

New Year's Resolution - Healthcare Compliance Program Checkup

For years, the government has been touting the importance of healthcare organizations having an "effective" healthcare compliance program. The U.S. Department of Justice (DOJ) has issued a 25-page document on what it expects to see when prosecutors evaluate the effectiveness of a compliance program in a government investigation - [Evaluation of Corporate Compliance Programs](#). Additionally, the U.S. Department of Health and Human Services-Office of Inspector General (HHS-OIG) has issued a 91-page general guide to compliance risks and compliance programs specifically for the healthcare industry - [General Compliance Program Guidance \(GCPG\)](#) - and is in the process of updating guides for specific healthcare industry segments - [Industry Segment-Specific Compliance Program Guidance \(ICPG\)](#).

You've probably heard about the seven elements of an effective healthcare compliance program:

1. Written Policies and Procedures
2. Compliance Leadership and Oversight
3. Training and Education
4. Effective Lines of Communication and Disclosure Program
5. Enforcing Standards: Consequences and Incentives
6. Risk Assessment, Auditing, and Monitoring
7. Responding to Detected Non-Compliance and Developing Corrective Action Initiatives

Does this all start to make your head hurt? Are you asking yourself what all this means? Are you wondering how you really know if you have an effective compliance program?

Questions to start the process:

Here are a few questions you can use to start the process of evaluating the effectiveness of your organization's healthcare compliance program:

	YES	NO	YES	NO
1. Do you have an appropriate " tone at the top " that fosters a culture of compliance throughout your organization?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Has your organization conducted a compliance risk assessment in the past two years to identify the key legal and regulatory risk areas your organization is facing?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Do you have written compliance policies and procedures that are updated regularly, address key risk areas, and are being followed?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Is there a robust internal process of regularly auditing and monitoring key risk areas and are the results of those audits being addressed appropriately?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Does your organization understand its obligation to report and refund overpayments , to address Stark Law violations and other noncompliance, and to take corrective action ?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Does the board exercise oversight of the compliance program and receive regular reports from the compliance officer?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Want a second opinion?

Considering an investment or other transaction this year? Worried about your risk?

If you want a second opinion on the effectiveness of your organization's healthcare compliance program, Bass, Berry & Sims has a team of lawyers with decades of experience analyzing and evaluating the effectiveness of healthcare compliance programs. We have evaluated compliance programs for numerous healthcare organizations, including some of the most prestigious academic medical centers in the country.

We have developed a three-phased approach to evaluate the effectiveness of healthcare compliance programs:

1. **Information Gathering & Learning.** We'll provide a detailed list of topics tailored to your organization. You can share existing documents through our secure portal. We'll use these documents to learn how your program operates.
2. **Questioning & Analyzing.** We'll conduct a series of interviews to better understand the specific risks your organization faces and how your compliance program is addressing those risks in practice. We'll look for any gaps or weaknesses in your compliance program.
3. **Reporting & Recommending.** We'll prepare a presentation (or written report, if preferred) with our findings and recommendations. Our goal is to collaborate with you to develop practical solutions to improve the effectiveness of your compliance program.

Let us know if we can help you keep your New Year's Resolution!

Our Healthcare Industry Practice

Marked by an integrated approach and unmatched regulatory knowledge, the healthcare industry practice of Bass, Berry & Sims is a team of more than 300 experienced attorneys who leverages their diverse strengths to meet the unique demands of our clients. Our team encompasses the multitude of legal specialties necessary to service one of the largest, most highly regulated industries in the U.S. The firm has been recognized by leading healthcare and legal industry outlets, including **nationally ranked** by *Chambers USA* for the last ten years (2016-2025) and recognized as the **third largest healthcare law firm in the U.S.** by the *American Health Law Association* (2025). Additionally, the *Healthcare Private Equity Team* at Bass, Berry & Sims has served as counsel in hundreds of private equity-backed deals across the healthcare industry and recently was ranked as the **#6 most active law firm in healthcare private equity transactions** (PitchBook, Q3 2025). Read more [here](#).



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