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# Medical Records Law in Michigan

Bloomfield Hills , MI • June 6, 2013

## Faculty

### Moderator:

**Amy K. Fehn**, *Wachler & Associates, P.C.*

**Nicole K. Nugent**, *Sullivan, Ward, Asher & Patton, P.C.*

**Saulius Polteraitis**, *Foley, Baron Metzger & Juip, PLLC*  
For more information about our speakers, go to [www.lorman.com/ID391388](http://www.lorman.com/ID391388).

## Gain new insights in the latest changes to medical records law.

As medical records law continues to evolve, the complexities of how your organization manages these sensitive records now will impact your *legal liability later*. The medical-legal implications of your records management practices are far reaching and potentially damaging to your organization.

Proper records management strategy is only a small part of protecting your business from potentially damaging legal issues that will happen without understanding the full scope of what your responsibilities are as it pertains to HIPAA and patients' rights. **Not knowing does not protect your business from financial responsibility for damages.**

Our faculty has extensive experience in all aspects of this complicated subject and will share insights and examples of "**what you must do**" and "**what you should never do**" when handling this very sensitive subject matter.

## You Will Learn

- Understand the guidelines for the privacy and access of medical records
- How your organization must manage HIPAA, HITECH and the Michigan Medical Records Protection Act
- Know your privacy and security obligations and keep your organization audit-ready
- Determine the proper method of responding to subpoenas and other requests for medical records

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# Seminar Agenda

8:30 AM – 9:00 AM	<b>Registration</b>	1:30 PM – 2:45 PM	<b>How Medical Records Are Used in Litigation</b> — <i>Nicole K. Nugent and Saulius Polteraitis</i>
9:00 AM – 10:30 AM	<b>HIPAA Overview</b> — <i>Amy K. Fehn</i> <ul style="list-style-type: none"><li>• Privacy and Access</li><li>• Exceptions</li><li>• Michigan Medical Records Protection Act</li><li>• HITECH Act</li></ul>		<ul style="list-style-type: none"><li>• Medicare and Medicaid Report and Resolutions of Liens Update</li><li>• Cases</li></ul>
10:30 AM – 10:45 AM	<b>Break</b>	2:45 PM – 3:00 PM	<b>Break</b>
10:45 AM – 12:00 PM	<b>Medical Malpractice and the Litigation Process</b> — <i>Saulius Polteraitis</i> <ul style="list-style-type: none"><li>• Background of the Litigation Process</li><li>• Discovery and Discovery Requests</li><li>• Ex Parte Contacts</li></ul>	3:00 PM – 4:30 PM	<b>The Role of Medical Records in Medicare, Medicaid and Third-Party Payor Audits</b> — <i>Amy K. Fehn</i> <ul style="list-style-type: none"><li>• