

# New and Emerging Risks

STRATEGIES TO HELP  
YOUR  
COMPLIANCE  
PROGRAM STAY  
AHEAD OF THE RISK

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Washington Executive  
Course  
May 6, 2021

1

Evolution of Compliance Programs

2

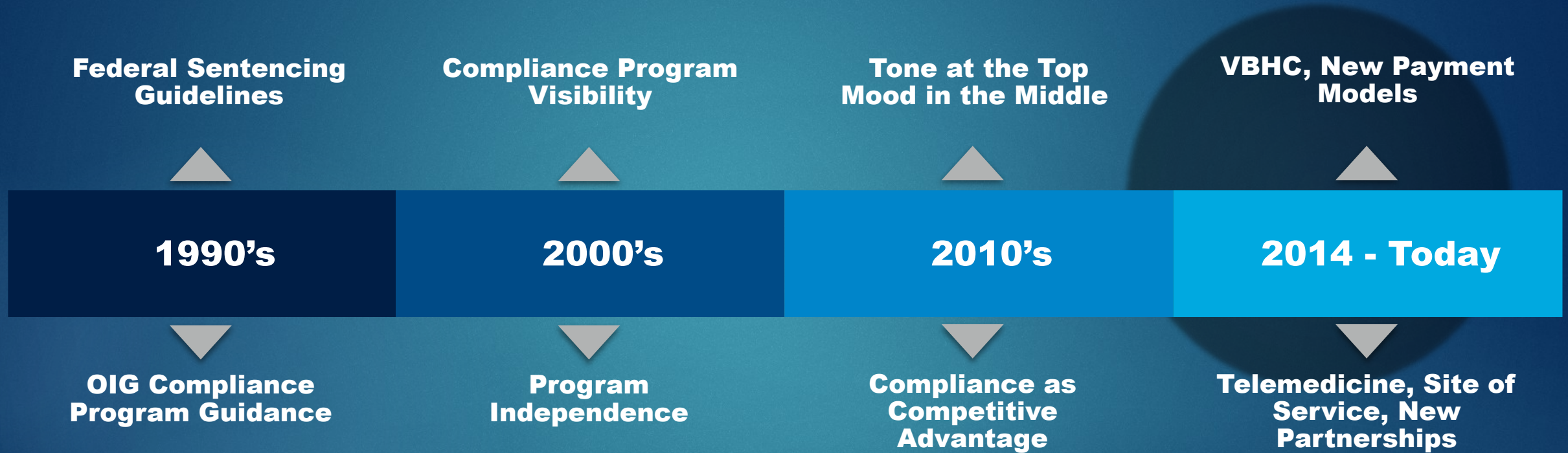
Emerging Risk Framework

3

Framework in Real Life

# Evolution of Compliance Programs

3



**Discussion Question:** What new risks are you either currently dealing with or anticipate in your organization?

# Emerging Risk Framework

5



Create Line of Site



Get Smart



Develop Structure



Tell the story

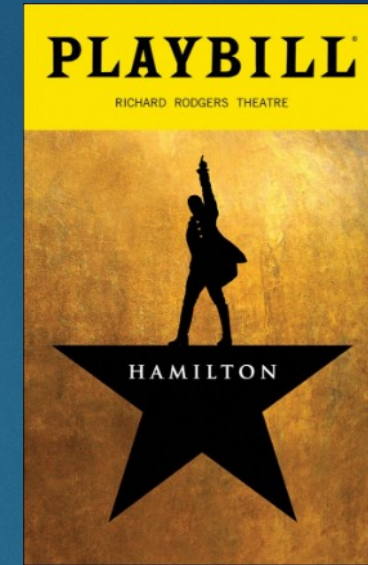
*God help and forgive me*

*I wanna build*

*Something that's gonna*

*Outlive me*

— Alexander Hamilton in “The Room Where It Happens”  
from Hamilton, The Musical



# 1. Create Line of Site

- ▶ Identify the rooms you need to be in
  - ❖ What people do you need to work with?
  - ❖ Existing workgroups? Leadership teams?
  - ❖ Does it make sense to create a new group to evaluate a risk?
- ▶ Not invited?
- ▶ **Example:** In order to have a direct line of site into my previous organization's new ACO strategy I volunteered to manage the application process. As a result I was in every meeting and had access to all decision-makers.

