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OIG: 'First Go to Your Supervisor' Are 'Fatal Words' for Complaint Reporting Policy

By Nina Youngstrom

When Laura Ellis, a senior counsel at the HHS Office of Inspector General (OIG), evaluates organizations under a corporate integrity agreement, sometimes she will see what she calls these “fatal words” in its compliance reporting policy: “first go to your supervisor.” Compliance problems “are not an area where you want to reinforce your chain of command,” Ellis said at the HCCA Compliance Institute April 15. “You want to find out what’s worrying employees and contractors and there should be no obstacles to getting that message to the compliance department.”

What she has seen that’s effective is organizations offering employees and contractors multiple avenues to make a report, share a concern or ask a question “so reports can’t be diverted by supervisors.” They include contacting the hotline, the compliance officer, the general counsel and/or their supervisor. “In a nonjudgmental way, say, ‘Here are all the paths. We don’t care which one you choose. Just let us know.’” People need to have confidence the organization really wants to know about a potential violation, any way it can, and the compliance officer should “build a reputation as a trusted and reliable partner and someone people can go to with their problems” with the understanding the complaint will be investigated and remediated (if substantiated), and that the person who reported it will be protected from retaliation, Ellis explained.

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