

Ten Guiding Principles for Conducting Compliance Investigation Interviews

Richard P. Kusserow | August 2023

Those conducting compliance investigations conduct interviews to establish facts and seek information, not provide them. As such, investigators should not reveal the status of the work, offer opinions, indicate what has been found so far, or what has been said by others. People may offer a lot of opinions and conjectures, but facts are what is needed. It is also common for those being interviewed to want to be vague about providing specific information, especially if they are uncomfortable with the direction of the interview. The following are guiding principles for optimizing the interview process in gaining needed facts and evidence.

- 1.** Before conducting interviews, begin with doing homework to determine what relevant facts are known (identities of those involved, what positions they hold, work locations, work schedules, existing policies related to allegations or complaints, any applicable union rules, any history of past involvement in investigations, etc.).
- 2.** Identify the facts and evidence needed to resolve the issues being investigated and the identities of those most likely to provide them.
- 3.** Plan the order of those to be interviewed and then move quickly to conduct the interviews before memory fades or is influenced by subsequent events.
- 4.** Ensure the supervisor has allowed sufficient time for conducting interviews with their staff.
- 5.** Know and respect the rights of those being interviewed (e.g., employees in a union may have the right to have a bargaining unit representative with them).
- 6.** Never interview anyone with their attorney without having legal counsel from the organization present as well.
- 7.** Conduct interviews away from the individual's work site and where they can be overheard or seen by others.

8. Maintain a professional demeanor in dress and behavior that include being always polite and respectful, even when those being interviewed may be hostile, as cooperation is essential and intimidation counterproductive.
9. Stay focused and avoid drifting away from the purpose of the interview while keeping an open mind to all information provided, ensuring basic questions include addressing who, what, where, when, how, and why.
10. Avoid providing information from statements made by others unless necessary, as it may affect what others may say or lead the person to just agree to the same points.

Keep up-to-date with Strategic Management Services by following us on [LinkedIn](#).



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.