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NEW ENGLAND HEALTHCARE INTERNAL AUDITORS INC.

# HFMA/NEHIA
## 2022 Compliance & Internal Audit Conference

Wednesday, November 30 - Friday, December 2, 2022
Mystic Marriott Hotel, Groton, CT

# Redesigning Required Compliance Training:

## Challenges, Opportunities and the Power of Collaboration


**Tully Saunders, MBA, CHC**

Memorial Sloan Kettering Cancer Center

December 1, 2022

# For today's discussion

- Good afternoon!
- Compliance training challenges
- Framework and case study introduction
- Approaches to compliance training
- Q&A

**GOAL**

Assess the creation and management of an effective compliance training program using the 5W & 1H framework and examples from an ongoing program redesign

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# Good afternoon!

**Tully Saunders, MBA, CHC**

Tully is a healthcare compliance professional with over ten years of experience focused on regulatory and operational risk identification and mitigation for healthcare providers.

As the Compliance Program Manager at MSK, Tully supports the corporate compliance function as well as helps lead the Required Regulatory Training program.

Prior to joining MSK, Tully was a Manager with Deloitte where he advised clients on corporate compliance program assessment and development, compliance operational effectiveness and served in interim compliance officer roles.

Tully holds certifications in healthcare compliance and process improvement.

*Disclaimer:* The views presented here today are my own and do not necessarily reflect those of Memorial Sloan Kettering Cancer Center (MSK) or any other health care organization. This information is for educational purposes only and should not be relied upon for legal or business advice.

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# Assumptions

- Compliance training courses based on regulatory needs of large employee groups. Role specific, targeted training occurs at departmental level
- Required regulatory training, compliance training, mandatory compliance training, etc., are and will be used interchangeably
- Hospital will be used as primary setting for training examples, but concepts apply to practically all healthcare organizations

# Things Rarely Heard at a Hospital…

Required training is the best!!

I can't wait to do my compliance training next year!

Can I take that course again?!

We should have *more* required training!

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# Challenges

Required regulatory training, an essential element to an effective compliance program, creates inherent, common challenges

## Issues Being Addressed

- Volume of **regulatorily required training is continually increasing**, exacerbating sense of administrative burden
- **Sources of required training are diverse**; changes to regulations occur with some frequency
- Identify opportunities to **reduce burden, eliminate overlap and streamline** training
- Awareness of and solutions around **barriers to timely completion** of required training for different audiences

## Things more likely heard at a hospital…

What training is really required?

This training take too long!

How often do I need to take this training?

This course does not relate to my current responsibilities – do I really need to take it?

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# 5Ws & 1H Framework

**Compliance Training**

**Where & How?**
Content delivery and compliance

**Why / When?**
Define applicable regulations and standards

**What?**
Training content

**Who?**
Audiences receiving training and training program partners

# Case Study

Required Regulatory Training redesign plan and efforts currently underway at MSK

## Main Objectives

- Inventory, analyze, and further consolidate and reduce the number of required compliance training courses
- Improve and streamline the course assignment process (i.e., who has to take what training)
- Consider alternative delivery pathways for certain learner constituency groups (e.g., medical staff, nurses, researchers)
- Improve the learner experience
- Continue to meet regulatory and compliance requirements

## Current Model

- Current **decentralized model** leaves decision-making responsibility with individual Subject Matter Experts (SMEs) who may not have insight into larger training landscape
- **A more centralized model will facilitate more consistent, risk-based consideration** and decision-making regarding what training is required from a regulatory/compliance perspective

| Reduce Administrative Burden | Increase learning and applicability to MSK responsibilities | Meet regulatory requirements as efficiently as possible |
|---|---|---|

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# **Why / When?** | Regulatory Requirements

Understanding the regulatory landscape and what standards and regulations apply to which of your organization's employees, affiliates and locations creates the foundation of a compliance training program

## CONCEPTS

- Know the rules! - Identify applicable regulations and standards
- Can be difficult question to answer
- *Understand* what is required
- Keep this updated for changing requirements

