

26 Tips for Interviewing Witnesses in a Compliance Investigation

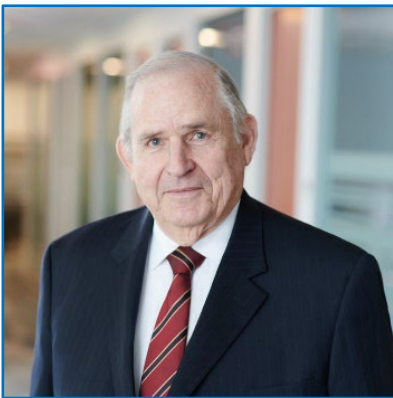
Richard P. Kusserow | December 2023

An interview involves questioning someone who may possess information relevant to the matter under investigation. Properly preparing for an interview maximizes the effectiveness of witness participation and interviewer efficiency. Conducting successful compliance investigation interviews is a matter of following best practices. It begins with properly preparing and reviewing available relevant information. Many interviews fail due to a lack of quality preparation. Once ready to begin an interview, consider the following tips:

- 1.** Identify self and any others participating in the interview
- 2.** Explain the purpose of the investigation
- 3.** Project a professional image in appearance and demeanor
- 4.** Tell them your authority to conduct an inquiry
- 5.** Inform them why they are being interviewed
- 6.** Remind employees that it is their duty to provide complete and accurate facts
- 7.** Explain you are seeking cooperation and the interview is voluntary
- 8.** Establish rapport by being open, friendly, and easy-going
- 9.** Ask if they have any questions before the interview begins
- 10.** Start with easy questions to allow the person to settle into the interview
- 11.** Remind them they should be candid and not fear retaliation
- 12.** Treat those interviewed with dignity, respect, and courtesy
- 13.** Make no threats and engage in no intimidation
- 14.** Keep control of the interview by asking, not answering questions
- 15.** Keep the questions simple and direct, avoiding compound sentences
- 16.** Avoid the use of any investigative jargon
- 17.** Note their comments will be kept confidential to the degree possible
- 18.** Request they keep the interview confidential (“street runs both ways”)

- 19.** Offer no opinions relating to the investigation
- 20.** Ask open-ended questions and allow the witness to tell their story in their own way
- 21.** Don't ask their opinion or conclusion on the case
- 22.** Take notes throughout the interview
- 23.** Restate important questions in different ways to ensure correct answer
- 24.** Ask if they know of others that might be able to add useful information
- 25.** Tell them you may be re-interviewed to clarify points
- 26.** Ask them to contact you if they can think of anything not covered

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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.