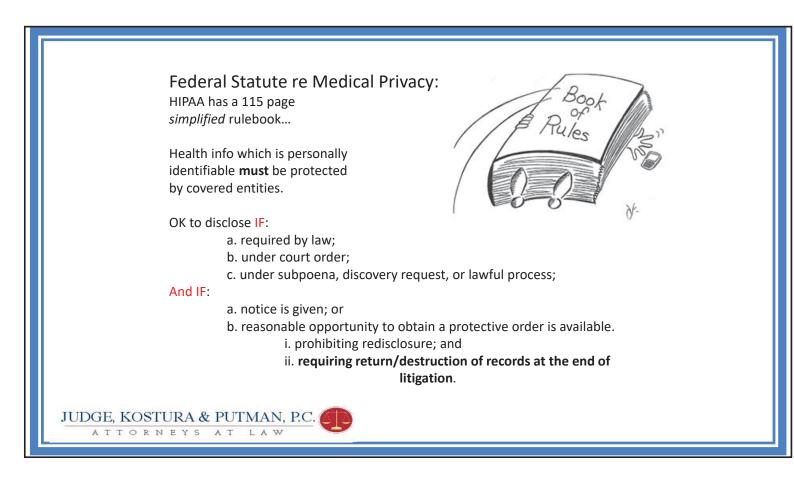
ETHICS OF REDACTING MEDICAL RECORDS

Plaintiff's Perspective

THE UNIVERSITY OF TEXAS SCHOOL OF LAW THE CAR CRASH SEMINAR 2018

> Paul N. Gold, Presenter AVERSANO & GOLD Judy Kostura, Author

JUDGE, KOSTURA & PUTMAN, P.C.



Who is a covered entity? Fed Law:

HITECH 2009: Business associates of the health care provider, even w/o privity. Includes law firms handling:

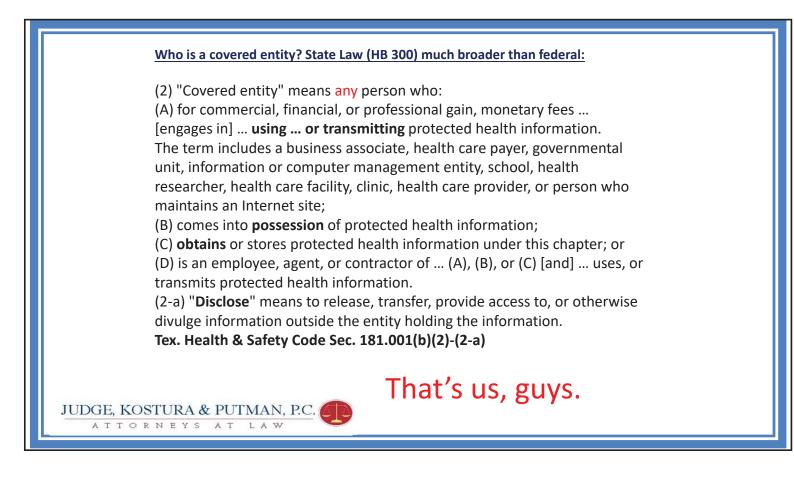
- a. security and compliance;
- b. defense of false claims;
- c. professional license defense;
- d. risk management and due diligence; and
- e. med mal defense.

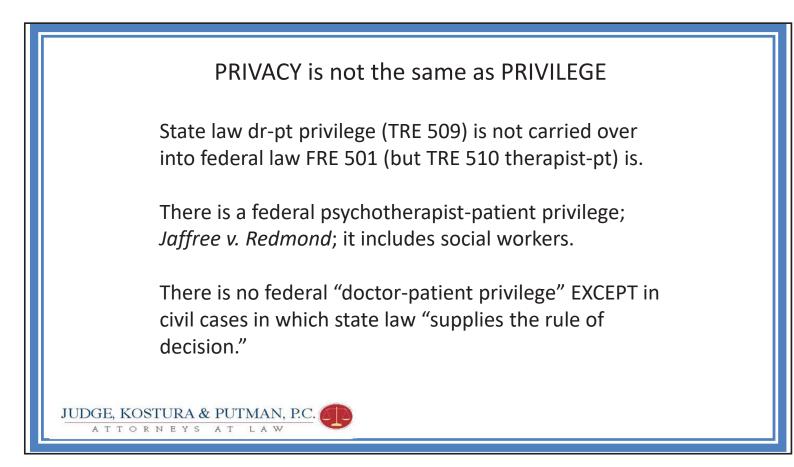
But NOT law firms handling:

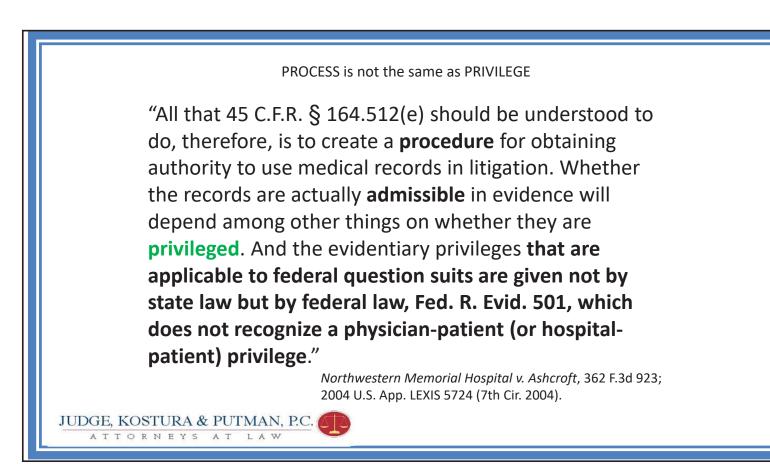
- a. workers comp;
- b. social security benefits; or
- c. employment law claims.

Warning: state law may be MORE stringent (but pre-empted if less strong.)

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Title search: The Ethics of Redacting Medical Records: Plaintiff's Perspective

Also available as part of the eCourse 2018 The Car Crash eConference

First appeared as part of the conference materials for the 2018 The Car Crash Seminar session "The Ethics of Redacting Medical Records from Plaintiff's and Defendant's Perspective"