## 2. Get Smart

- ▶ Business Strategy
  - ❖ What are they trying to do?
  - ❖ How does this program/initiative fit?
- ▶ New Payment Model or VBHC Program?
  - ❖ Program documents, applications
  - ❖ Contracts
- ▶ Enacting Laws and Regulations
- ▶ Has your organization looked at this in the past?
  - ❖ Previous similar analysis or guidance?

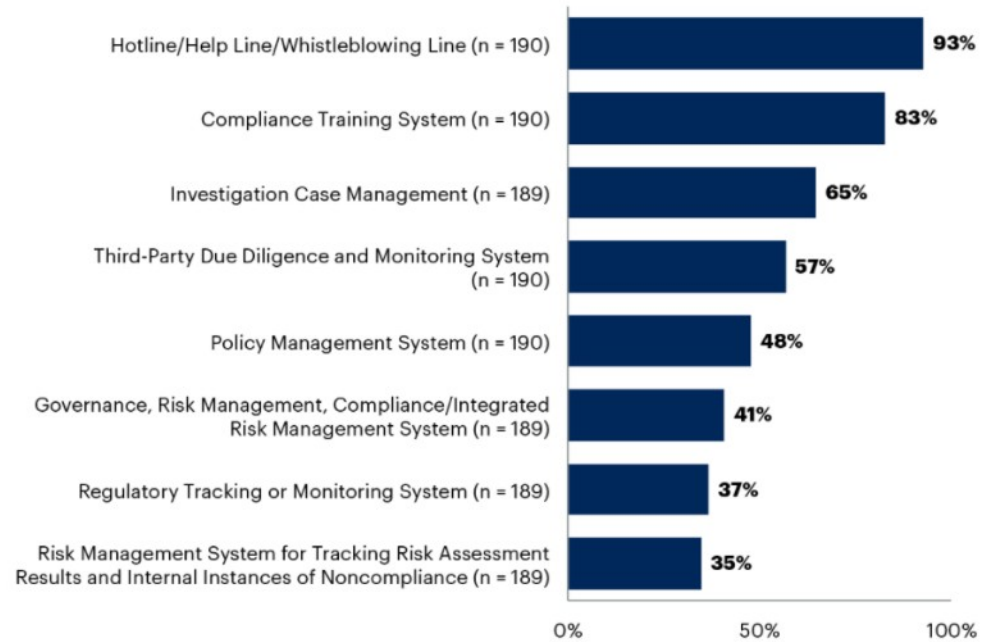


# 3. Develop Structure

- ▶ Start with the assumption that technology is a non-negotiable aspect of your compliance program
- ▶ What you build needs to be standardized, repeatable, created with the end in mind (e.g. what metrics do you need?), and include automation (when possible)
- ▶ Aim for SIMPLE
- ▶ Example: We use SmartSheet to track new initiatives and can build in reminders, automatic emails, and metrics that show real-time data
- ▶ **To Do: Write in the comments a technology solution that you use/recommend**

### Use of Technology to Track Compliance-Related Information

Percentage of Leaders Selecting



Q: Does your function use the following systems to support tracking or reporting compliance-related information?

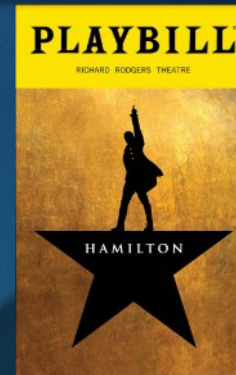
Source: 2020 Gartner State of the Legal and Compliance Function

747005\_C

# Technology Recommendations

- ▶ Microsoft Teams, OneNote
- ▶ SharePoint
- ▶ SmartSheet
- ▶ Existing matter management or contract management systems? Do they have other functionality you can leverage?





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*President Jefferson:*

*I'll give him this: his financial system is a work of genius*

*I couldn't undo it if I tried*

*And I've tried*

*Who lives, who dies, who tells your story?*

— **“Who Live, Who Dies, Who tells Your Story”** from  
**Hamilton, The Musical**

# 4. Tell the Story

- ▶ Why?
  - ❖ Stories create a blueprint to organize content that may otherwise feel scattered and random
  - ❖ Stories help simplify the complexities of risk and can convey the purpose of your program or process
- ▶ How?
  - ▶ Documentation: Can you find the work?
  - ▶ Knowledge management: Make sure the knowledge stays within your organization
  - ▶ Clear roles and responsibilities
- ▶ Know your stakeholders – decide who needs to know and when and how they need to be informed
- ▶ Tailor your message/story to your audience

# EMERGING RISK FRAMEWORK IN ACTION

## Example #1: New Business Models



Create Line of Site



Get Smart

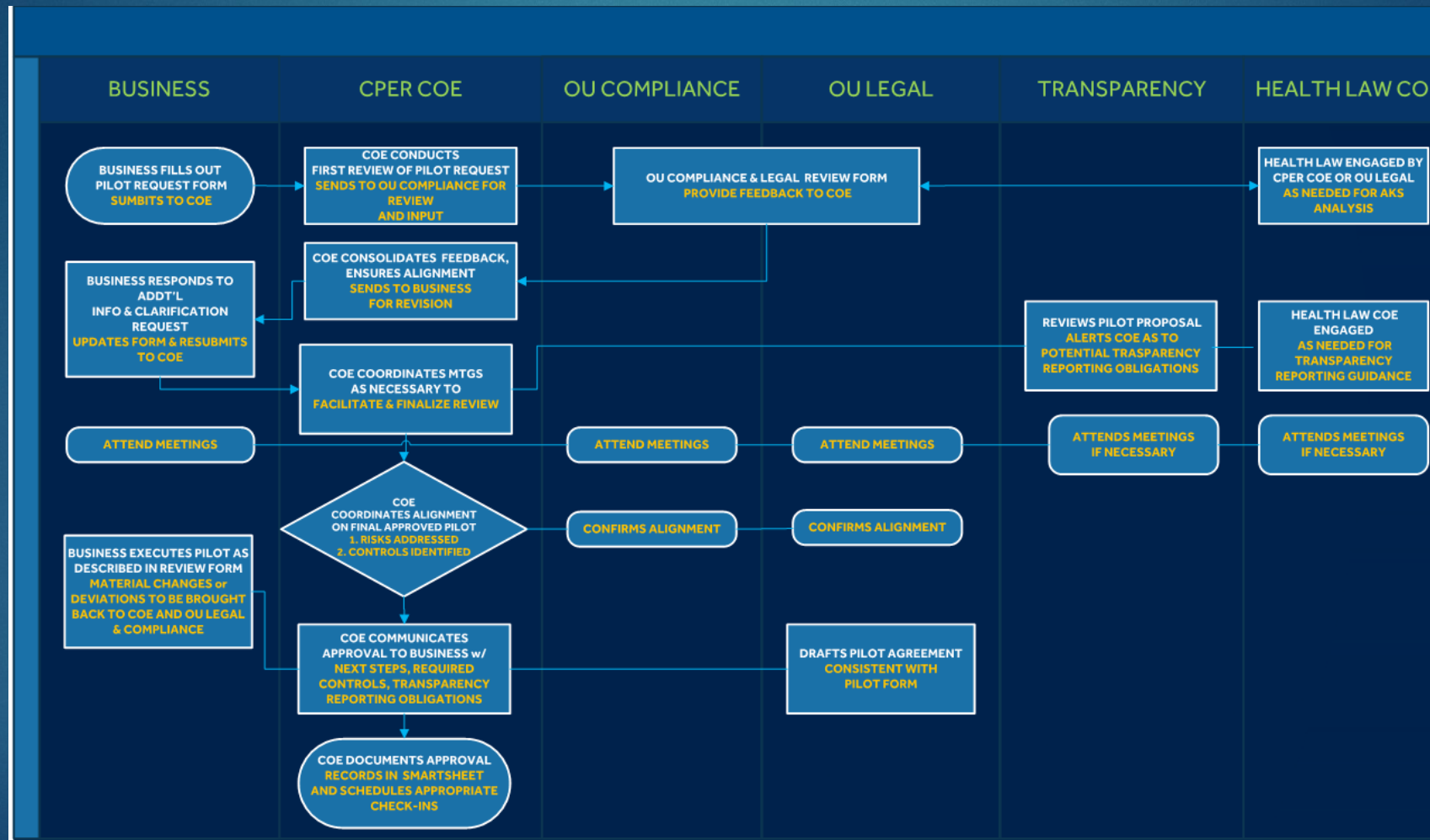


Develop Structure



Tell the story

# Roles and Responsibilities

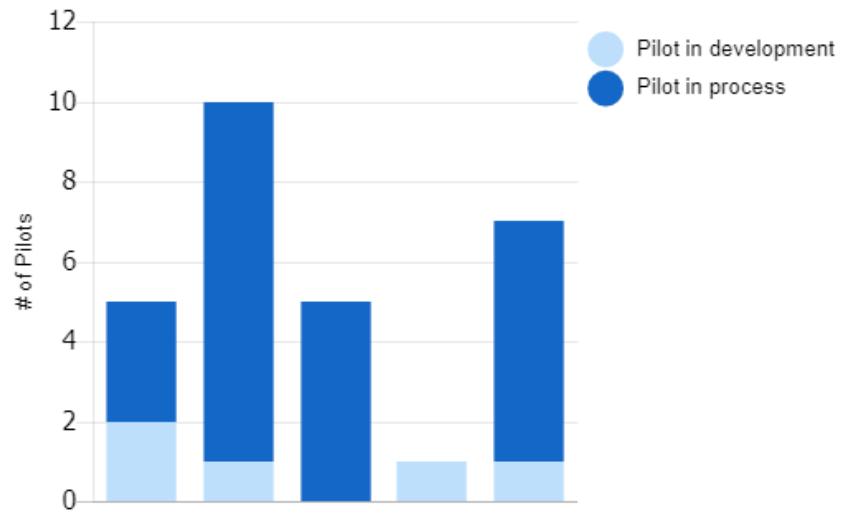




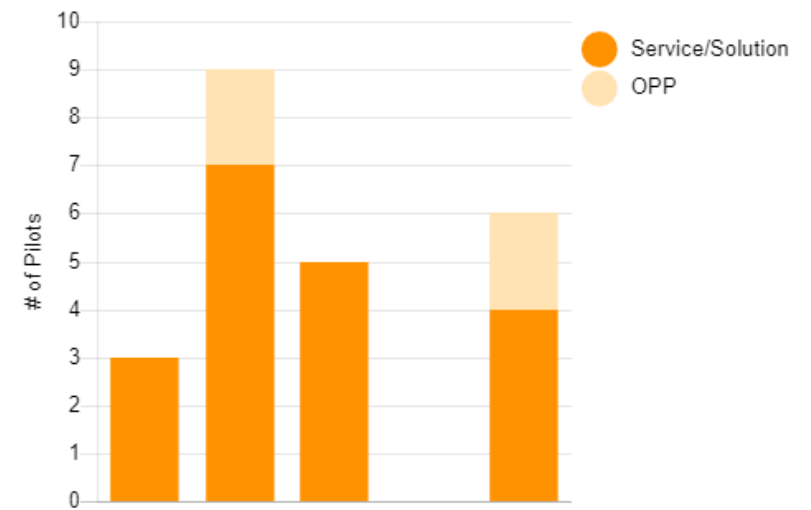
## U.S. PILOT PROGRAMS COMPLIANCE DASHBOARD

**23**  
Active Pilots in the U.S.

Active Pilots by Organization and Stage



