

Regulatory Compliance Measurement: Elements and Dichotomies

Richard Fiene PhD

Research Psychologist & Regulatory Scientist



RIKI/NARA

Licensing Measurement and Monitoring Systems

**Regulatory science
applied to human
services regulatory
administration**

Richard Fiene, PhD
**RESEARCH INSTITUTE
FOR KEY INDICATORS**

Monitoring Systems Dichotomies

- 1) Substantial versus Monolithic.
- 2) Differential Monitoring versus "One size fits all".
- 3) Not all standards are created equal vs All standards are created equal.
- 4) "Do things well" versus "Do no harm".
- 5) Strength based versus Deficit based.
- 6) Formative versus Summative.
- 7) Program Quality versus Program Compliance.
- 8) "100-0" scoring versus "100" or "0" scoring.
- 9) QRIS versus Licensing compliance with health and safety.
- 10) Non-Linear versus Linear relationships.

Program Quality Continuum Dichotomies

- 1) “Do no harm” versus “Do good”.
- 2) Closed system versus Open system.
- 3) Rules versus Indicators.
- 4) Nominal versus Ordinal measurement.
- 5) Full versus Partial compliance.
- 6) Ceiling effect versus No Ceiling effect/Open-ended.
- 7) Gatekeeper versus Enabler.
- 8) Risk versus Performance.
- 9) Structural versus Process Quality.
- 10) Hard versus Soft Data.

Regulatory Compliance Measurement Elements

1. **Lack of Variance in data distributions. Data tightly grouped at high compliance levels.**
2. **Ceiling/Plateau Effect in data distributions. A diminishing returns effect.**
3. **Difficulty distinguishing levels of quality between full and substantial compliance.**
4. **Nominal measurement level: Either In-Compliance or Out-of-Compliance.**
5. **Attempting to move to ordinal measurement level when quality is included.**
6. **Dichotomization of data is warranted because of the data distribution.**
7. **Problem with false negatives and positives, especially false negatives.**
8. **Lack of reliability and validity testing.**
9. **Ease in distinguishing levels of quality between low and substantial compliance.**
10. **Skewed Data. Majority of programs in substantial or full regulatory compliance.**

For Additional Information:

**Richard Fiene PhD
Research Psychologist & Regulatory Scientist
Emeritus Professor of Psychology**

**Research Institute for Key Indicators
The Pennsylvania State University**

RFiene@RIKinstitute.com

<https://orcid.org/0000-0001-6095-5085>

<https://rikinstitute.com>