## SUGGESTED ACTIVITIES

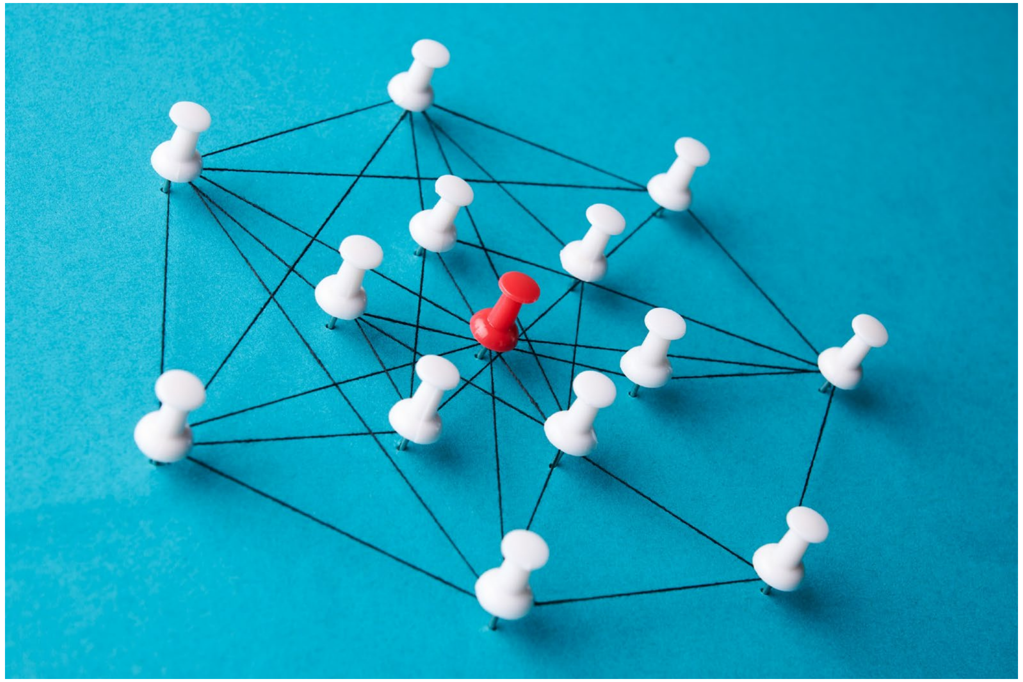
- Conduct and maintain robust regulatory analysis
- Overlay on current training content – do gaps or redundancies exist?
- Review frequency of training

**Key Takeaway:** Answer the question: what training is required for who, when?

# Regulatory Analysis & Matrix

## Single Source of Regulatory Requirements

**Create a single source that could answer the question:**
***What training is required of who and when (how often)?***



- Collaboration with Regulatory Affairs, Compliance and SMEs
- Focus on training requirements
- Drivers of guidance are CMS, The Joint Commission and state law
- Use this matrix to review content of current courses and stay abreast of regulatory landscape
- Vary from frustratingly vague (e.g., *training shall be provided to all patient care staff to assure their knowledge and understanding of patients' rights requirements*) to highly prescriptive (e.g., *all staff designated by the hospital as having direct patient care responsibilities, including contract or agency personnel, must demonstrate the competencies specified in standard (f)*…)

# Who? | Learners & Program Partners

Stakeholders involved in the training process includes both those who receive the training and those who interact with the compliance training program.

## CONCEPTS

- Know your audiences and partners
- Define learner groups
- Use regulatory analysis to inform group criteria
- Understand roles and responsibilities of different groups to meet training needs
- Identify those who can support any of the 5W & 1H (i.e., program partners)

## SUGGESTED ACTIVITIES

- Get to know each identified group - engage in ways outside of typical training activities
- Create learner personas
- Identify barriers and facilitators to training
- Form an advisory committee

**Key Takeaway:** Build relationships with both those who receive training and those who partner in your training program

# Required Regulatory Training | Learner Profiles

Example learner profiles to clearly outline applicable required training, better understand required training needs, and inform creative solutions to meet those needs

## Goal

Use learner profiles to illustrate and better understand the requirements, needs, motivations, challenges and logistical considerations of specified learner groups who are subject to required compliance training at MSK.

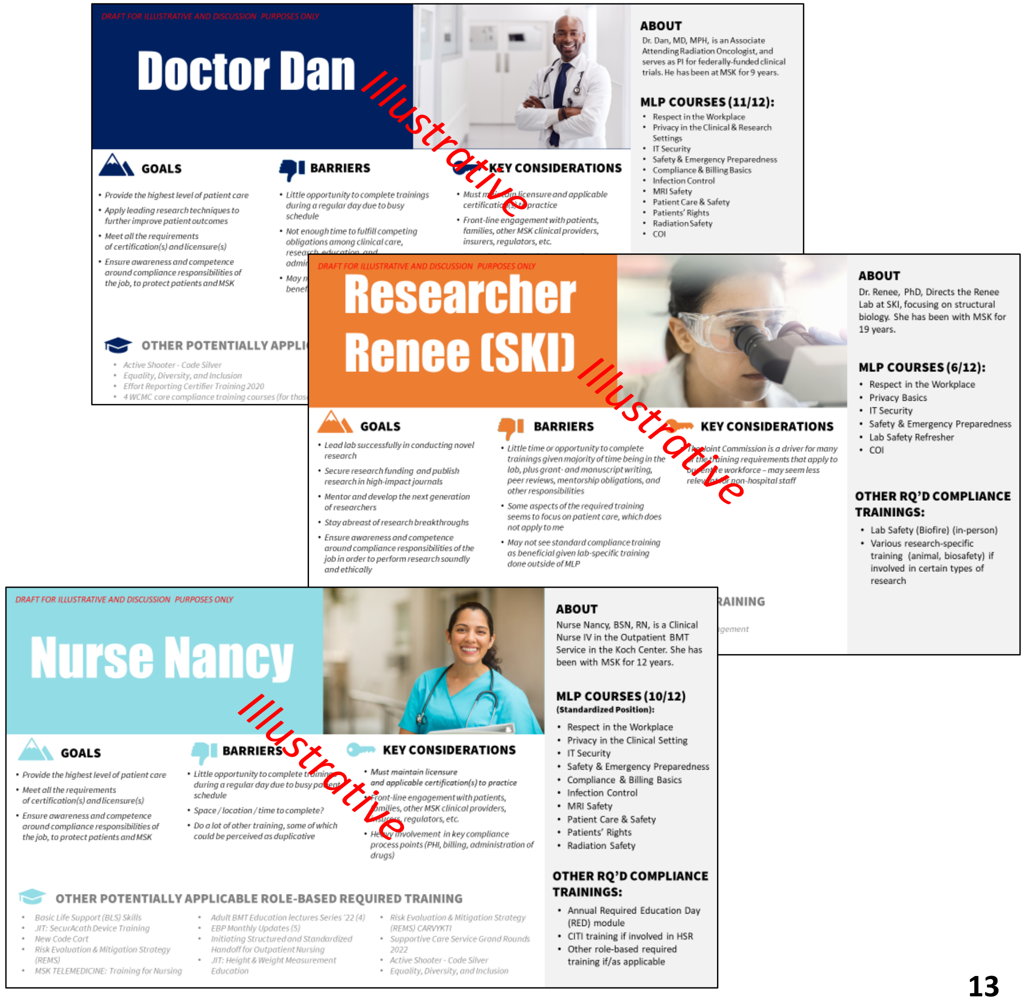
## Learner Characteristics

Traits of learners and ways that learners interact with required compliance training that impacts their compliance with, perception of, and willingness and ability to appropriately handle required compliance training.

## Learner Population Groups

Organize learners into groups which share common learner characteristics and interactions with required compliance training. Proposed groups include:

- Medical Staff
- Nurses
- Researchers
- Administrative staff
- Deskless workers
- Students & trainees
- Non-Employees / contingent workers
- External learners



# NURSE NANCY

DRAFT FOR ILLUSTRATIVE PURPOSES ONLY

## ABOUT

Nurse Nancy, BSN, RN, is a Clinical Nurse IV in the Outpatient BMT Service in the Koch Center. She has been with MSK for 12 years.

## MLP COURSES (10/12)

**(Standardized Position):**

- Respect in the Workplace
- Privacy in the Clinical Setting
- IT Security
- Safety & Emergency Preparedness
- Compliance & Billing Basics
- Infection Control
- MRI Safety
- Patient Care & Safety
- Patients' Rights
- Radiation Safety

## GOALS

- *Provide the highest level of patient care*
- *Meet all the requirements of certification(s) and licensure(s)*
- *Ensure awareness and competence around compliance responsibilities of the job, to protect patients and MSK*

## BARRIERS

- *Little opportunity to complete trainings during a regular day due to busy patient schedule*
- *Space / location to complete?*
- *Do a lot of other training, some of which could be perceived as duplicative*



## KEY CONSIDERATIONS

- *Must maintain licensure and applicable certification(s) to practice*
- *Front-line engagement with patients, families, other MSK clinical providers, insurers, regulators, etc.*
- *Heavy involvement in key compliance process points (PHI, billing, administration of drugs)*

## OTHER POTENTIALLY APPLICABLE ROLE-BASED REQUIRED TRAINING

- *Basic Life Support (BLS) Skills*
- *JIT: SecurAcath Device Training*
- *New Code Cart*
- *Risk Evaluation & Mitigation Strategy (REMS) - Abecma*
- *MSK TELEMEDICINE: Training for Nursing*
- *Adult BMT Education lectures Series '22 (4)*
- *EBP Monthly Updates (5)*
- *Initiating Structured and Standardized Handoff for Outpatient Nursing*
- *JIT: Height & Weight Measurement*

*Education*

- *Risk Evaluation & Mitigation Strategy (REMS) CARVYKTI*
- *Supportive Care Service Grand Rounds 2022*

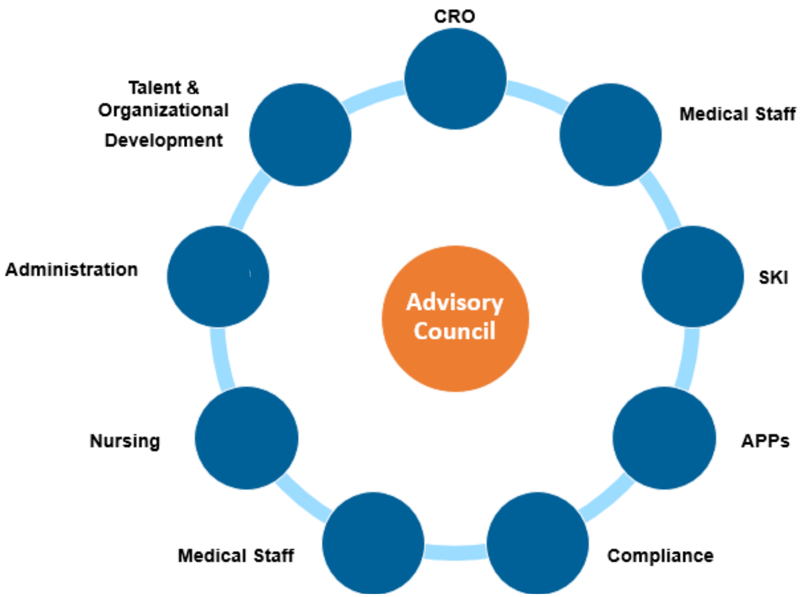
## OTHER RQ'D COMPLIANCE TRAININGS:

- Annual Required Education Day (RED) module
- CITI training if involved in HSR
- Other role-based required training if/as applicable

# Compliance Training Advisory Council

The main charges of this Advisory Council are to **help guide high-level decisions** and help us **better understand the needs of key stakeholder groups**.

## Membership




## Charge

### Represent

Serve as a **representative** of your respective constituents to **voice compliance training needs, feedback, and concerns**

### Advise

Provide **guidance and input** on high-level training program design, operations and **overall vision**.