Pilots In Process by Program Type



# Knowledge Management

18



Ethics & Compliance Collaboration Site

+ New ▾ ↗ Send to ▾ 📣 Promote ⚙️ Page details 📊 Analytics



US ETHICS & COMPLIANCE

## Compliance Programs & Emerging Risks



VBHC / NEW BUSINESS MODELS



MERGERS & ACQUISITIONS



GOVERNMENT REQUIREMENTS

## Example #2: Mergers and Acquisitions



Create Line of Site



Get Smart

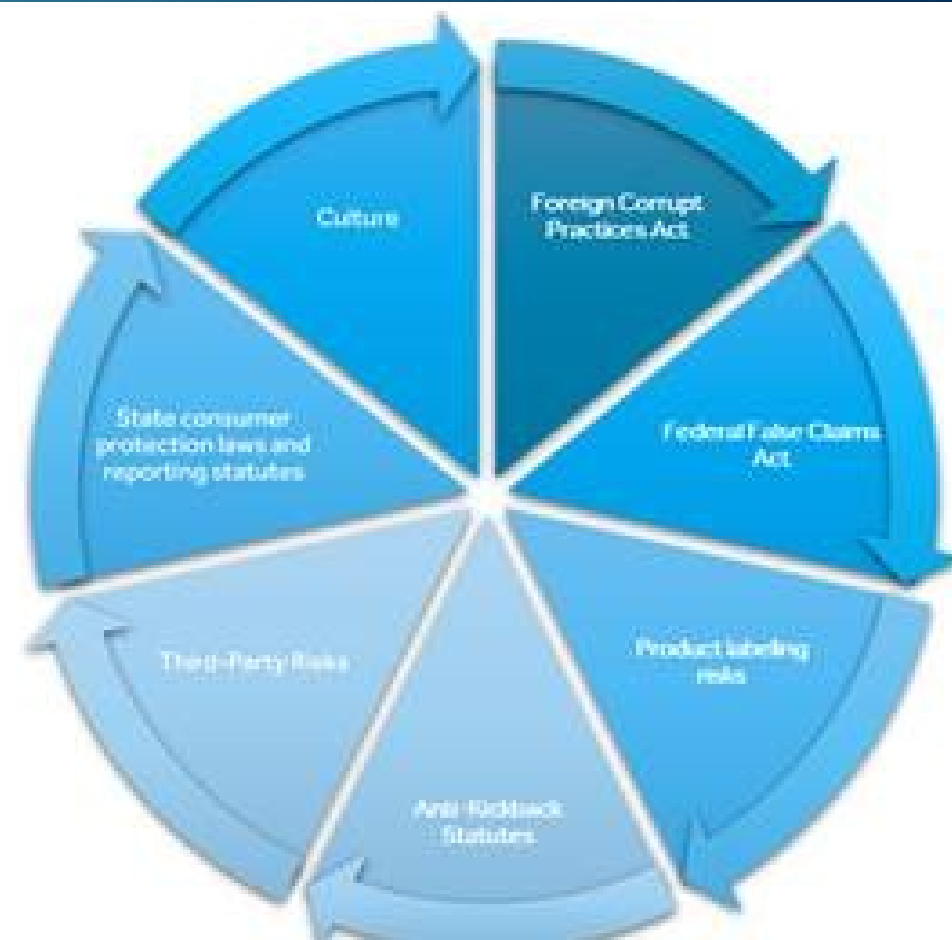


Develop Structure



Tell the story

Develop a structured, coordinated, and efficient process utilizing the Enterprise Functions for identifying and mitigating risks through diligence and integration.



