

# HOW TO MANAGE **FMV/CR RISK** IN HEALTHCARE TRANSACTIONS

Mitigating the risk of a qui tam relator should be a top priority for healthcare risk management systems. Many health systems do not understand how their systems and processes increase rather than reduce government enforcement and qui tam relator risk.

## 4 CLASSES OF **FMV/CR ENTERPRISE RISK**



## 5 WAYS TO MANAGE **FMV/CR ENTERPRISE RISK**

- 1 SET THE TONE AT THE TOP**  
Establish and maintain a culture of compliance.
- 2 BE PREPARED FOR COMPLIANCE EMERGENCIES**  
Build a proactive defense against qui tam relator claims.
- 3 STRESS TEST**  
Evaluate processes and outcomes to find weaknesses and address them.
- 4 THOROUGHLY REVIEW EMPLOYEE CONCERNS**  
Many enforcement actions begin from within. Pay attention to the warning signs.
- 5 DON'T ACCEPT A COOKIE CUTTER APPROACH**  
Taking the easy route sometimes leads to trouble later. Better diligence and testing on the front-end can help minimize risks.

### THE HORNE | ANKURA PARTNERSHIP **VALUE PROPOSITION**

Identification of business and legal risks associated with FMV/CR compliance, anticipation of potential outcomes, and recommendation of process improvements to help clients mitigate those risks.

Three complementary lenses to view the situation – hospital inside experience, the technical expertise, and former government prosecutorial expertise – guidance to manage the high risks associated with FMV/CR transactions and arrangements.

### THE HORNE | ANKURA APPROACH

- Focus on transactions, arrangements, and leases
- Identify weak points in the system
- Use sampling and auditing techniques to assess risk
- Work with legal counsel and internal audit team
- Provide improvement plans using best practices
- Provide overall assessment report and action plan

### USES FOR RISK ASSESSMENTS

- Addressing board concerns and oversight with review for board and compliance committees
- New c-suite members or compliance officers seeking an outside organizational assessment
- Due diligence in M&A to facilitate integration of compliance program components and cultures
- Improving compliance programs
- CIA oversight – assisting IROs
- Qui tam relator case defense

## SERVICE TEAM



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