

The Legal Health Record in an Electronic Age

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Today's Presenter



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- Served as OHIMA Board Member
- Experienced Instructor and Consultant with over 14 years of industry experience

EDMS — Empowering people, patients, and processes with an all new platform for enterprise business process and content management



Agenda

- Information Governance
 - Strategy for the LHR
- Defining Your Legal Health Record (LHR)
 - Best Practices
 - Structure of the LHR
- Managing Your LHR with an Electronic Document Management System (EDMS)
- Q&A

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IG – Definition

AHIMA Definition:

An organization-wide framework for managing information throughout its lifecycle and for supporting the organization's strategy, operations, regulatory, legal, risk, and environmental requirements.



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IG – More Definitions

- “The specification of decision rights and an accountability framework to ensure appropriate behavior in the valuation, creation, storage, use, archiving, and deletion of information.
- It includes the processes, roles and policies, standards and metrics that ensure the effective and efficient use of information in enabling an organization to achieve its goals.”¹
- Another definition: “Information governance is the formulation of policy to optimize, secure and leverage information as an enterprise asset.”²
- In other words, **information governance is the strategy to manage and protect your Legal Health Record**

1. Gartner. "IT Glossary: Information Governance." www.gartner.com/it-glossary/information-governance.

2. "Redefining the role of Health Information Management in the new world of Information Governance" Iron Mountain and Linda Kloss www.ironmountain.com/Knowledge-Center/Reference-Library/View-by-Documents-Type/White-Papers-Briefs/R/Redefining-the-Role-of-Health-Information-Management-in-the-New-World-of-Information-Governance.aspx?utm_content=buffer416b0&utm_medium=social&utm_source=linkedin.com&utm_campaign=buffer

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Information Governance Principles for Healthcare (IGPHC)

A TIP CARD

- Accountability
- Transparency
- Integrity
- Protection
- Compliance
- Availability
- Retention
- Disposition



Journal of AHIMA: "The Way Forward. AHIMA Develops Information Governance Principles to Lead Healthcare Toward Better Data Management."

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IG – Drivers

- Rapid adoption rate of Health Information Technology (EHRs)
- Demand for health information to measure quality and performance outcomes in healthcare delivery
- Need for use of clinical and financial data
- Reduce risk, duplication, cost and resource-intensive processes²
- Interoperability of hospital systems
 - Vital to understand the origin and flow of data
 - Need strategy for unstructured portion of the LHR

AHIMA White Paper, "2014 Information Governance in Healthcare."
 2. "Redefining the role of Health Information Management in the new world of Information Governance" Iron Mountain and Linda Kloss
http://www.ironmountain.com/Knowledge-Center/Reference-Library/View-by-Documents-Type/White-Papers-Briefs/R/Redefining-the-Role-of-Health-Information-Management-in-the-New-World-of-Information-Governance.aspx?utm_content=buffer418b0&utm_medium=social&utm_source=linkedin.com&utm_campaign=buffer

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IG – Benefits

- Improved ability to track quality outcomes and quicker turnaround times
- Ability to participate in health information exchange
- Increased patient engagement
- Greater collaboration with physicians
- Lower costs
- Risk Reduction
- Ability to defend and protect LHR



AHIMA, "COMING SOON TO YOUR HEALTHCARE FACILITY: INFORMATION GOVERNANCE. A LOOK AT HEALTHCARE INFORMATION GOVERNANCE TRENDS THROUGH PRACTICAL CASE STUDIES."
 2. "Redefining the role of Health Information Management in the new world of Information Governance" Iron Mountain and Linda Kloss
http://www.ironmountain.com/Knowledge-Center/Reference-Library/View-by-Documents-Type/White-Papers-Briefs/R/Redefining-the-Role-of-Health-Information-Management-in-the-New-World-of-Information-Governance.aspx?utm_content=buffer418b0&utm_medium=social&utm_source=linkedin.com&utm_campaign=buffer

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LHR – Definition

- “The business record generated at or for a healthcare organization. It is the record that would be **released upon receipt of a request**. The legal health record is the **officially declared record of healthcare services** provided to an individual delivered by a provider. The legal health record’s purpose is to **serve as the official business record** of services performed by the entity **for regulatory and disclosure purposes.**”
- The Legal Health Record (LHR) is **discoverable in an evidentiary hearing**. “It must **support decisions made in a patient’s care** and is legal testimony regarding the patient’s illness, injury, response to treatment, and caregiver decisions.”*
- The legal health record includes **any data that are individually identifiable**, in **any medium** that it is collected, that documents healthcare services and status. It does **not contain administrative** or aggregate data.

