their exam preparation.

### Conclusion

Compliance professionals who have taken the exam previously, and decided not to retake the exam, should reconsider. Regulatory complexity continues with the introduction

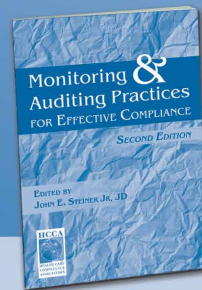
of new regulations; the need for committed compliance professionals continues, also. Certification is one approach to demonstrating commitment and level of proficiency but more importantly, it contributes to the credibility of our profession. To improve results, current certification candidates should engage all resources prior to retaking the exam.

Oh, and about that lucky pin. At the 2013 Compliance Institute, certification pins for each designation (e.g., CHC, CHRC, CHPC) were available at the HCCA booth. Some people took pins to wear on the day they took the exam. They used the pin as a good luck charm in hopes that they passed the exam.

Regardless of status, certification remains achievable, and there are several members available to provide guidance. Our network thrives on seeing certification candidates succeed with the exam and within their position. Simply register; our network awaits your success. ☺

1. "Code of Ethics for Health Care Compliance Professions." Health Care Compliance Association. Available at <http://bit.ly/17mGmWq>
2. Roy Snell: "Compliance Certification by the profession, for the profession, and of the profession," *Compliance Today*, Letter from the CEO, August 2012, p. 4
3. Margaret Dragon: "Certification—the recognized mark of the professional." *Compliance Today*, October 2008, p. 31, 88–89
4. Brainy Quote. Available at [www.brainyquote.com](http://www.brainyquote.com).

# Monitoring & Auditing Practices FOR EFFECTIVE COMPLIANCE



SECOND EDITION

### See what's inside:

#### Part I. Basic Compliance Monitoring and Auditing Issues

1. Developing an Effective Compliance Team
2. Keeping the Health Care Sampling Gains Going
3. Retrospective Versus Contemporaneous Reviews
4. The Attorney-Client Privilege in the Context of Health Care Compliance Investigations

#### Part II. Voluntary Compliance Monitoring and Auditing

5. Financial Relationships With Physicians: Auditing and Monitoring Anti-Kickback Statute and Stark Law Compliance
6. Creating Databases of Financial Relationships
7. Developing a Voluntary Disclosure and Refund
8. Medicaid Program Provider Self-Audits

#### Part III. Mandatory Compliance Monitoring and Auditing

9. Corporate Integrity Agreement Negotiations
10. Preparing for an Independent Review Organization Engagement

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