The Evolving Electronic Medical Records Industry and its Effect on Patient Safety -- Time for an EMR Refresher for Your Employees?

Amundsen Davis Health Care Alert
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The electronic medical records (EMR) industry is evolving. Technology and ease of use is improving, but risks are still inherent in using EMR. While the advent of EMR made it easier to create a better piece of evidence in some regard, user error, misunderstanding of the EMR system, misunderstanding of updates to the EMR system, and poor design of the EMR system has had a direct impact on patient safety.

The impact of EMR on patient safety is being litigated more and more. EMR vendors and developers are even now being brought into lawsuits as product liability and safety involving EMR is being introduced into litigation. For example, PinnacleHealth in Pennsylvania moved to a different EMR provider after adverse issues involving patient safety. There were apparently many instances of patients not getting needed drugs due to faults in the EMR system. The prior EMR provider for PinnacleHealth, Cigna Corp, sued PinnacleHealth for breach of contract after PinnacleHealth went to its new EMR provider, and PinnacleHealth counterclaimed brining allegations of patient safety. Patient safety advocates have stated that EMR systems carry many potential risks for patient safety, one of which involves the complicated design of the EMR system. The effect of these risks is being revealed in lawsuits across the country, and new novel legal theories are being introduced.

With the evolution of EMR and legal theories involving EMR, it cannot be understated how important it is for caregivers to understand the EMR system they are using and the many nuances involved with the system. As the EMR industry consolidates and attempts to update and improve its software and processes, caregivers must stay up to date with the technology and understand potential pitfalls and how they could affect patient safety.

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Regarding consolidation, for example, Tech Mahindra Ltd., a company in India, just recently announced on March 6, 2017 that it will acquire CJS Solutions Group LLC, a company in the United States which does business as "The HCI Group," a major player in the EMR industry implementing EMR software.

Just like technology in every other business sector, technology continues to evolve in the EMR industry even though EMR systems were introduced to health care years ago. Health care providers should stay abreast of the updates to their EMR systems, the changes to the nuances in their EMR systems, any patterns of incidents of EMR systems increasing risk to patients (such as the risk pattern identified by PinnacleHealth), and what ongoing training their caregivers may need.

What problems are your employees reporting? Is it time to reassess your EMR system and its impact on patient safety? When was the last update to your EMR system? Is it continuously being updated? Do your employees receive training when there are new updates to your EMR? Sure, you provided training after the EMR system was introduced to your health care system a few years ago, but maybe it's time for a refresher for your employees.

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