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AI and the Future State of Compliance Programs (The Future is Now)

October 24, 2024



Our presenters



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NAVEX



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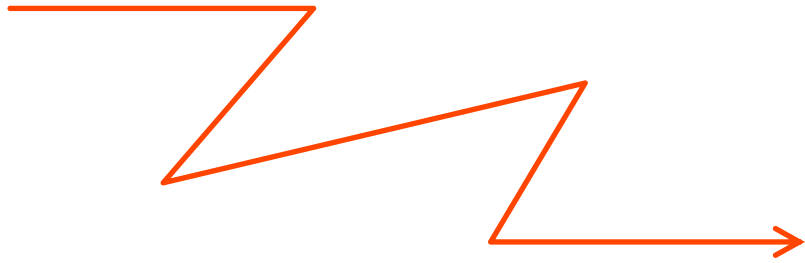
Granite GRC



Clivetty Martinez

Granite GRC

Agenda



- Introduction
- The AI compliance landscape
- AI use cases in healthcare
- What can we do now?
- AI's impact on business and compliance
- Final questions and conclusion

Benchmark check

Have you already had questions asked of your compliance team related to AI use in the workplace?

- Yes, urgently
- Yes, but as something for the future
- No
- Not yet, but we expect to have some soon
- other



The AI compliance landscape

The present and the future

- No comprehensive AI regulations yet, but early efforts underway
 - EU AI Act is groundbreaking, with various other U.S. state and country laws in the works
- EU's AI Act highlights focus on bias, fairness and transparency
- U.S. DOJ Evaluation of Corporate Compliance Programs (ECCP) Guidance from September 2024 states organizations must, “incorporate assessment of disruptive technology risks, including risks associated with AI.”
- Future regulations likely to emphasize explainability, accountability and data privacy
- AI developments are likely to outpace regulations, so compliance needs to remain agile

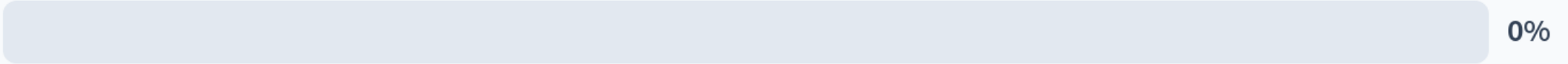
Polling questions coming up!

To get started go to
pollev.com/navexeevent050

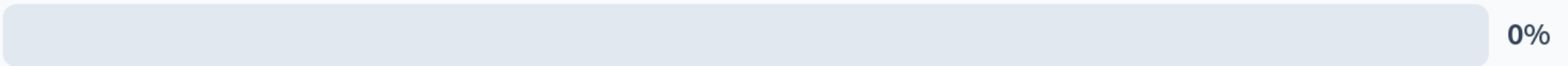


How involved is your compliance team in decision-making regarding use of AI at your organization?

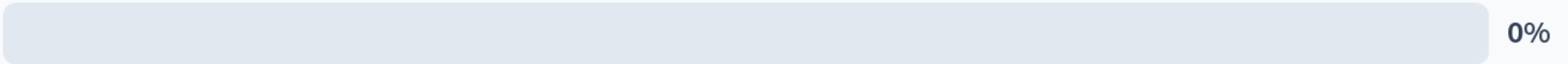
Very involved



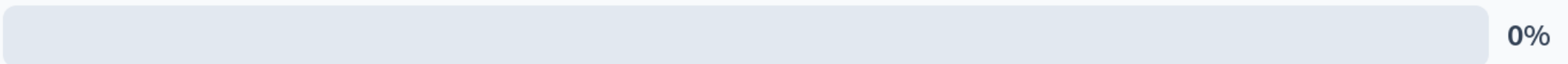
Somewhat involved



Minimally involved



Not involved



AI and compliance survey

2024: Conducted by Compliance Week and NAVEX

25%

Say Compliance is “very involved” with decision-making regarding AI use

46%

Say compliance is “somewhat involved”

How is your healthcare organization currently using AI?

Nobody has responded yet.

Hang tight! Responses are coming in.

How can AI be used in healthcare?

Compliance considerations when using AI in healthcare.

- **Predictive Analytics / Machine Learning**

- Diagnostic testing analysis (radiology and imaging)
- Disease stage detection (e.g., cancer)
- Risk adjustment modeling (optimize service payments)

- **Generative AI / Large Language Models**

- Clinical documentation (ambient AI scribe services)
- Patient portal support (automated message response)
- Clinical data summarization (medical device data capture)

- **Conversational AI / Patient Engagement Bots**

- Telehealth session support (encounter voice-to-text summaries)
- Scheduling assistance (patient voice-directed request)
- Billing / insurance inquiries (interactive voice response)



AI and compliance survey

2024: Conducted by Compliance Week and NAVEX

60%

Describe their compliance team's attitude toward using AI for its own purposes as "apprehension" and indicate they will be "middle of the pack" for adoption

How to prepare

If the DOJ comes knocking, do you have your AI compliance in check?

