

## **Cost Effective Temporary Compliance Officer Staffing**

**Richard P. Kusserow | September 2024**

### **Key Points:**

- **Organizations cannot afford the risk of a “gap” in Compliance Officers**
- **It is common to contract an expert to fill the gap**
- **The right agreement terms can ensure a positive return on investment**
- **Use properly qualified and experienced consultants**

A Compliance Officer’s departure may leave an organization without management of its compliance program, and no health care organization can afford the risk of gaps in compliance leadership coverage. Compliance Programs can rapidly degenerate without someone responsible for day-to-day compliance management. Trying to fill a gap by designating someone internally is not a good option, as they likely lack experience and expertise and can’t be expected to recognize and address problems promptly and professionally. Engaging an expert to serve as an [Interim Compliance Officer \(ICO\)](#) while an organization seeks a qualified permanent replacement can be an effective solution. Finding the right ICO with a lot of experience and technical skills can significantly improve any compliance program in a relatively short order. In fact, it may also provide the most economical means to independently evaluate a compliance program. When considering using an ICO, entities should identify specific deliverables or initiatives to maximize expertise and effectiveness and work with an organization that can bring the best expertise for the role needed with flexibility to fill the role for as long or as short as needed. Also, entities should determine the loaded cost of the full-time Compliance Officer position, including salary and overhead costs (FICA, leave, health, insurance, retirement, and other benefits). Since a contractor is not an employee, there will be no overhead costs.

### **ICO Benefits Include Being Able To:**

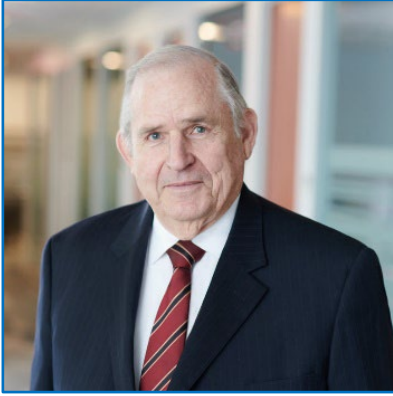
- Maintain the Compliance Program continuity during the search for a full-time replacement
- Be available immediately to fill the gap
- Pay only for authorized hours worked
- Address new and emerging compliance issues
- Apply prior experience to tackle any work backlogs left by the departing compliance officer
- Provide expertise for compliance in high-risk areas
- Bring “fresh eyes” to objectively evaluate the status of the program
- Assess the status of the program independently and objectively
- Provide an independent assessment of the status of the compliance program
- Identify high-risk areas that warrant attention
- Offer suggestions to build a firmer foundation for the compliance program
- Review the existing Code, compliance policies, and other guidance

- Evaluate the quality and effectiveness of compliance training
- Assess resources needed to operate the compliance program effectively
- Develop comprehensive briefings for management and the board on the state of the program

**Interim Compliance Officer Qualifications:**

- Possess the relevant credentials (e.g., CHC, CHPC, CCEP, etc.)
- Supported by a highly reputable firm with decades of compliance experience
- Evidence of working at the executive and Board level
- Demonstrated sound judgment in dealing with sensitive issues
- Sound writing and communication skills
- Experience in the management of staff and projects
- Knowledge of the required elements of an effective compliance program
- Awareness of applicable laws/regulations
- Operations and resolution of hotline allegations and complaints
- Understanding of how to conduct internal investigations/inquiries
- Expertise in developing infrastructure
- Experience in conducting ongoing auditing/monitoring of high-risk areas
- Possess a multi-million-dollar tort liability insurance coverage
- Obtaining Optimum Return on Cost
- Depending on the organization, it may require less than full-time commitment
- Most, if not all work might be performed remotely, avoiding travel costs
- Can provide an independent assessment report, saving the cost of a separate evaluation
- Provide authoritative briefing for executive leadership and board on program status
- Assist in identifying and evaluating candidates for the permanent position
- Provide the incoming Compliance Officer with a “road map” to guide in duties

For more information on this topic, contact Richard Kusserow at [rkusserow@strategicm.com](mailto:rkusserow@strategicm.com). For answers to compliance FAQs, see <https://www.compliance.com/faqs/>



### **About the Author**

Richard P. Kusserow established Strategic Management Services, LLC, after retiring from being the DHHS Inspector General, and has assisted over 2,000 health care organizations and entities in developing, implementing and assessing compliance programs.