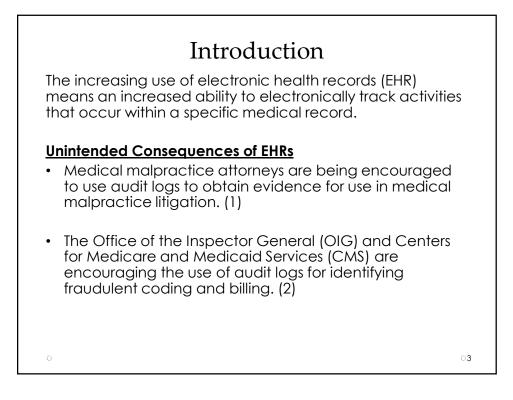
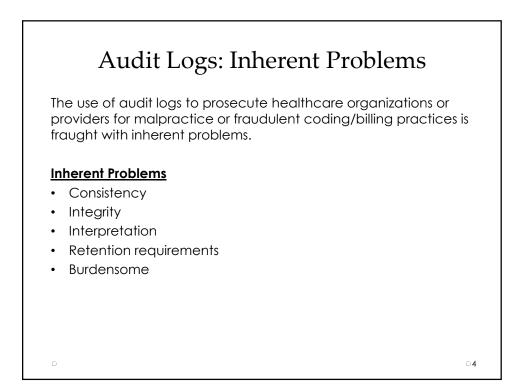
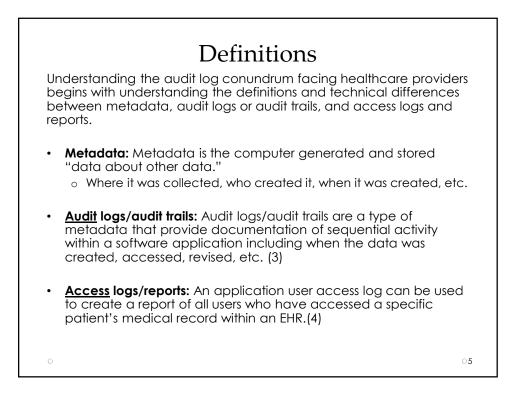
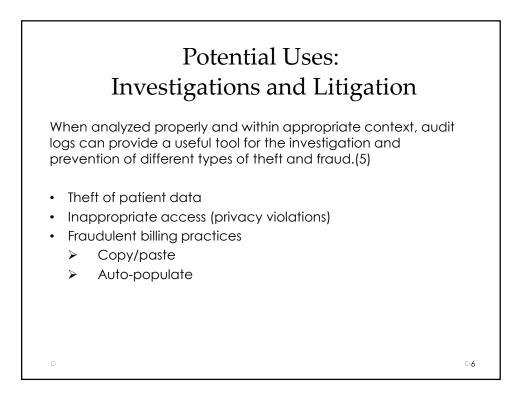


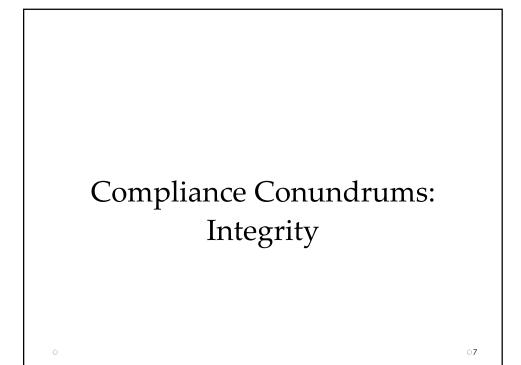
Prologue
ACME Health System: December 2012
 Patient: Sixteen year old boy who suffered hemorrhagic stroke is undergoing repair of the malformed vein mass. During embolization of the malformed vein mass a tragic medical error occurred.
 Prognosis: Lifetime paralysis, aphasia, memory loss, impaired cognitive function.
 Litigation: Electronic health record (EHR) and accompanying audit logs requested during discovery.
• The physician: Found guilty of medical malpractice due to a failure to calibrate equipment.
• Evidence: The electronic health record (EHR) audit logs indicate a failure to calibrate equipment before the procedure.
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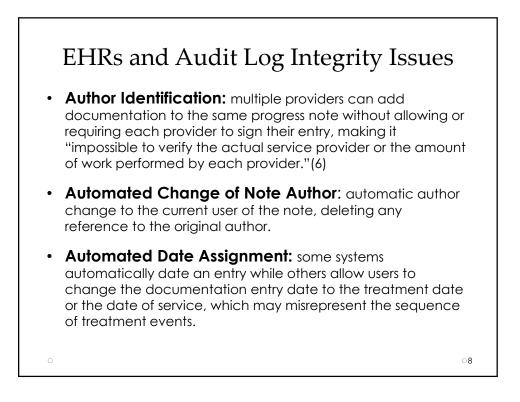