### Support

Be an **ambassador** for the initiative and program **across the institute**

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# What? | Training Content

Building upon applicable requirements and standards (Why/When) and the training needs of different audiences (Who), tailor training to meet the specific needs and requirements of different learner groups.

## CONCEPTS

- What do requirements *mean*, as opposed to what they say
- "Think like a lawyer, talk like a human"
- Leverage in-house expertise and incorporate all stakeholders into content development process
- Build vs. Buy
- Assess external training environment to identify other existing, required trainings

## SUGGESTED ACTIVITIES

- Review content annually and refresh based on regulatory changes
- Plan ahead - create multi-year curriculum
- Tailor content to learner groups
- Incorporate existing, external training to meet requirements
- Make it your own

**Key Takeaway:** Content that is clear, concise, current and compliant helps meet requirements and learners' needs

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# Programmatic Updates

Course content and consolidation updates for 2022.

| Key Actions | Impacted Issue |
| --- | --- |
| Condensed and streamlined content | Administrative burden |
| Ensured efficient regulatory compliance | Meeting regulatory & compliance requirements |
| Updated content and format | Enhance learner experience |

## Program Enhancements

- New shared governance between Compliance and HR to focus areas of expertise on regulatory requirements and content development and system support, respectively
- Moved to 60-day open window from rolling deadlines to promote shared learning and compliance
- Number of courses reduced to **12** from **20**
- Formed Executive Advisory Council to guide ongoing work for the MLP program

# Where & How? | Training Delivery & Impact

Building upon applicable requirements and standards (Why/When) and training needs of different audiences (Who), design training content to be compliant, clear, concise and current.

## CONCEPTS

**Training Delivery**

- Determine which channels (e.g., modules, in-person, on-the-job) are most appropriate for effective training
- Solicit and collect qualitative and quantitative feedback

**Impact & Compliance**

- Promote compliance with data (e.g., completion rates by department) and clear communication
- Highlight importance (Why) of training

## SUGGESTED ACTIVITIES

**Training Delivery**

- Analyze data to identify areas of opportunity
- Carve out administrative time to complete trainings
- Create physical space and opportunities for deskless or clinical learner populations

**Impact & Compliance**

- Program partners to raise awareness
- Engage managers to support with follow-up
- Promote sense of shared responsibility

**Key Takeaway:** Continuously collect learner feedback and input from program partners to improve content for and awareness of training program

# Leveraging Feedback and Data

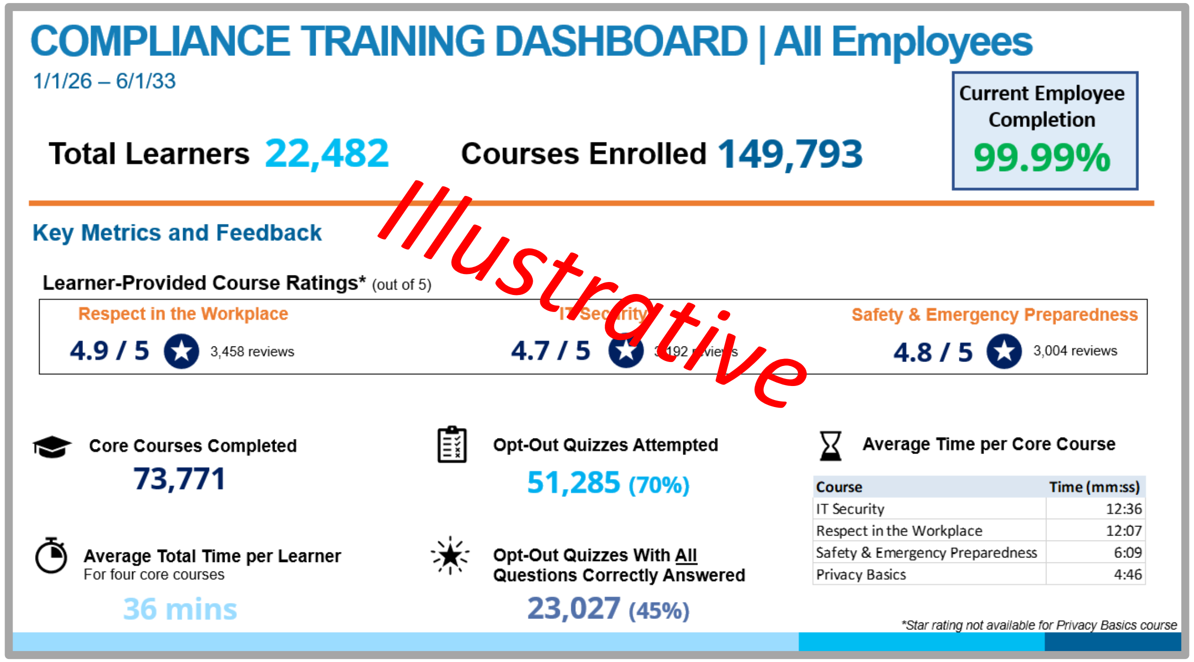
Collection of different types of data through different channels informs content and delivery effectiveness and identifies opportunities for improvement

