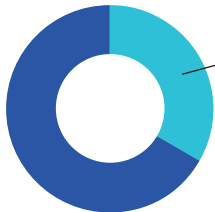# Compliance Tips for Healthcare

Healthcare regulations

Healthcare organizations have a vast array of regulations to comply with from a variety of regulators. One of the major compliance requirements is the Health Insurance Portability and Accountability Act (HIPAA.) Last updated in 2021, the core privacy rules of HIPAA require timely access to patient information, with potential penalties for non-compliance. Failure to provide requested information **within 30 days** may lead to reporting to the Office for Civil Rights (OCR) and subsequent penalties. Medical professionals must be well-versed in the nuances of HIPAA, which can vary by state, as non-adherence jeopardizes patient privacy and exposes healthcare entities to legal and financial consequences.

Over 1/3 of survey respondents say responding to new federal and state laws and regulations is the top risk for healthcare organizations in 2023.

34.2% Of total audits in healthcare reveal compliance is the top risk area

Compliance, privacy and patient event reporting

Healthcare organizations must navigate the complex landscape of regulatory requirements, including various country or state-specific whistleblowing laws. Fostering an ethical and compliant culture yields benefits such as increased employee engagement, higher job satisfaction, and improved retention rates – all of which ultimately enhance patient care and safety.

The landscape of healthcare regulations is vast and encompasses laws such as:

- The False Claims Act, 1863
- Code of Federal Regulations, 1938
- Anti-Kickback Act, 1986
- Physician Self-Referral Law, 1989
- The Health Insurance Portability and Accountability Act (HIPAA), 1996
- Sarbanes-Oxley, 2002
- Health Information Technology for Economic and Clinical Health (HITECH), 2009
- Patient Protection and Affordable Care Act, 2010
- GDPR, 2018
- No Surprises Act, 2020
- Federal Code of Regulations: Medicare Advantage program guidelines, 2023

To achieve this, healthcare organizations should:

- **Encourage reporting:** Empower employees to report issues and ask questions

- **Prioritize duty of care:** Establish a process for constructive communication to fulfill the duty of care to patients and staff

- **Address compliance violations:** Respond to suspected violations and investigations with integrity and respect

- **Safeguard reputation:** Acknowledge the potential impact on external reputation from publicized cases or negative employee feedback

By implementing these strategies, healthcare organizations safeguard their reputations, promote employee and patient well-being and uphold the integrity of their operations.

+79% of whistleblowing disclosures in the UK's healthcare industry between 2020 and 2021

+8% The need for compliance officers in healthcare is expected to grow over 8% by 2026

Healthcare compliance training

Healthcare compliance training is vital for institutions to avoid legal issues, prioritize employee safety, and ensure optimal patient care. It's a crucial strategy to mitigate sanctions, focusing on fraud prevention, HIPAA compliance, patient safety and data privacy. Compliance with HIPAA is mandatory for workplaces with access to Protected Health Information (PHI), highlighting the importance of prioritizing employee wellbeing and safeguarding patient data.

Key points:

- Enhance adherence and retention with engaging training methods

- Simplify multi-location training and onboarding with automated assignments

- Identify non-compliance risks through reporting and automated alerts

- Ensure audit readiness with thorough documentation

- Fulfill regulatory requirements with effective compliance training resources

55% of healthcare organizations reported a third-party data breach in 2022.

5,887 healthcare data breaches between 2009 and 2023.

519m medical records leaked during this time.

Policy and regulatory management

Healthcare organizations rely on policies and procedures to navigate the industry's complexities, meet regulations, mitigate risks, and ensure compliance. These documents serve as guides for addressing day-to-day challenges within the healthcare system.

- Policies and procedures are vital for addressing day-to-day risks, minimizing errors and combating fraud

- Regular reviews and updates are crucial to adapt to evolving compliance risks from changing regulations

- Key components for effective management include intelligent document control software, automated compliance tracking and easy staff accessibility

Healthcare, being a highly regulated sector, underscores the critical importance of robust policy and procedure frameworks.

33% of compliance programs want to improve ongoing compliance auditing

Conflict of interest and kickbacks

These incidents highlight widespread conflicts of interest (COI) in healthcare, involving gifts and financial ties from pharmaceutical and supplier companies whose products doctors endorse. Such practices erode trust, raising ethical concerns about promotional ties and financial incentives influencing medical decisions. This emphasizes the urgent need for transparency and accountability in the healthcare industry.

>$13m Settlement reached in 2024 for a New Jersey laboratory and its owner and CEO for resolving accusations of kickbacks and unnecessary testing.

$2.4m Penalty imposed in December 2023 for a similar situation involving a healthcare company offering kickbacks.

NAVEX One

In healthcare, compliance is more than a regulatory box to check – it's vital for patient safety. NAVEX One healthcare risk and compliance solutions offer a proactive approach to manage and drive compliance. Given the slim margin for error in healthcare, where issues can be life or death, mistakes can have tangible consequences on patient outcomes. In the corporate realm, directors may be liable for neglecting their duty of care, especially when employee misconduct leads to legal violations.

+1,300 healthcare customers

Healthcare origins: **PolicyTech** first built around healthcare needs

Trusted brand in compliance: Gold standard in **ethics and compliance** with +13,000 customers (91 of the Fortune 100, 85% of Fortune 500)