

HEALTH ETHICS TRUST

ETHICS-COMPLIANCE SURVEY: MEASURING COMPLIANCE PROGRAM PERFORMANCE

THE QUESTIONS:

The most important questions in the minds of your executive leadership and your board are:

- *Is our compliance program as good as we want it to be? How would we really know?*
- *Are we spending too much on compliance – or too little?*
- *How do we compare to other organizations with respect to our compliance effort?*

If you can not answer these questions, support for the compliance program will always be limited. Executives do not spend money on things that can not be measured. Even an external program assessment is no more or less than someone's opinion.

Is there a metric that is accurate, reliable and supportive of true bench marking?

We believe that the Ethics-Compliance Survey provides the only empirically substantiated, reliable measure of compliance program short of a government investigation.

BACKGROUND:

Development of the Ethics-Compliance Survey began in 1986, with its first commercial administration in 1988. Our goal has always been to allow organizations to assess their own compliance environments and generally, to identify best compliance practices. It took two years to validate the Survey and establish the database. Since that time, the Survey has undergone continual refinement. Survey results have been published by the U.S. Sentencing Commission, the Bureau of National Affairs (various publications), and the Federal Ethics Report, among others.

SURVEY CAPABILITIES:

Survey administration allows you (at your option) to compare your organization to all *healthcare organizations* in the database, to all *providers* in the database or to all *health plans* in the database. You can also compare locations and functions within your organization and assess differences among employees by level of responsibility and experience. The Survey also allows you to track a number of other factors of potential interest (responsiveness to HR, awareness of the Code of Conduct, attitude toward the "hotline", etc.). We work with you to identify topics of interest.

Specifically, in all administrations the Survey allows assessment of the:

- employees adherence to written policies and procedures, including those with which they disagree
- responsiveness of employees to values and ethical principles when written policies and procedures may not resolve an issue
- whether employees understand and accept the Code of Conduct
- level of risk (by location, employee tenure, function) that employees will become whistle blowers

- employees confidence in the commitment to ethics and compliance by
 - their immediate supervisors
 - higher level managers and leadership
 - the organization as a whole
- level of fear of retaliation for reporting legitimate concerns
- perception that ethical and legal conduct is recognized and rewarded
- employee commitment to protecting private health information
- adequacy of policies, including policies in specialized, compliance sensitive areas (billing, claims payment)

SURVEY APPLICATIONS:

A common use of the Survey is to establish a baseline assessment of an organization's compliance environment. Many organizations also use the Survey on a "test-retest" basis to measure the progress of the compliance program. Survey results focus compliance program resources where needs and risks are greatest. If there have been changes in the compliance program, such as training updates or new policies, the Survey measures the impact of these changes.

The Survey can be administered in two formats, via a paper form or in an online format. The online version takes about 5 minutes to complete while the paper form takes about 12 minutes to complete. We encourage distribution to all employees. Our experience has shown that employees enjoy participating in the Survey and respond in high numbers.

We tailor the Survey to each organization. In addition to validated scales, custom items allow you to explore key issues in depth. A comment page helps identify employee input missing from other reporting channels. We assess all employee comments and organize them by function/location, topic and acuity of concern.

OUTCOMES:

The product of the Survey is a written report consisting of an executive summary, detailed findings, and practical recommendations. We can also provide an additional in-person presentation of results to executive management and/or compliance program staff. This creates an opportunity to discuss interpretation of the results and informal conclusions.

ADDITIONAL INFORMATION:

For further information about the Survey, sample Survey items, and sample Survey reports, contact our office at:

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