



The OIG Hotline: Tips for Compliance Officers

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A great deal of information is available for organizations on establishing a hotline for employees to internally report suspected or potential violations of laws, regulations, the Code of Conduct, policies, and standards. There is also a general awareness that under the False Claims Act, many [“relators” file qui tam actions with the DOJ](#). However, many compliance officers either forget or do not consider that the [OIG operates a hotline](#) for individuals as a separate channel to report suspected or potential fraud, waste, abuse, and mismanagement in Department of Health and Human Services programs (1-800-HHS-TIPS). The hotline also serves as a benefit to the OIG, as the tips provided often alert to emerging industry issues warranting special attention. The OIG’s Office of Investigations (OI) has 420 Special Agents throughout the country who are specially trained to conduct investigations. The OI receives and evaluates information coming through the OIG hotline.

OIG Hotline Facts & Statistics

The hotline is a significant source of leads for OIG investigators, who present their criminal and civil fraud cases to the DOJ for prosecution. In 2016, the OIG hotline received over 150,000 contacts of raw information, an average of more than 400 per day. After an initial evaluation, the result was more than 20,000 cases for investigation. The monetary results from hotline-initiated cases in 2016 totaled \$45.8 million, of which over \$20 million came directly from hotline calls. There were 57 reported nonmonetary actions, of which 25 were the direct result of hotline calls.

Hotline complaints can be submitted by mail, telephone, fax, or online. Although individuals can report tips anonymously, their ability to fully debrief the reporter on all the details is limited. An interesting side note is that many, if not most, [qui tam relators](#) and individuals who contact the OIG hotline claim that they were unable to provide information about the issue using existing internal communication channels within their organization. This is an extremely telling sign and a warning to organizations about maintaining credible reporting channels for their employees.



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Takeaways for Compliance Officers

[Tom Herrmann](#), JD, served for many years as an Appellate Judge for the [Medicare Appeals Council](#) and as an executive in the Office of Counsel to the Inspector General. He observed that whistleblowing to government agencies has been steadily growing over the years, and is a major source of civil fraud cases for the DOJ and OIG. The combination of *qui tam* filings with the DOJ, coupled with the many thousands of hotline tips reported directly to the OIG, should be a reminder to compliance officers of the importance of preventing situations that could give rise to these complaints.

[Carrie Kusserow](#), who has managed a national [hotline service](#) vendor and subsequently served as a compliance officer and health care consultant, notes the importance of developing and promoting an internal channel of communication for employees to register concerns and suspected violations. She states that it is far more preferable to receive this information internally and be able to act upon it without the matter going to external government agencies. To be effective, the hotline must be actively promoted and supported. Its availability and instructions for use should be included in the [Code of Conduct](#), along with a statement of support from the CEO. There should be a hotline policy describing how to report, along with an affirmative duty and obligation to report suspected wrongdoing; non-retaliation for reporting; and the ability to report confidentiality or anonymously. [Hotline posters](#) should be placed in employee common areas as well. Most of all, the [hotline should be available 24/7](#). One never knows when someone is moved to report a problem. It is a best practice for employees to report to a live person or through the internet, similar to what the OIG has for its hotline.

Interested in learning more about Hotlines? Contact Shelby Cole at scole@complianceresource.com.