

Conselium

COMPLIANCE SEARCH

3 THINGS

YOU MAY NOT KNOW ABOUT ME...

1. Ironically for a Compliance Officer who may be stereotyped as being risk-averse, I used to race motorcycles and rock climb
2. As a result of a stupid mistake of purchasing a motorcycle against my parents' express wishes while a sophomore in college, I had to self-fund my undergraduate and law school.
3. My guilty pleasure is listening to audio books, and have listened to over 325 books since I joined Audible.com 15 years ago.



JOSHUA MARKS

Chief Ethics and Compliance Officer - Boehringer Ingelheim

Q&A

THE SECRET SAUCE OF COMPLIANCE

2019

HIGHLIGHTS

- **55 completed** compliance searches from Director level up to Chief Compliance Officer
- We completed searches in **23 states** and counting, plus successes in **six other countries**
- We have grown, a lot! We **quadrupled in size this year** and plan to continue building the team in 2020
- We are pleased to announce that **more than half** of our 2019 placements are **diverse candidates!**

PEOPLE ARE TALKING

"Conselium quickly found me a slate of six qualified candidates within two weeks"

Fortune 250 General Counsel

"I wish we would have handed things over to Conselium sooner based on how many qualified candidates they found and how quickly they did it!"

Global Med-Tech Chief Compliance Officer

"I would definitely recommend and engage Steve/Conselium whenever we have the need for a compliance professional"

National Healthcare CEO

What is your secret sauce for compliance?

Keep it simple and focus on clear principles; Ensure folks know where to go for quick and concise guidance if a decision is not clear. My experience is that problems typically occur when rules are too complex to understand, are too rigid, or haven't kept up with the evolving environment to provide meaningful guidance.

Secondly, focus more on "business partnering." We've integrated senior Compliance personnel across key priorities and areas of our business, such that all strategic and senior teams have dedicated compliance support who deeply understand their specialized and/or unique business objectives, strategies, products, competition and challenges. This insight provides more tailored, faster and more innovative Compliance solutions.

What is one thing you changed in 2019 that has made a big difference to the compliance culture at Boehringer Ingelheim?

Our "Speak Up/Listen Up" program achieved measurable benefits in 2019. We recognized that the typical things such as training, videos, admonitions from senior leaders, etc., just weren't moving the needle, so we tried something different and dedicated a company-wide Town Hall to the concept of 'psychological safety'. We had our U.S. President, our Head of Research and me get up on the stage and share mistakes we've made in our careers.

These were not small or incidental, but significant mistakes. For example, I didn't understand some local nuances of Chinese law and gave poor advice that cost our company a several month advantage on a product development. We then shared two practical tips for creating psychological safety - first, it's okay to say "I don't know" and second, to call out when we've made a mistake. As a result of this initiative and others, I'm proud to say that in 2019 we were able to achieve higher-than-industry benchmark on our Speak-Up culture.

How do you keep your hair from bursting into flames each day?

We've developed a best-in-class team of Compliance professionals who are the epitome of agility and accountability - two of the most important criteria I look for in all candidates for our team. I have absolute trust in them to appropriately deal with any situation that arises and this trust prevents from my hair from bursting into flames. I've also learned that it's inevitable for unexpected things to happen, so don't over-react to every bump in the road!

What would you say to someone considering a career in compliance?

It's a great choice! Compliance officers are in higher demand than ever before due to increasing regulatory complexity and specialization and there are now degrees and advanced education dedicated entirely to Compliance. I'm excited to add folks to our team who have such in-depth Compliance training and credentials.

JD or not JD, that is the question

When Compliance was forming as an industry over the past two to three decades, I think having a JD was more important because it brought relevant training and a certain level of credibility to roles that most people transitioned into from other careers. Now that Compliance has matured as a profession, while I would always value a candidate's JD degree as an asset, it's not a requisite as I would look at their entire package of experience and training when making a hiring decision.

What in compliance keeps you awake at night?

I sleep like a baby -- nothing about Compliance keeps me awake at night! Worrying doesn't do any good, and some of the best advice I ever received was from our former OIG monitor. She told me that the government doesn't expect any company's Compliance program to be perfect or without issue - what they expect, however, is that you appropriately respond when issues arise.

Compliance fail of 2019 - what did we learn?

Recent enforcement actions in the opioid crisis drive home new expectations that companies need to be proactively analyzing their own data to identify trends, red flags and outliers. I attended a recent conference where one government employee shared his interest in comparing the analytic tools and horsepower used by a Compliance function compared to those used by the same company's Marketing/Sales organizations. My impression was that a significant discrepancy between the two could attract the government's attention.

I've personally seen how much more meaningful and effective our Compliance Program can be based upon our company's investment in creating an interactive Compliance analytics dashboard. These tools can provide real-time insights which allow us to avoid, limit or address identified risks.

Why did the compliance officer cross the road?

Because that's where the business was!

Interviewed by Steve Harrison - Partner at Conselium Compliance Search
steve@conselium.com

HAVE A COMPLIANCE JOB TO FILL OR LOOKING FOR ONE YOURSELF?

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