## DATA COLLECTION

- Learning Management System (LMS)
- Post-course surveys
- Star rankings
- SMEs and other stakeholders
- Targeted feedback sessions (e.g., focus groups)
- Advisory committee

## USES

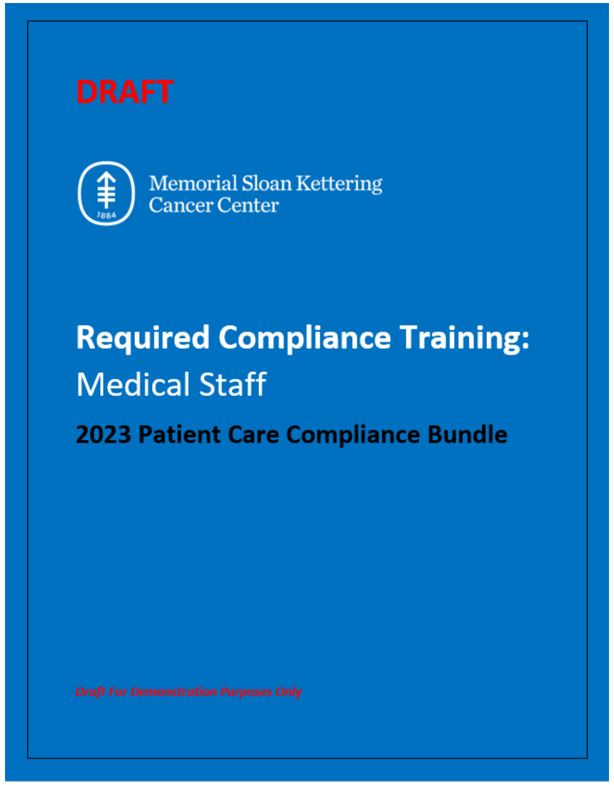
- Report on and promote compliance
- Identify areas of improvement
- Target content that is outdated or can be improved
- Tailor content to audiences



# Pilot for Medical Staff

Exploring different delivery channels for different learner groups.

## Pilot testing Patient Care Compliance Bundle for members of the Medical Staff

# New Governance Model for Required Compliance Training

Compliance is partnering with HR to provide oversight to the required regulatory training program based on complimentary skills and expertise.

| Compliance | HR |
|---|---|
| Oversight and management | System |
| Content review | Design and production |
| MLP-specific tickets and support | Communication and change management (shared with Marketing & Communications) |

***Formed a strong and effective working relationship while we continue to refine shared governance model from collective experiences***

# Overall Takeaways

## Why / When?
Define regulations and standards

Know and understand what training is required for who, when?

## Who?
Receiving training and program partners

Important to build relationships with both learners and those who partner with your program

## What?
Training content

Clear, concise, current and compliant content meets requirements and learners' needs

## Where & How?
Content delivery and compliance

Collect learner feedback and input from program partners to improve content

*Continuously improve compliance training to meet changing regulations and enhance learner experience*

# QUESTIONS

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