

Law 124-R01 | Introduction to Business Ethics & Compliance

Winter 2025 | 1 credit

Professor(s): Mary Shirley & Lisa Estrada | **Final Exam:** N/A

***Note:** This syllabus is subject to change at the discretion of the instructor. Any changes will be communicated to students in advance.*

Reading(s): The course materials will be available to students in a course packet consisting of publicly available materials which do not require the students to incur cost to review.

Communication(s):

Mary Shirley

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Lisa Estrada

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Schedule Announcement(s): The course will meet via Zoom daily between 6 and 10 January 2025 inclusive from 7:30pm-10:30pm, 7:30pm-10:30pm, 7:30pm-9:30pm, 7:30pm-9:30pm and 4pm-7pm EST respectively.

COURSE DESCRIPTION

This course provides an in-depth examination of the role and value of ethics and compliance functions within organizations. The course will focus on the pillars of a compliance program and analyze how these elements fall within the context of international and domestic legislation. Special emphasis will be placed on key statutes such as the US Anti-Kickback Statute, False Claims Act, Stark Law, The Foreign Corrupt Practices Act and the UK Bribery Act, providing students with an understanding of the regulatory landscape and key compliance risk areas for companies operating both domestically and internationally.

COURSE OBJECTIVES

A student who completes this course will demonstrate:

- an understanding of key elements of the legal regimes and government agency expectations that are pertinent to modern day Ethics and Compliance practitioners
- an understanding of the differences and interrelationships between Compliance and Legal
- an understanding of internal controls frameworks
- knowledge of the essential elements of an effective Compliance program

GRADING & PARTICIPATION

Class attendance will make up half of the grade. Class attendance is expected and required, with persistent unexcused absences subjecting students to a downward grade adjustment. In addition, each student may be requested to participate in helping lead a portion of a class. Guest speakers may also be invited to participate in the class. Attendance with cameras on for the duration of the classes is expected.

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Grading Scale

A grade of 80% or more will be required to pass this class. Students will be graded on two major components; submission of a “Compliance Hot Topic” paper of publishable quality and class participation in equal parts.

EVALUATION/GRADING METHODS:

1. WRITING ASSIGNMENTS: Students will complete a final paper that will be due on 14 January 2025. In the paper, students will identify and analyze a discrete issue, incorporating a clear thesis. The writing assignment will count for 50% of the course grade.
2. CLASS PARTICIPATION: In this course, students should come to class prepared to participate in class discussion, having critically analyzed the readings. Class participation will count for 50% of the final grade.

ACADEMIC STANDARDS & COURSE POLICIES

Course Policies

- **Attendance and Participation**: Regular attendance by way of being visible in class on camera is expected, and participation is required to achieve a passing grade.
- Students are expected to complete pre-read assignments and be prepared to discuss.
- Each student (either individually or as part of a group) will be required to lead a compliance case student class discussion).
- **Academic Integrity**: All work submitted must be your own. Plagiarism or any form of academic dishonesty, including use of generative artificial intelligence will not be tolerated.

Professional Conduct

Our goal is to develop a learning community that is inclusive and respectful, and we ask you to commit to that same goal. A dedication to inclusiveness requires respecting what others say, their right to say it, and the thoughtful consideration of others’ communication. Both speaking up and listening are valuable tools for furthering thoughtful, enlightening dialogue.

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COURSE SCHEDULE & ASSIGNMENTS

