

Exit Interviews as Another Compliance Tool

[Richard P. Kusserow](#) | November 2022

Conversations with a purpose to identify potential compliance and workplace issues

An [Exit Interview](#) protocol can be another compliance communication channel that may provide significant useful information. However, before going down this path, it is advisable to conduct an analysis that includes who would be interviewed, when it would take place, how it will be handled and who would do it. To be useful, this should not be a pro forma, fill out the form exercise, but a face-to-face debriefing interview. The following is provided to assist in making the analysis.

Who should be interviewed? It is impractical to conduct a formal exit interview for everyone departing the organization. The focus should be on those who are most likely to have useful information. This certainly would include executives, managers, and those who were involved in compliance high risk areas, such as claims processing and revenue cycle. Others to be considered for interviewing might be those departing employees who may have reported problems in the past, be identified as disgruntled, or who are believed to be leaving because of bad experiences. It is not necessary to add another interview or interaction with employees being terminated for cause.

When should interviews take place? It is advisable to conduct the interview as far in advance of departure as possible, so that if issues are raised warranting action, it can be handled while the individual is still engaged as an employee. No one wants to have employees carry out of the organization a serious issue that could later become a matter of litigation.

Could a form questionnaire be used instead of an interview? Most organizations with an exit interview process rely upon questionnaire forms provided on the last date of employment. These prove to be of extremely limited value for someone going through all the “red tape” to receiving

their benefits and last check. As such, it is rare they take the time or care about providing meaningful information.

Who should conduct the Interviews? It is easy to just say that HR should be responsible for this and many organizations with exit interview processes use them. However, there is much to argue against this approach. HR will have its hands full going through the entire Offboarding Process that includes COBRA health insurance issues, final payroll settlement, obtaining company property, etc. HR may also not be sufficiently knowledgeable to recognize potential regulatory compliance-related issues. Finally, one of the reasons a person is leaving might be related to personnel practices. Similarly, the person to whom the individual reported is clearly not the right party for such an interview, as they may be the reason the person is leaving. This leaves the Compliance Office, which brings it back to how many such interviews could be conducted. For senior people leaving, it would necessarily call upon the Compliance Officer to personally conduct the interview.

What should be done with results of interviews? If the person interviewed raises questions or issues concerning problems in the workplace, whether compliance-oriented or not, the issues should receive immediate attention before the person leaves. This will allow follow-up and any needed remedial actions before departure. If serious compliance issues are involved, this process will go a long way to defend against, and mitigate exposure to, potential liability.

What should be included in the interview? The purpose of the interview is to identify any issues that could result in potential liability for the organization; and to “lock in” the person’s statements, while evidencing organizational commitment to resolving problems. This is important to help deflect a person from later becoming a whistleblower and provides grounds for defense of any issues raised. From a compliance perspective the interview should include some standard compliance-related questions, such as:

- Are you aware of any compliance concerns that should be addressed?
- Have you raised any compliance-related issues that have not been addressed?

- Have you seen anyone in the workplace engaged in wrongful conduct? If so, what?
- How would you describe the organization's compliance culture?
- Is there anything else you would like to discuss concerning your work experience here?

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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.