

Compliance Program Updates in Response to DOJ's Updated Compliance Program Guidance

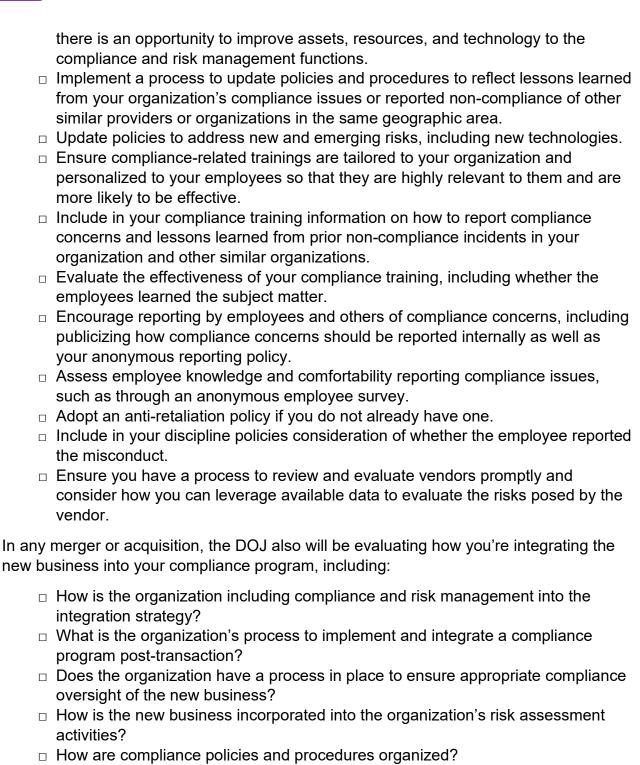
In September 2024, the U.S. Department of Justice ("DOJ") updated its corporate compliance program guidance which DOJ officials use to evaluate the effectiveness of an organization's compliance program guidance for purposes of making decisions on who to prosecute, what charges to bring, and settlement agreements and plea deals. In response, healthcare providers should review and update their compliance programs to address the DOJ updates including:

 Conduct a periodic risk assessment which includes identifying and managing internal and external risks that could impact your organization's compliance with the law, including how emerging and new technologies may impact your ability to comply with the law. Incorporate and consider new and emerging technologies, including artificial intelligence ("Al"), into your organization's compliance risk assessment. □ Identify and implement measures to mitigate the risk posed by your organization's use of new and emerging technologies, including Al. □ Adopt an organizational policy on the use of AI, including how the organization is attempting to curb any potential negative impact or unintended consequences as a result of using AI as well as any misuse of technology by the organization or its officers and employees. Implement controls to monitor and ensure the trustworthiness, reliability, and use of AI in compliance with applicable law and the organization's policies, including ensuring AI technology is only used for its intended purpose and is functioning as intended. □ Train employees on AI technologies and your organization's policies relating to AI technologies. Periodically monitor the use of AI and enforce policies relating to AI. □ Identify data and leverage data analytics tools to promote compliance, including creating efficiencies in compliance operations and gaining insight into the effectiveness of your compliance program. □ Implement mechanisms to ensure the quality and accuracy of the data used by the organization. □ Implement processes to identify misconduct at the earliest stage possible, such as periodic proactive audits. □ Periodically measure the success and effectiveness of your compliance program. Ensure your compliance personnel have knowledge of and access to relevant data sources in a reasonably timely manner.

This material is intended for educational and informational purposes only. This document is not intended to be legal advice and is only for educational purposes. Legal advice must be tailored to the specific circumstances and users are responsible for obtaining such advice from their counsel.

 Compare the assets, resources, and technology your compliance and risk management departments have compared to other departments within the organization to determine whether they are commensurate and if not, whether





Are post-transaction audits conducted at the newly acquired entity?