



SunHawkConsulting.com

COMMUNICATING WITH REGULATORS & ENFORCEMENT AVOIDING PITFALLS

PANEL DISCUSSION FOR SCCE BOARD AUDIT COMPLIANCE COMMITTEE CONFERENCE

SEPTEMBER 24-25, 2018

JAMES J. ROUGH, CHC, CFE, CCEP
SUNHAWK CONSULTING, LLC.
JIM@SUNHAWKCONSULTING.COM

COMMUNICATING WITH REGULATORS & ENFORCEMENT PROFESSIONALS - PRESENTERS



Moderator

- » **James Rough** President, SunHawk Consulting, LLC.

Panelists

- » **Chris Schrank**, Special Agent In Charge, HHS Office of Inspector General, Office of Investigations, Los Angeles Regional Office
- » **Christopher Cestaro**, Assistant United States Attorney, Fraud Section, dAssistant Chief FCPA Unit

COMMUNICATING WITH REGULATORS & ENFORCEMENT PROFESSIONALS – FEW BEST PRACTICES



Please remember these three things:

1. Be available and helpful.
2. Listen, and remember the Regulators are human - not things.
 - They don't bite, I promise
3. Be accurate, but timely with your responses.

QUESTIONS YOU SHOULD BE ASKING YOURSELF



1. You think it is legal however what is the intent of the law?
2. What is the regulator's perspective on the subject?
3. Are you afraid / avoiding the topic?
4. Are you waiting for the regulator to raise a concern?
5. Has your communication evolved into a negotiation instead of a working relationship?
6. Does your internal team have respect for the regulator?

QUESTIONS YOU SHOULD BE ASKING YOURSELF (CONTINUED)



7. Are your data submissions or answers to auditor's questions coming back incomplete or with errors?
8. Be cognizant of your own time restraints.
 - Is there too much on your plate?
 - Is your team rushing to complete document requests?
9. Does the Regulator or your team has high turnover?

BUILD A WORKING RELATIONSHIP WITH YOUR REGULATOR NOW



1. Start off on the right foot, get to know your regulator before you have a problem.
2. Don't communicate Corporate / National positions when dealing with State or County Regulations.
3. When the Regulator has a Request, tell them you will get an answer right away or you will find the person that can get the answer.
4. When your regulators calls, answer the phone with "What can I do to help you?"

AVOID COMMUNICATION BARRIERS



Is there literally a communication barrier on yours or the regulator's team?

- English second language
- Thick / heavy accent
- Use of translators

HERE TO HELP - ANY QUESTIONS?



Jim Rough, CHC, CFE, CCEP
 President
 SunHawk Consulting, LLC. [in](#) [tw](#) [f](#)
jim@SunHawkConsulting.com
 (602) 334-5522

Jim is President and Founder of SunHawk Consulting a Legal Disputes, Investigations and Compliance Consulting Firm with expertise in Healthcare, Insurance, & High-Technology Industries.

Jim is a Certified Healthcare Compliance Professional, Certified Fraud Examiner, and Certified Compliance and Ethics Professional with over 17 years of fraud investigations, regulatory compliance and legal disputes experience.

Jim's unique combination of formal financial, fraud and forensic training is coupled with significant experience in various healthcare industry segments and familiarity with associated large transactional, financial, and regulatory data sets.

This knowledge base provides clients with a multi-faceted expert when they are facing compliance, internal and external investigation, litigation and bankruptcy, financial accounting, and other compliance challenges.

Visit our website at www.SunHawkConsulting.com