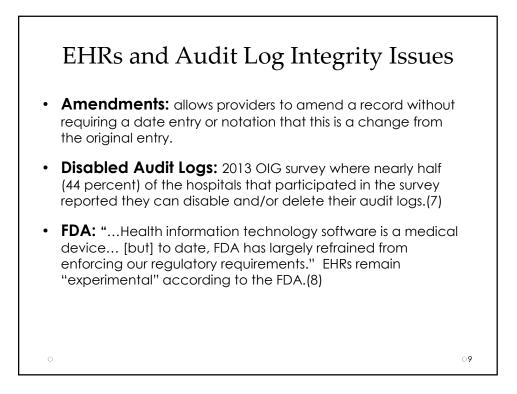














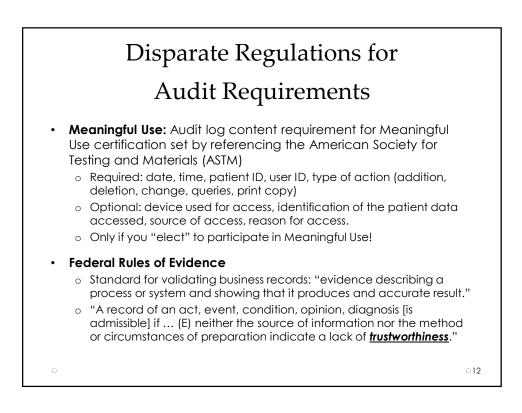
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Disparate Regulations for

Audit Requirements

- HIPAA Security Rule: Requires "audit controls" by implementing "hardware, software, and/or procedural mechanisms that record and examine activity in information systems that contain or use electronic protected health information."
 - Does not specify how this should be accomplished, or who should examine the data. Different employee functions may recognize different problems: IT may recognize hacking, but miss fraudulent billing issues or clinical data integrity issues.

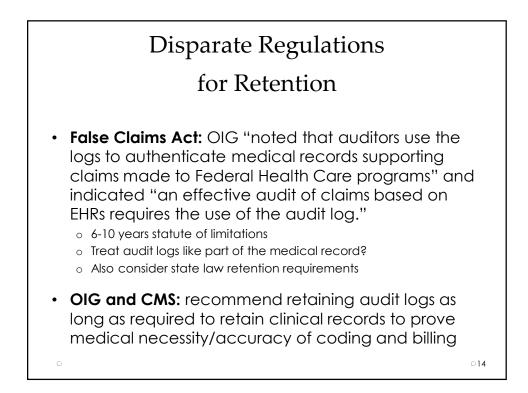
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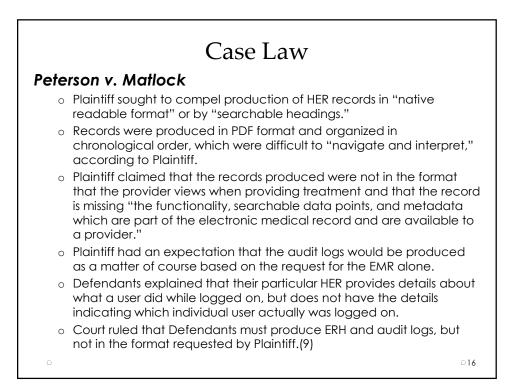


