

# Conceptual Analytics Assists with Department of Justice Request

## Company Profile

Regional Medical Center

## Matter Summary

Consilio assisted a Regional Medical Center with their response to a Civil Investigative Demand (CID) from the Department of Justice

## Services Utilized

- Conceptual Analytics
- Riskcovery

## Client Challenge

The government requested that the client look into potential violations of the Stark Law - a regulation which prohibits physician referrals of designated health services ("DHS") for Medicare and Medicaid patients if the physician (or an immediate family member) has a financial relationship with that entity. Specifically, the DOJ was interested in claims that the hospital had accepted free testing materials from a specific lab, with the understanding the hospital's tests and analyses would subsequently be performed by that lab.

The client suspected that a recently terminated employee had made the accusation and believed that only a few individuals had knowledge of the hospital's relationship with the lab. The client's data retention policy mandated that all employee email and e-files must be archived, so they were able to provide Consilio with the terminated employee's email and all data from his laptop.

## Consilio Response

Consilio's Analyst ingested the data into the Riskcovery platform, which was kept at the client site throughout the engagement, in order to maintain compliance with HIPAA regulations. After ingestion, the Analyst used text from the original Civil Investigative Demand, along with other conceptual samples, to create a custom taxonomy.

The Riskcovery platform identified documents and email which were conceptually similar to the samples in the taxonomy. These documents were sorted to identify materials which were most conceptually similar.

The second highest ranking document was an email from the suspected employee to the lab in question, detailing an agreement to send all analyses to the lab if testing materials were provided free of charge.

Additionally, the Analyst determined that during the last three months of employment, the suspected employee had sent over 3,000 emails to a personal email account. These emails contained information not only about the hospital's agreements with various labs, pharmaceutical companies and partners - they also included information about specific patients. This was a clear violation of HIPAA regulations by the employee, and the client requested a complete export of all data for further review.

## Results Achieved

Given Consilio's findings, the client and counsel were able to justify the need for further investigation of all of the custodians that Riskcovery identified. Additionally, by using Riskcovery, the Analyst was able to assist the client in its response to the DOJ and provide a roadmap for necessary action items for counsel.

New pressure on corporate leaders to ensure ethical behavior at every level of the organization has spurred increased interest in technologies which might help ease the burden of compliance risk assessment. At the first hint of an issue, organizations are well-advised to launch a proactive internal investigation; issues which go undetected and unresolved may result in government inquiries, necessitating a prompt, defensible response.

### By the Numbers

**4,000+**

Team Members, including eDiscovery, Cybersecurity, Data Forensics & Compliance Risk Assessments Experts

**9,500+**

Matters Currently Hosted Globally

**70+**

Regions with Consilio Presence Spanning 11 Countries

**2,500+**

Active Review Professionals

### Riskcovery Can Help

Via its powerful Concept Analytics technology, Riskcovery allows organizations to

- ingest documents and email from key divisions and individuals across the organization
- develop a taxonomy of sample documents that describes ideas of interest and areas of concern
- compare ingested data against taxonomies to identify items which are conceptually similar
- assess documents which are similar to the concepts of concern, or verify the absence of documents that are similar to the concepts of concern
- use intuitive data visualizations and detailed reports to determine appropriate steps for remediation, if warranted

### Leverage Riskcovery's Advanced Analytics

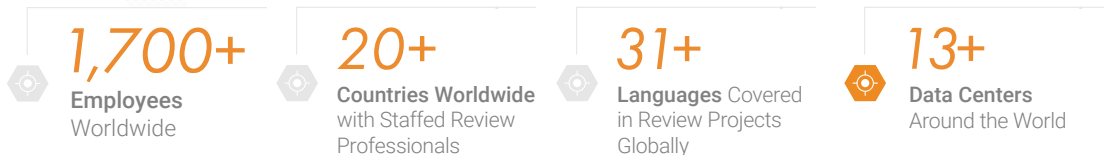
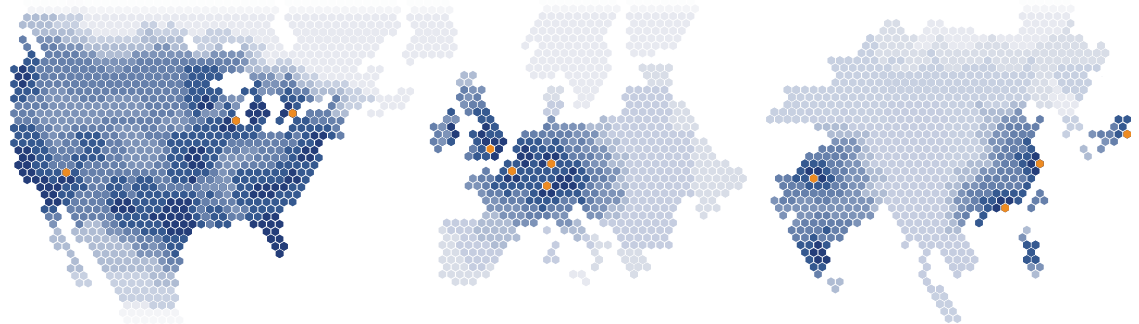
Proactively uncover potential risks in your firm's compliance with virtually any government regulation:

- the Foreign Corrupt Practices Act
- the Bribery Act of 2010
- EEOC Prohibited Practices
- SEC Securities Law

Use Riskcovery to improve your organization's enforcement of standards, including

- harassment and discrimination policies
- regulations prohibiting insider trading
- policies intended to prevent theft or breach of trade secrets
- criteria governing deficient components, product liability, etc.

### Global Reach, Local Expertise



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