- Inventory
- Risk assess
- Prioritization of risks
- Risk mitigation
- Global policy
- Review and approval process
- Training
- Standing meeting to review new ideas
- Leadership support – communication to all groups

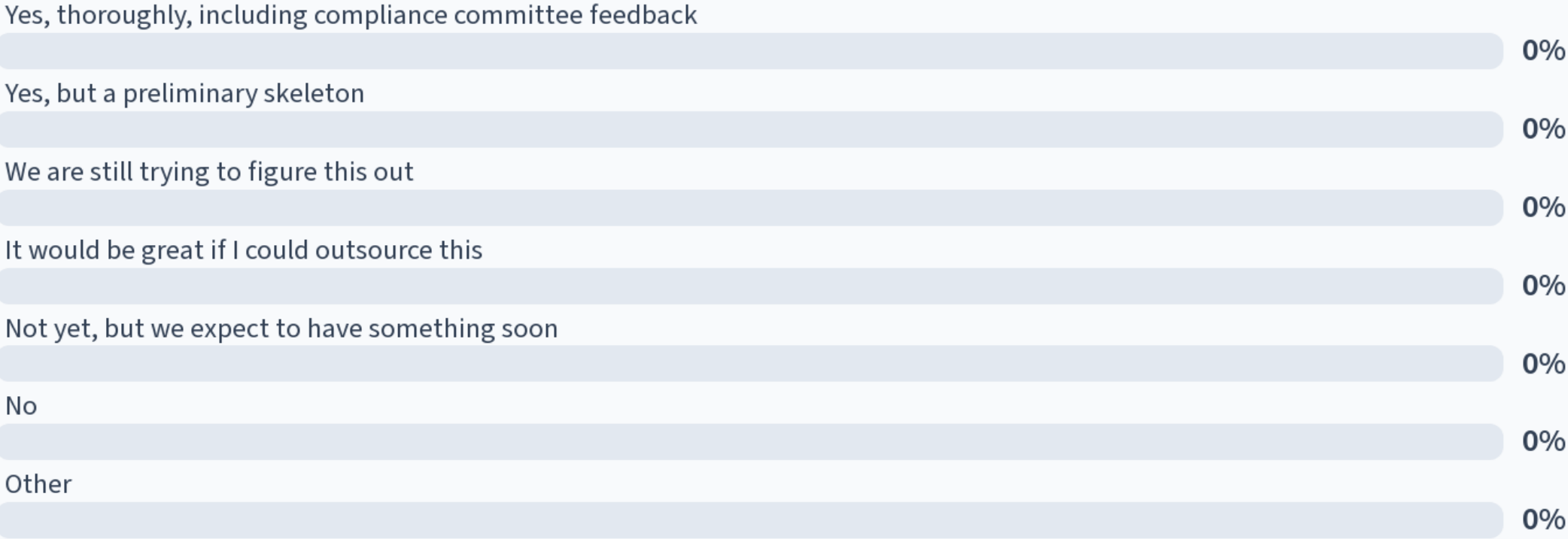
A vertical image on the left side of the slide showing light trails from a car at night, with streaks of white, blue, and orange light against a dark background.

Further preparing for AI compliance

Leverage today's tools

- Existing data privacy frameworks (GDPR, HIPAA) inform responsible AI practices and help develop a principle-based approach to AI governance and compliance
- Leverage data minimization and user consent principles for AI data management
- Proactive steps: Internal risk assessments and ethical AI development policies

Have you incorporated AI into your Compliance Work Plan for this year (to include policies, procedures, training, metrics, risk assessment, auditing)?



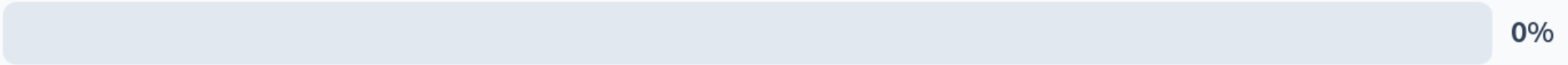
AI and the DOJ

How to proactively ensure your organization stays on the right side of the DOJ

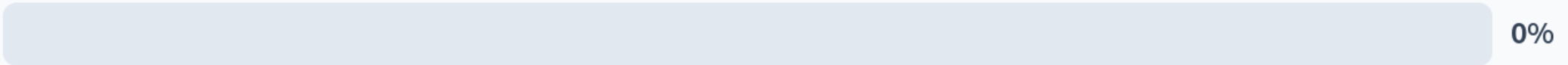
- Monitoring
 - Create an AI Task Force (Compliance, Privacy, IT, others ad hoc as needed)
 - Weekly check-ins
 - Identify compliance champions to be your eyes & ears
 - Partner closely with IT to define gatekeepers
 - Develop a periodic process for proposal of new projects (New Business Development)
 - Have employees sign an attestation that they need to check with AI task force before using AI in the workplace
- Auditing
 - Add to auditing plan
 - Partner with Internal Audit if possible
 - Start small expand as necessary
 - Include AI topics in other audits (Quality audits, financial audits, Privacy audits, IT audits, etc.)

