OIG Issues New Guidance on Structuring Healthcare Compliance Programs



11/30/2023

On November 6, 2023, the US Department of Health and Human Services, Office of Inspector General (OIG) unveiled the General Compliance Program Guidance (GCPG), a significant update to its existing compliance guidance for various segments of the healthcare industry.

The GCPG provides assistance to health industry participants to voluntarily develop and implement programs to monitor their compliance with applicable laws, regulations, and requirements and to prevent fraud, waste, and abuse. The GCPG outlines seven crucial elements for an effective healthcare compliance program:

• comprehensive written policies, including employee conduct and risk reduction processes.
• compliance leadership, including a compliance officer, committee, and board oversight.
• annual training on compliance programs and associated risks.
• effective communication channels and a robust disclosure program with an emphasis on access, visibility, and anonymity for those reporting concerns.
• bifurcation of the enforcement process into repercussions for noncompliance and incentives for risk reduction.
• periodic evaluations of risk through assessing, auditing, and monitoring.
• response to detected offenses, emphasizing prompt investigation, timely reporting, and corrective action, considering specific reporting requirements under federal laws.

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