

Building a Prosecution-Proof Healthcare Compliance Program

A robust **corporate compliance program** is your organization's best defense against **high-stakes government investigations**. Beyond legal obligations, a strong program reduces the risk of **federal indictment** by demonstrating good-faith efforts to follow the law.

WHEN TO TAKE ACTION

Do not wait for a **grand jury subpoena** to evaluate your program. You should review your controls if:

- **You discover a “speak-up” culture failure:** A lack of internal reports often drives employees to file **qui tam** suits.
- **You are integrating new service lines:** Rapid growth often outpaces compliance oversight, creating vulnerabilities for regulatory enforcement.
- **Operational small issues are recurring:** Unaddressed failures can become systemic, leading to contract terminations or audits.

HOW TO TAKE ACTION

- **Map Legal and Contractual Obligations:** Link your controls directly to payer rules and vendor commitments.
- **Document Everything:** Keep contemporaneous records of training and remediation to support future attestations.
- **Employ Risk-Based Monitoring:** Use analytics to prioritize high-risk service lines and billing patterns.
- **Engage Former Prosecutors Proactively:** Dykema's team knows exactly how the DOJ evaluates program effectiveness during a **criminal investigation**.

Contact Dykema's White Collar Defense and Government Investigations practice today for a confidential consultation.

**Mark Chutkow**

Member, Bloomfield Hills
248-203-0715
mchutkow@dykema.com

**Jennifer Beidel**

Member, Bloomfield Hills
248-203-0506
jbeidel@dykema.com

**Leigha Simonton**

Member, Dallas
214-462-6444
lsimonton@dykema.com