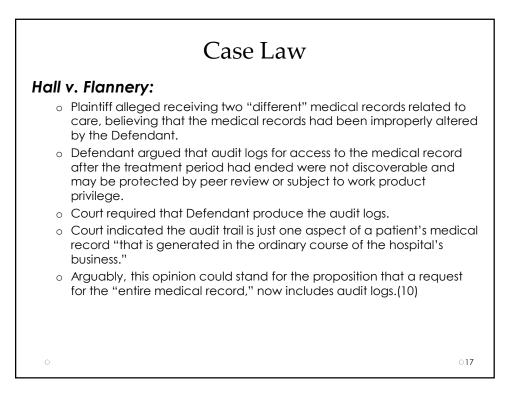
- HIPAA Security Rule: 6 year retention requirement is for documentation created pursuant to the rule (i.e., incident reports, policies, sanctions, etc.)
- HITECH: Accounting of Disclosures requirement vs. access report
 Accounting of Disclosures 6 years
 - Access Report disclosures through an EHR 3 years
- Meaningful Use:
 - Audit log retention requirement 6 years
 - o But, participation in Meaningful Use is voluntary

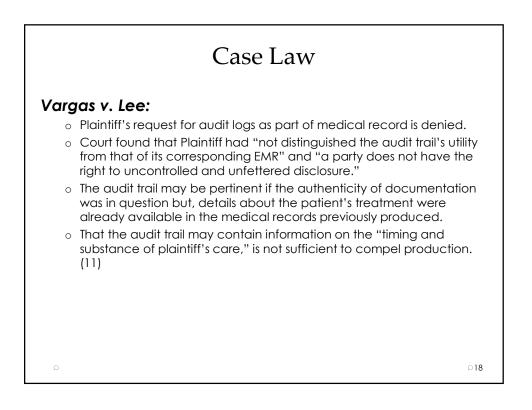
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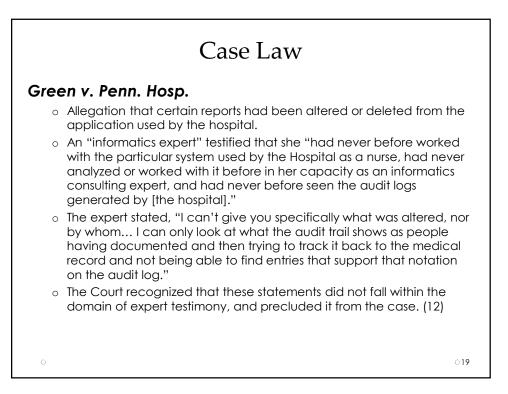


