

# Leading on the Legal EHR

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by **Jewelle Hicks**, publications manager

Carol F. Smith, MBA, RHIA, is enthusiastic about the year ahead. As director of health information management for the University of Texas Anderson Cancer Center in Houston, TX, Smith supervises 110 full-time employees and works on projects ranging from revenue cycle, data quality, medical record imaging, and IT governance. She also enjoys opportunities to work in areas such as research and patient care.

“My HIM career began when I worked summers at a 50-bed hospital in Creole, LA,” Smith recalls. “A consultant talked to me about the HIM field and the opportunities available. After graduation I moved to Port Arthur, TX, and eventually moved into management.”

## Taking a Legal EHR Lead

But the role that is closest to Smith’s heart is her ongoing work with the legal electronic health record (EHR). She became interested in the legal EHR after her work with transcribed documents and electronic signatures in the 1990s.

“I realized that this issue had to be addressed. Currently, aging Texas statutes require ill-defined records,” she says. “My personal goal is to be able to have a ‘true’ legal health record. We are currently storing records from 1944, and it’s just unnecessary.”

Smith notes that the definition of the legal EHR is ever-evolving because technologies are still developing. “HIM professionals have to stay focused, because this is an ongoing project that will require constant evaluation.”

## The Role of HIM Professionals

When asked to offer advice to other members working with legal EHRs, Smith recommends “taking an ongoing inventory of everything that encompasses your medical record and then separating what is not part of a legal record. In my facility, if we don’t know what something is then we define it or return it.”

Smith notes that the “main take-away is that HIM professionals need to take action and get moving on this issue, because if we don’t, the lawyers will. So we need to be in the forefront of establishing a legal EHR definition so we are not forced to live with something we didn’t have a hand in creating. This is the time for us to be leaders and step up to the plate.”

She also “challenges organizations to consider the implications of integrating new information into EHRs, such as the evaluation of source data, administrative data, and a personal health record. It is crucial that HIM departments work closely with legal compliance and information technology to bring this initiative to the table. We have to serve as a resource.”

## Looking Ahead

Smith is excited about preparations for ICD-10, as well as the opportunity to participate in the development of standards and guidelines for implementing the EHR.

“HIM professionals are in a wonderful position to be lifelong learners by attending conferences and taking part in continuing education opportunities,” she says. “If you are not competent in an area, you can always learn what you need to get up to speed. We need to gather as much information as possible to support our decisions and strategies.”

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