Corporate Development Strategic Transactions  
Office of Ethics & Compliance Playbook

STRUCTURE

- DOCUMENTED PROCESSES – DILIGENCE & INTEGRATION
- STAKEHOLDERS
- RESOURCES

COORDINATION

- COORDINATION ACROSS MULTIPLE ENTERPRISE FUNCTIONS

EFFICIENCIES

- AUTOMATION
- TOOLS & RESOURCES
- UTILIZATION OF FUNCTIONAL EXPERTISE

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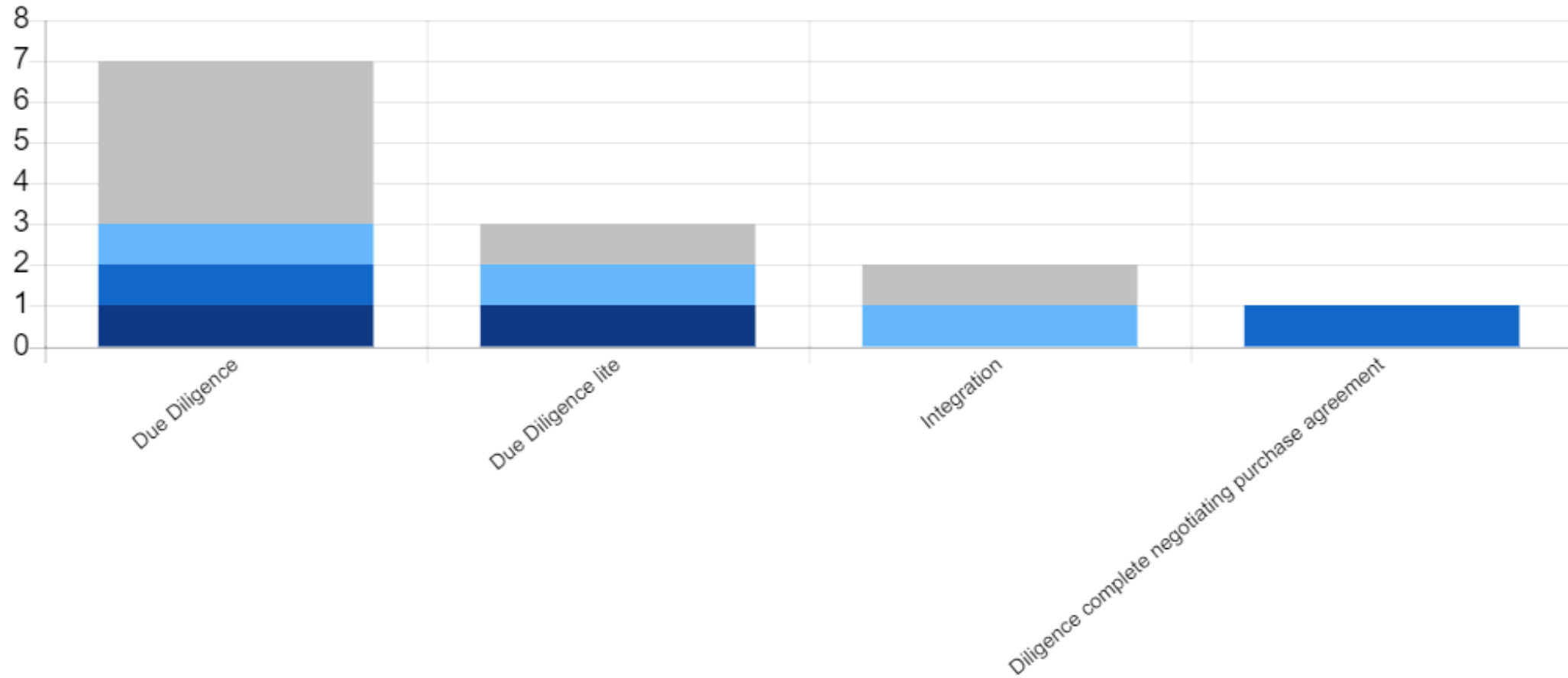
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Overview and Purpose

## Business Group &amp; Deal Status



# Thank you!

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