*AHIMA. “Fundamentals of the Legal Health Record and Designated Record Set.” *Journal of AHIMA* 82, no. 2 (February 2011): expanded online version

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LHR - Best Practices

- Multidisciplinary team to create organizational policy
 - Comprised of staff representatives from HIM, IT, risk management, medical staff, and legal counsel
- Content should be clearly defined and periodically reviewed
- Develop information lifecycle management policy
- Perform audit of where data resides and flows through systems
- Engage forms committee

*AHIMA. “Fundamentals of the Legal Health Record and Designated Record Set.” *Journal of AHIMA* 82, no. 2 (February 2011): expanded online version

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The Structure of Health Records – What Format?

- All Paper
- Hybrid: electronic and paper documents
- Hybrid: all electronic – but in multiple systems*
- All Electronic LHR (EDMS)



*For example: PACS, LIS, CIS, etc.

The Structure of Health Records – What is the Focus?

EHR

- Input focused
- Longitudinal
- Dynamic Discrete Data Fields/Templates
- Patient Care Status
- Clinical Data Pieces
- Designed for Caregiver



EDMS/ECM

- Output focused
- Episodic
- Static, Persistent Data/Documents
- Post Discharge
- Tells the narrative story
- Designed for LHR Custodian

'Strategies for Electronic Document And Health Record Management' by Darice Grzybowski, MA, RHIA, FAHIMA.

EDMS to Manage the LHR

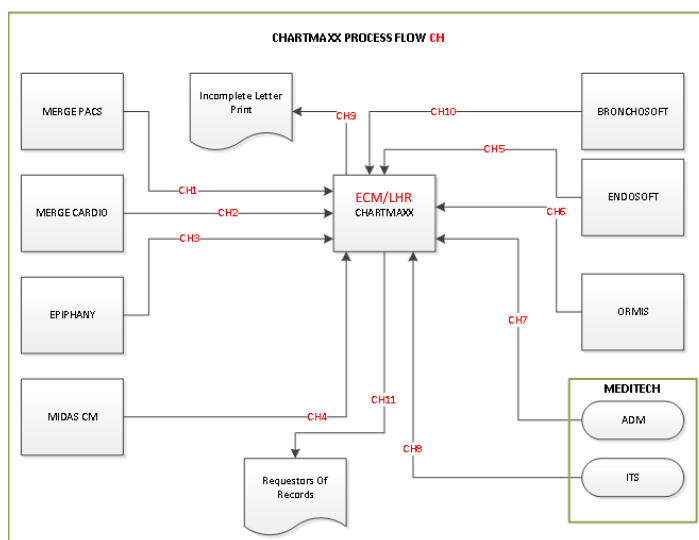
- EDMS assists with document and data capture
 - Inbound Document Management (IDM)
 - Integrations
 - Optical Character Recognition (OCR)/Intelligent Document Recognition (IDR)
 - Electronic Forms
- Acts as a bridge for legacy systems communicating with the EHR
- Houses your complete LHR or seamlessly interfaces with the EHR and virtually any other system to create the LHR
- Enhances your Information Governance strategy

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Defending Your LHR with EDMS



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EDMS Protects Your LHR

- Security Features and detailed audit logs
- Document lock feature
- Document version recorded on the ROI Cover Letter and Disclosure Report available for release tracking
- Obsolete documents are kept in EDMS and are easily available
- Custom scripts available to purge records accordingly to organizational policy

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Other Aspects of Protecting Your Data

- Protecting your data at all times during its lifecycle
- Protecting from many perspectives
 - Data integrity
 - Hardware failure
 - Breaches and accidental or malicious disclosures
 - Disclosing the correct information
 - Defining and defending your LHR
 - Limiting and tracking access
 - Archiving, back ups, purging

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Keep Up with Changing Environments

- Expand upon the Basics with what is learned from legal experiences and from Government led initiatives
- Risk assessments are critical
- Determine what standards you need to meet from a compliance stand point and do your best to meet them
- Audit your LHR against the source system accounts
- **Communication is key**
- Establish an LHR policy

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Questions?



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