

**Practical Compliance Guidance**  
**For Health Care Governing Boards**

**By**  
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**Introduction:** The Office of Inspector General of the United States Department of Health & Human Services (the “OIG”) and several health care professional associations collaborated on the development of *Practical Guidance for Health Care Governing Boards on Compliance Oversight (the “Guidance”)*, which was published on April 20, 2015. Collaborating with the OIG were the Association of Healthcare Internal Auditors, the American Health Lawyers Association, and the Health Care Compliance Association. This type of collaboration, between a governmental enforcement agency and industry leaders is unique. In its press release, the OIG stated that it engaged in this collaboration in order to assist governing Boards of health care organization to carry out their compliance plan oversight obligations. Governing Boards need to be able to ask the right questions in order to determine whether the organization’s compliance plan is adequate and effective.

The Guidance addresses five primary issues relating to a Board’s oversight and responsibility over of compliance program functions:

- Expectations for Board oversight of compliance program functions.
- Roles and relationships between the organization’s audit, compliance, and legal functions.
- Reporting to the Board, including the process for compliance issues to be reported regularly to the Board from a variety of key areas, including information technology, audit, human resources, compliance, and legal.
- Identifying and auditing potential risk areas.
- Methods of promoting organizational accountability and creating a culture of compliance.

Service on the Board of a health care provider organization requires Board members to become educated regarding the relevant regulatory risks. Although the Guidance does not require Board members to take an active day-to-day role in an organization’s compliance activities, it does further clarify the Board’s responsibilities in this area. Providers and Board members are urged to review the actual Guidance at <http://oig.hhs.gov/newsroom/news-releases/2015/guidance-release2015.asp>.

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