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COMPLIANCE TRAINING INTELLIGENCE

Clearing the Confusion in Global Anticorruption Training



The Foreign Corrupt Practices Act (FCPA) continues to be the primary enforcement tool for US anticorruption efforts, but the growing list of global regulations (UK Bribery Act, Sapin II in France, Russian Federal Anti-Corruption Law, German Anti-Corruption Legislation, etc.) holds the potential to cause confusion in any compliance curriculum. Here are five tips for maximizing the impact and efficacy of your anticorruption training as you add new regulations to the content.

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to More
Engaging
and Effective
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P3



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1 Assess your risks.

Before creating new training, assess your company's corruption and bribery risks. What job roles have a higher risk of corruption? Are vendors or third parties involved? Analyzing risk based on roles makes the training relevant to your organization and more importantly, to the employees.

2 Beware of redundancy.

To streamline the training, address common antibribery concepts once. For example, most laws define a "bribe" and a "foreign official" similarly and most hold companies responsible for actions conducted by third parties. Rather than cover each of those concepts in conjunction with each law, group them together in context of all bribery laws and principles.

3 Don't forget the details.

Nuances from country to country can be tricky. For example, learners need to know that the FCPA includes a "books and records provision," and the UK Bribery Act punishes a company for failure to prevent bribery. Don't let those details get lost in a sea of common concepts.

4 Add microlearning to reinforce key concepts.

On-going reinforcement is key. Integrate microlearning tools like mini modules and learning sprints (mini assessments) across the learner's timelines. Topics that affect how learners conduct their daily business activities need to be addressed in scenario-based, targeted tools, not just in foundational training.

5 Add in the resources.

Even when training is effective and successful, your learners will have questions. Remember to make FAQs and other supporting documentation easy-to-access and create an on-going awareness campaign about the training and the availability of additional resources.

As the list of global anticorruption laws multiplies, the need for an organized and efficient approach to training grows. Simply training on the FCPA is no longer a tenable solution, but additional content to cover the new laws needs to be incorporated strategically and in a manner that avoids confusion and redundancy. If you are in the process of updating your global anticorruption training, we'd welcome the opportunity to share more information and ideas.

5 Steps to More Engaging and Effective Speaker Program Training

1

Don't try to make one size fit all.

From speaker evaluation and selection, through program organization and execution, employees with varying responsibilities are involved with speaker programs. Customize training courses with content relevant to each of the groups to maximize the effectiveness.

2

Integrate real-life scenarios.

Don't just tell learners that the FDA's rules on product promotion apply to speaker programs, include situations that feature speakers veering off the approved slide deck and discussing anecdotal, unsubstantiated product claims.

3

Keep the details in mind and in the training.

When managing speaker programs, the devil is often in the details. For example, sales representatives need to understand the participation rules for attendees from government agencies like the Department of Defense and Veterans Administration.

4

Don't forget the vendors.

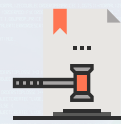
With third-party vendors facilitating so many aspects of speaker programs, the risks extend beyond your employees. Make sure your curriculum includes courseware customized for the vendors.

5

Make the training continuous.

Speaker programs are fraught with risk, so training cannot be a one and done event. To raise retention levels, follow foundational training with continuous nuggets of learning like assessments, contests, and sprints focused on specific content details.

MEDICAL DEVICE MOMENT



Enforcement of the Foreign Corrupt Practices Act (FCPA) in the medical device industry is on the rise. As an example, Stryker recently agreed to pay \$7.8 million to settle charges that the company did not have enough accounting controls in place to detect improper payments in India, China, and Kuwait. The news of the settlement, and the increased focus on the industry by the SEC general, highlight the need for companies to take an aggressive and exhaustive approach to training their global subsidiaries.

In India, Stryker dealers allegedly agreed to issue inflated invoices, upon request, to private hospitals, and those hospitals passed the inflated costs to their patients or the insurance companies. The hospitals then retained the difference between the two prices. In China, the company's subsidiary utilized 21 sub-distributors that were not trained by the company and in Kuwait, the primary distributor made improper per diem payments to healthcare professionals who were attending Stryker events.



To help ensure global subsidiaries follow policies and codes of conduct when interacting with HCPs or government officials, don't limit FCPA training to a "one and done" event. Learning reinforcement nuggets like mini assessment, contests, and microlearning subscriptions help drive the learning curve and keep the details of concepts like the FCPA's Books and Records Provisions, as well as company policies, front of mind for global subsidiary learners who are most at risk.