



El Paso - Ambulatory Clinic Policy and Procedure

Title: SECURING MEDICAL RECORDS PENDING LITIGATION	Policy Number: EP 5.5
Regulation Reference: JOINT COMMISSION	Effective Date: 03/2015

Policy Statement:

It is the policy of Texas Tech University Health Sciences Center at El Paso (TTUHSC El Paso) Ambulatory Clinics to secure medical records, related records, testing reports and radiographic studies during litigation processes.

This procedure outlines the appropriate steps to be taken when securing a medical record (whether paper, combination of paper and electronic, or all electronic) for litigation purposes.

Scope and Distribution:

This policy applies and will be distributed to all TTUHSC El Paso Ambulatory Clinics.

Procedure:

1. Risk Management will notify the following appropriate and identifiable TTUHSC El Paso Clinics and Medical Record Department in writing of the need to secure medical records regarding a patient for whom a notice of claim letter or law suit has been received:
 - a) Medical Records Department Supervisor -- to secure medical records and pediatric psychotherapy notes (attachment 5.5A)
 - b) Orthopedic Clinic Custodian Of X-Rays -- to secure x-rays (attachment 5.5B)
 - c) UBCC Clinic Manager -- to secure mammogram test results (attachment 5.5C)
 - d) OB-GYN Clinic Manager -- to secure bone density studies, sonograms and oncology/chemotherapy records (attachment 5.5D)
 - e) Psychiatric Clinic Manager -- to secure psychiatric charts (attachment 5.5E)
 - f) Pediatric Clinic Manager -- to secure psychotherapy notes located in the department (attachment 5.5F)

2. The TTUHSC El Paso Clinics and Medical Record Department are to locate the specified records and place the originals in a secure location within the department.

3. In addition, the Medical Records Department is to:
 - Make a “copy chart” of the original paper records/reports, when requested by a clinic; and place a notice in “the copy chart” stating “**DO NOT FILE ORIGINALS IN THIS CHART**”.
 - Make a disc copy of the EMR and secure it (with the paper chart that exists, if any).



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- Assure that the electronic medical record will have audit trails to determine modification of records.
4. The originals of the secured records will remain under lock-up until further notice from Risk Management.

Policy Number: EP 5.5	Original Approval Date: 01/2012
Version Number: 2	Effective Date: 03/2015
Signatory approval on file by: Michael Romano, M.D. Associate Dean of Clinical Affairs Clinic Operations Committee, Chair Texas Tech University Health Sciences Center at El Paso	