

EDITORIAL

COMPLIANCE IN THE HEALTHCARE INDUSTRY

We are pleased to present the latest issue of the Compliance Elliance Journal (“CEJ”).

In this edition, we take a closer look at compliance in the healthcare industry, and focus on questions arising from the fast-growing healthcare compliance system. Our first set of articles explicitly deals with that issue.

This edition begins with a piece called “Conflicts of Interest in Medicine and their Management – Current Challenges and Initiatives in Germany,” written by Dr. Cora Koch, Dr. Gisela Schott, Dr. David Klemperer, Dr. Thomas Lempert, Dr. Wolf-Dieter Ludwig and Dr. Klaus Lieb. The authors address the issue of conflicts of interest from a medical-scientific point of view. They uncover inherent risks of undue influences arising from conflicts of interest, which have consequences for healthcare. They outline the existing domestic developments relating to the management of conflicts of interest. Their main conclusion is that transparency is absolutely essential in order to prevent conflicts of interest. However, the authors admit that more research still remains to be done and that transparency might not be enough.

In our second article, Mechthild Lambers and Dr. Hendrik Schneider explore the topic of university hospitals. The article focuses on special compliance risks in university hospitals and the implementation of compliance measures in order to prevent corruption. The authors take a close look at the importance and role of conflicts of interest in this context.

Thereafter, Bettina Irmischer depicts the “New Compliance Management System of the University Hospital Frankfurt, Germany.” The author illustrates the six tasks that necessarily have to be met in this Compliance Management System.

This edition then turns to an article about the issues that arise when companies are asked to voluntarily comply with investigations. Dr. Thomas Kopp and Dr. Valentin Pfisterer deal with the concernment of German companies or German-based subsidiaries by investigations conducted by regulatory or law enforcement authorities. In their piece “Between a Rock and a Hard Place – Legal Pitfalls of Voluntary Cooperation of German Companies with German and Foreign Regulatory and Law Enforcement Authorities,” they expose the problems of informal requests and related voluntary cooperation.

This article and the following report of the 5th Munich Compliance Talk are included in this edition as teasers for our upcoming edition that focuses on legal privilege and its variances around the world. This event and similar ones mark the recognition of the importance around legal privilege and underline the market's relevancy in this area.

This is followed by the proceedings of the 5th Munich Compliance Talk, which took place in this past April, written by Antonia Orterer and Theresa Albert. The authors provide their impressions of the expert conference, where the focus was set on the legal framework of legal privilege as well as on legal privilege from a company viewpoint.

Finally Sara M. Klock describes her journey in LawWithoutWalls in developing a solution to compliance transgressions along the supply chain – an issue facing many international corporations today. The law student at the University of Miami worked with experts, entrepreneurs, lawyers, and students from around the globe to find an adequate solution to this special compliance issues. She details her scholastic and personal learnings in the “Student’s Corner.”

With our best regards,



Michele DeStefano & Dr. Hendrik Schneider
Founders and Content Curators of CEJ