



GIVE IT TO ME STRAIGHT...

By: William Palisano; President, Lincoln Archives

"Give it to me straight, Doc. Am I gonna make it?"

Doctor: "Yes, with an aggressive regiment of treatment, you'll make it. And I (without my knowledge) am about to share all details as well as your complete medical history with complete strangers, many of whom have no right or reason to have this information. So, let's get started."

Sure, right Bill, that'll never happen. Well it has and still does happen. Here are a few of the more extreme examples of what I've seen in fifteen years of working with medical professionals:

- Medical charts in boxes marked "RECYCLE" left on shipping docks and in common areas at medical facilities.
- Boxes of charts and x-ray films lined up in access hallways to waiting areas, because the file room is too packed or re-file personnel are behind.
- Loose medical files lying on top of properly locked file cabinets, because they won't fit inside (re-file staff is behind in purging).
- Caged in storage areas with no locks, or lock present but not on.
- Prescription bottles thrown in regular trash.
- Self storage units w/ PHI boxes mixed w/ financial or operational records, furniture, equipment, being accessed by maintenance guys, movers, etc.
- And the one that really hit home. I was once meeting w/ a HIM at his office. His file room office was extremely cramped, so we "borrowed" an unoccupied doctor's office (the doctor was either on vacation or at another facility, that day). During the meeting, the phone rings. My contact answers it, starts looking at an open file on the desk and says "Yes, file XXYYZZ is right here, yes, patient name is Tracey Palisano," and looks at me bewildered. This was my wife's medical file, open, on a desk, in an unlocked office, adjacent to a very busy waiting room! I don't remember if the door was originally closed or open, but it was definitely unlocked. I get the feeling (and have experienced many such incidences of "borrowing" an office) that offices are frequently "borrowed" by staff to have a small meeting, have a private conversation or use a phone in a quiet environment.

Granted, the above examples are some of the more extreme, and it was a freak occurrence (that my wife's file was laying on the desk), but how often is information left out in areas where cleaning companies, maintenance/repair personnel, and IT/Phone and other vendors are doing their jobs, unsupervised?

Medical firms can no longer be so cavalier about safeguarding PHI. Since HIPAA has matured, I have seen great improvements in how PHI is treated and protected. Instances like above are fewer and farther in between. But, some of the examples are as current as within the last year. Sure, there are fines for breaches via HIPAA and other laws. But if you are not careful, I think a fine will be the least of your worries. Now this is purely my opinion, and not necessarily that of my company or its' other owners, but... You are painfully aware (and maybe numb to) the industries of medical malpractice lawsuits, personal injury lawsuits and now even nursing home neglect/negligence, to name a few. What will be the next legal lawsuit jackpot? How about unauthorized PHI release? Think about it. The medical privacy laws are already in place. You have a big fat insurance policy. We are in an ever increasing litigious society. There seems to be no shortage in legal representation. Etc., etc.

So, take a look at your operation. Most firms I meet with run a 'tight ship' with their information controls. A bit of tweaking here or there may be all you need. But, if you are being stretched by increasing business and/or facility constraints, talk with a professional records and information services management company. Most can provide multiple solutions to your information needs. You may want to scan documents and destroy the hard copies, purge and destroy hard copies to fit your facility's constraints, or consider storing off-site. Don't forget to get your backup tapes off-site, as well. With the EMR and huge increase in scanning, your servers must be backed up and tapes must go off-site to really protect your firm. Most professional records and information services management companies have high security restricted facilities, climate controlled storage vaults, stringent screening and background investigated employees, bar coded online tracking of all files, and live satellite tracking of vehicles, servicing clients 24x7, 365 days per year.

Remember, "An ounce of prevention is worth a pound of cure." Benjamin Franklin