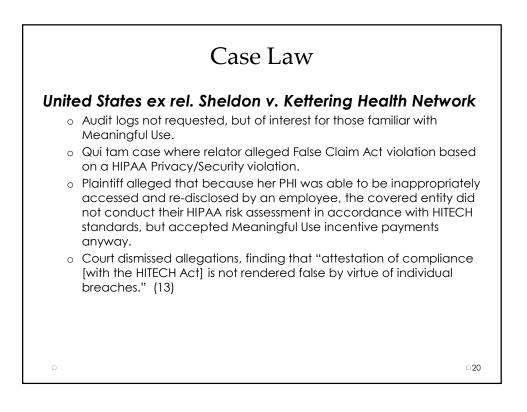






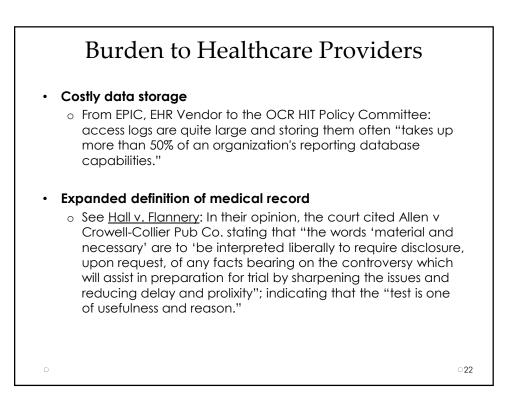


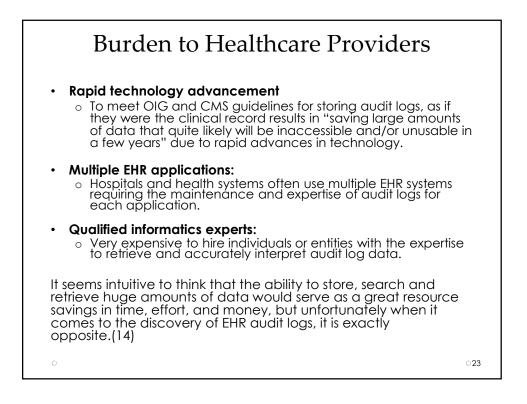


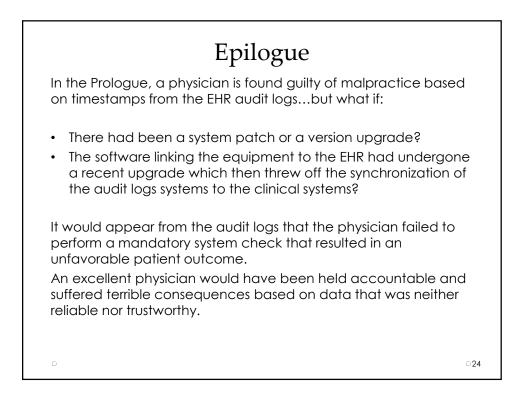


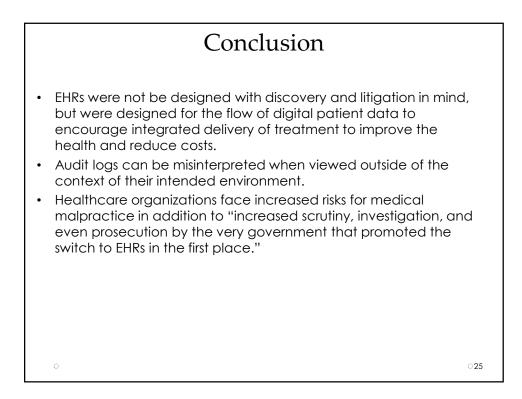
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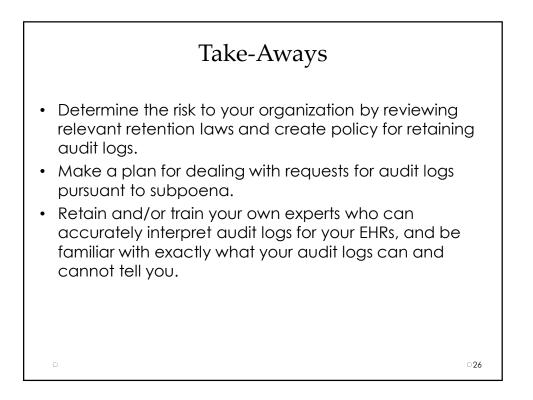


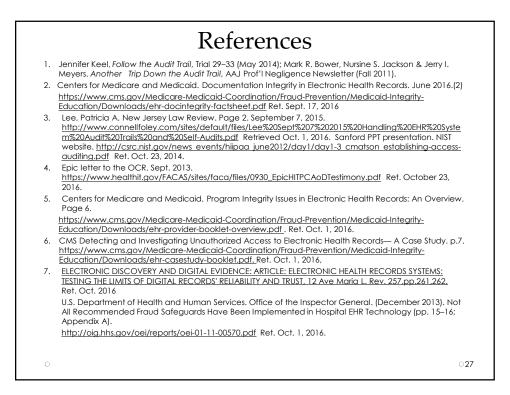












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