How would you describe your compliance team's access and visibility into data across your organization?

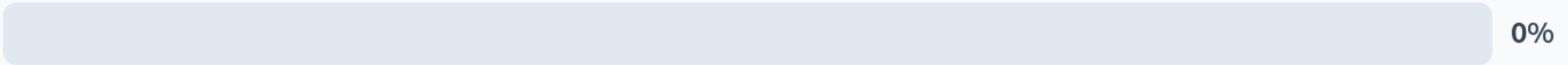
Robust



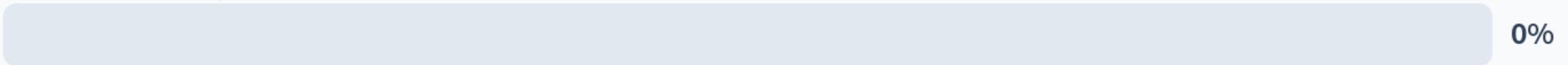
Moderate



Lacking



No access/visibility

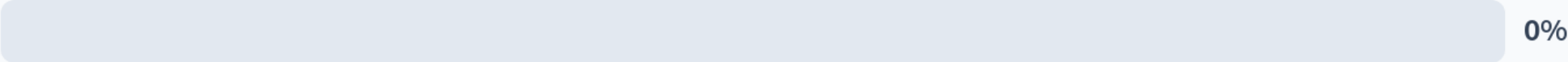


58%

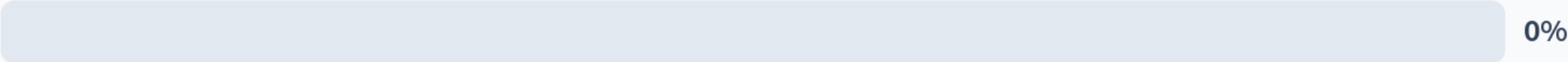
Describe their compliance team's access and visibility into data as "moderate"

How confident are you in your compliance team's ability to act on data-based findings?

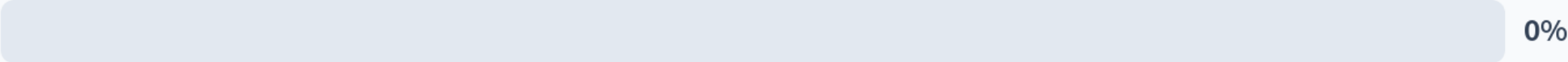
Very confident



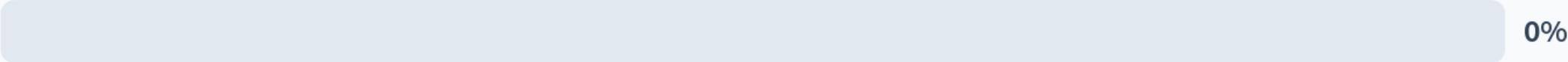
Somewhat confident



Minimally confident



Not confident



AI and compliance survey

2024: Conducted by Compliance Week and NAVEX

51%

Are “somewhat confident” in their compliance team’s ability to act on data-based findings

What is your scariest scenario of employees using AI?

A patient getting hurt

0%

Getting sued for plagiarizing others' information

0%

Lost work time in office due to bad AI information

0%

Reputational damage if public learns AI is creating things for your organization

0%

The Compliance team not being able to keep up with the technological advancements

0%

Other

0%

AI in compliance

A double-edged sword

- AI can enhance risk detection, efficiency and data-driven decisions in compliance
- Analyze vast amounts of data for fraud patterns and potential violations
- Algorithmic bias, lack of transparency and data breaches pose risks
- Legal risk of using AI in healthcare situations
- Mitigate bias to ensure fair and ethical AI-powered compliance
- It's essential to acknowledge the potential benefits and pitfalls of AI's role in compliance and in organizations overall



Best practices for AI risk management in healthcare

1 Ensure data quality and security

Store securely and legally and follow the rules for data sharing to always protect the patient's privacy.

3 Handle data ethically

Healthcare organizations must prioritize strict ethical principles for handling patient data and follow HIPAA.

5 Test and validate the AI solution

It is important to test and validate the AI system before using it in a clinical setting and to validate its use with clinicians.

2 Involve stakeholders and clinicians in the process

Clinicians and other stakeholders must support the effective use of AI, and their input and feedback is needed.

4 Choose the right AI technology

Healthcare organizations can choose from many AI technologies. You need to evaluate the options and work with vendors to help with.

6 Monitor and evaluate the AI

Continuously monitor and evaluate the effective use of AI to ensure its meeting expectations and achieving goals.

For additional resources

Download our toolkit using the QR code below



Thank you!

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