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MORE ABOUT ME

What do you like to do when you're disconnecting from the grid?
I have a host of hobbies, but the two I engage in the most right now are playing hockey (I'm a goalie, so double points for strangeness) and tinkering on my classic cars (I have a 1950 Plymouth Special Deluxe and a 1962 International Scout 80).

What is one non-work-related opinion you will defend until the end?
No car manufactured after 1989 will ever be a classic.

What's the best piece of non-career advice you received?
Don't sweat the petty stuff and don't pet the sweaty stuff. It's a little reminder that you shouldn't waste your time on things that in the grand scheme of things won't matter.

If you could 'save' one year of your life in a loop to re-live whenever you wanted, which year would it be?
This is a hard one because I have had a lot of great years with my wife and family. But I will choose 2004. It was the height of another one of my hobbies, Revolutionary War Reenacting. I was out almost every weekend in the summer traveling all over the east coast doing battle reenactments and visiting historic sites many don't think about.



Asked & Answered

THE SECRET SAUCE OF COMPLIANCE

What is your secret sauce for compliance?
Building trusting relationships. When I get a question that seems off the wall, I will almost always respond with “What are you trying to accomplish?” and back into things from there. I have met too many compliance professionals who focus too hard on the question and not enough on what the end goal is. If your reputation becomes a culture of “no” then it sometimes means the operators don't feel heard. Another element is meeting people where they are. Some people get too hung up on titles and compliance is less about titles than it is about the people and making them feel comfortable about approaching you or your team.

They say stories are more impactful than data in compliance training – what's one powerful success story that you've used to get skeptics on your side?
One Saturday (It's always on a weekend!) I received a call from a unit manager. She told me that an RN reported that she disclosed PHI over the phone to a patient's spouse and at the end of the call, the spouse said “thank you, I'm going to get this to my lawyer so I can get custody of the kids”. Red flag. Huge red flag. Now the RN could have said “that sucks” and moved on with her shift hoping that nothing more came of it. Instead, she told the Charge RN who called the Manager who called me. We dug into the case and determined that the patient had told staff about the separation with the spouse but it was not properly documented where the RN would have seen it during the call. We determined it was a reportable incident and did the notifications.

What about the nurse? The practice in play at the time said she should be fired for causing a breach. But the RN acted in good faith and, more importantly, when she realized things were not right, she reported it right away. This allowed us to get ahead of the situation and notify the patient. In reality, those are the employees I want to retain: the ones who report these situations.

The kicker with this story is that a year later, the nurse received a DAISY Award for providing exceptional care and became a staunch supporter of speaking up when things are not right. Is that not the culture we want to build? People make mistakes. I have made them. Everyone reading this has made them. It is natural. What we do when we make mistakes can often be more important than the mistake itself.

What is the biggest misconception about the role of a compliance function?
Compliance is not omnipresent. A well-run program relies on front-line staff to report things. Operational leaders sometimes assume that because Compliance was in a meeting and didn't say anything means that their initiative is good. People also get Compliance confused with Risk Management and/or Internal Audit. They are three distinct and separate processes.

Have you seen any examples of compliance (following the law) and ethics (doing the right thing) coming into conflict with one another?
Oh yes, this happens in many ways. I once lost a case with the HHS Office for Civil Rights because a law firm requested documents on their client. We provided the records then the law firm wanted billing records so we asked for another authorization. The authorization was clearly a reuse of the first one - we could see the whiteout! We declined to provide the records.

OCR was not interested in our attempt to protect our patient, just that the records should have been sent regardless if we thought the second authorization was forged. It was very frustrating.

How much of the compliance job is corporate psychology versus enforcing rules?
A lot of Compliance can be seen as Jedi mind tricks, but the reality is that psychology is a huge part of the job. What motivates the person you are working with? Is it revenue? Quality metrics? CMS star ratings? Employee turnover? When you know what gets a person interested in what you're selling, the sale becomes so much easier. I once had a leader who would always say “If you place quality first, the revenue will follow”, which I loved. But those leaders wanted to see the proof.

Here's an example: If an ignored call light causes a patient to attempt to self-ambulate and leads to a fall, how much does that cost the organization? Put a number on each incident and its frequency and you're partway there. Start tracking how long it takes for staff to respond to a call light and you get closer to actionable data. For the cases where a fall occurred, how long was the call light on? Now look at how often call lights are on for that length of time and you start to see the risk of other patients getting out of bed and risking a fall. Those are close calls that could have led to patient harm. Now you have a call to action.

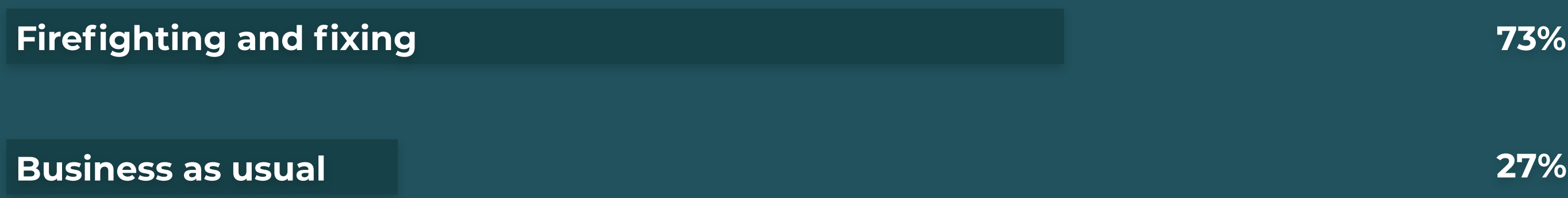
Does anyone read the compliance manual?
There's a comic floating around that shows two books. One says “Policies and procedures” and the other says “How we really do things because the policies were written by desk jockeys!”. It's funny because it is often true, but it really shouldn't be. Policies are a dance. Done correctly, they follow the law and best practices and are written with the operators in mind.

But all too often, operators are never asked to review a policy or they write a policy based on what they think Compliance wants to see rather than on how the process actually works. Leaders who may or may not understand the work may do a review, but when is the last time you asked the Medical Assistant her opinion on the policy and how it affects her work?

The Results

We asked....

When considering a new opportunity in compliance, what is your preference?



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JULY 2026