

Compliance is a Sales Job

Richard P. Kusserow | February 2023

Please be sure to complete the [2023 Healthcare Compliance Benchmark Survey](#).

Selling compliance is a never-ending job.

No compliance program can be effective without being marketed and sold at all levels of the organization. For some, the idea of being viewed as a salesperson is unthinkable, however the job is about being persuasive and authoritative. Selling needs to be a never-ending effort to convince others of the need for a good compliance program and that depends upon their involvement and support. It is a matter of cultivating relationships and attitudes, not just providing the technical details of the seven elements of a compliance program.

Selling begins with the board and executive leadership, as no success is possible without having them recognize the program is critical for the organization. If the board is sold on supporting compliance, executive leadership will follow suit. Without active support and commitment from executive leadership, the Compliance Officer will never be adequately empowered to do the job effectively. To gain the support of the board and executive leadership, they need to know and understand the benefits of a successful program, along with consequences for the organization and for them personally if it is an unsuccessful program.

The compliance sales effort must be ongoing, presented in “bite size” pieces, and not be shoved down their throats in one long presentation. The message must be constantly reinforced with information about how the program is functioning, why it is mitigating costly risks, and what needs to be done to improve it.

In selling compliance, the message should not be all negative, but include why compliance is a positive to the operations and management of the organization and why it is good for the

organization. If compliance is viewed only in terms of negative consequences it may get attention but it will have limitations.

Selling efforts must also be made to program managers regarding their affirmative duty for ongoing monitoring of compliance risk areas related to their operations; and how failing to do so could result in potential liability for themselves and the organization. Selling must include those functions that overlap with compliance, including Legal Counsel, HR, HIPAA Privacy and Security, and Internal Audit in order to best coordinate efforts and avoid operating at cross purposes with one another. Selling cannot stop at this level; it must reach first and second line management, who must carry the compliance message to their subordinates by word and example. What they say and do is more powerful than pronouncements by the Compliance Officer and executive leadership. Finally, compliance must be sold to the work force by promoting receptivity to and acting on information that employees report. Without the workforce buy-in and support, the compliance program will never be effective. It is extremely important for the Compliance Officer to be visible and “show the flag” by participating in presentations, meetings and, when possible, just walking around or otherwise contacting staff to talk about their jobs, thoughts, concerns, etc.

As with any sales program, it is important to be able to evidence progress. In fact, the OIG/HCCA “Measuring Compliance Program Effectiveness Resource Guide” cited using surveys evidencing effectiveness were cited over 60 times. The two most common methods are engaging outside experts to conduct a compliance program effectiveness evaluation and conducting professionally developed and administered compliance surveys on compliance, knowledge, attitudes and perceptions.

For answers to compliance FAQs, see <https://www.compliance.com/faqs/>.

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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.