DATE	SUBJECT	ASSIGNMENT
Class 1 6 Jan 2025 7:30pm- 10:30pm ET	The Role of an Ethics and Compliance Function <ul style="list-style-type: none">• Analyze the role of an Ethics and Compliance Function• Understand What's Involved in Building an Ethical and Compliant Culture• Evaluate the impact of ethical and compliance failures on organizations• Discuss Wells Fargo Cross-Selling Scandal Case Study	<i>Required Pre-Read:</i> <ol style="list-style-type: none">1. The Starbucks Standards of Business Conduct https://livingourvalues.starbucks.com/en-us/2. Complex Compliance Investigations, Veronica Root Martinez, Columbia Law Review, March 2020, available at https://columbialawreview.org/wp-content/uploads/2020/03/Martinez-Complex_Compliance_Investigations.pdf <i>Additional Suggested Reading</i> <ol style="list-style-type: none">1. A Better Approach to Avoiding Misconduct, Harvard Business Review, https://hbr.org/2022/05/a-better-approach-to-avoiding-misconduct2. Department of Justice Albermarle FCPA Settlement, https://www.justice.gov/opa/pr/albemarle-pay-over-218m-resolve-foreign-corrupt-practices-act-investigation
Class 2 7 January 2025 7:30pm- 10:30pm ET	Compliance Program Pillars <ul style="list-style-type: none">• Examine the fundamental components of an effective compliance program.	<i>Required Pre-Read:</i> <ol style="list-style-type: none">1. U.S. Department of Justice, Criminal Division, Evaluation of Corporate Compliance Programs, https://www.justice.gov/d9/pages/attachments/2017/02/08/evaluation-of-corporate-compliance-programs-march-20-2023.pdf <i>Additional Suggested Reading</i> <ul style="list-style-type: none">• https://oig.hhs.gov/documents/root/162/Practical-Guidance-for-Health-Care-Boards-on-Compliance-Oversight.pdf• The Compliance Handbook: A Guide to Operationalizing Your Compliance Program, Thomas Fox, CreateSpace Independent Publishing Platform, 2018

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DATE	SUBJECT	ASSIGNMENT
Class 3 8 January 2025 7:30pm- 9:30pm ET	Key Compliance and Ethics Risks <ul style="list-style-type: none">• Introduction to Key International and Domestic Laws<ul style="list-style-type: none">- Anti-Bribery & Corruption Laws (UK Bribery Act, Foreign Corrupt Practices Act)- Antitrust Laws- Data Privacy- Conflict of Interest• Understand the challenges of operating within a global regulatory environment	<i>Required Pre-Reading:</i> <ol style="list-style-type: none">1. UK Ministry of Justice Guidance, UK Bribery Act, Bribery Act 2010 guidance - GOV.UK (www.gov.uk)2. Department of Justice, Criminal Division, FCPA Resource Guide, https://www.justice.gov/criminal/criminal-fraud/fcpa-resource-guide <i>Additional Suggested Reading</i> <ol style="list-style-type: none">1. Understanding Key Aspects of Data Compliance, Tim Freestone, Security and Compliance Blog, available at https://www.kiteworks.com/regulatory-compliance/data-compliance/2. US Department of Justice Evaluation of Corporate Compliance Programs in Criminal Antitrust Investigations, July 2019, available at https://www.justice.gov/atr/page/file/1182001/download
Class 4 9 January 7:30- 9:30pm ET	Focus on Preventing and Detecting Compliance Failures <ul style="list-style-type: none">• Proactive vs Reactive Compliance Programs• Control Framework and Lines of Defense• Outreach, Advocacy and Awareness• Training and Education• Empowered and Independent Function, Buy-In and Seat at the Table• Monitoring, Review and Continuous Improvement• Data Analytics and Behavioral Science as Tools	<i>Required Pre-Reading:</i> <ol style="list-style-type: none">1. Leveraging Coso Across the Three Lines of Defense 3059fc_cc80a9492ca743fd90d517049736c4da.pdf (coso.org) (Pages 1-9 only) <i>Additional Suggested Reading</i> <ol style="list-style-type: none">1. 65 Hacks & Cheat Codes to Level Up Your Ethics and Compliance Program, Mary Shirley, CCI Press, 20232. Humanizing Rules: Bringing Behavioural Science to Ethics and Compliance Christian Hunt, Wiley, 2023

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	<ul style="list-style-type: none">Tactics and techniques for conducting investigations	
Class 5 10 January 2025 4- 7pm ET	Introduction to Healthcare Compliance <ul style="list-style-type: none">Introduction to Key and Domestic Laws<ul style="list-style-type: none">Health Care Fraud and Abuse LawsDiscuss Case Studies Wrap Up of Course	<ol style="list-style-type: none">A Roadmap for New Physicians, Avoiding Medicare and Medicaid Fraud and Abuse, https://oig.hhs.gov/documents/physicians-resources/947/roadmap_web_version.pdfOIG General Compliance Program Guidance [will insert link when connected to internet] <i>Additional Suggested Reading</i> <ul style="list-style-type: none">- https://oig.hhs.gov/documents/root/162/Practical-Guidance-for-Health-Care-Boards-on-Compliance-Oversight.pdf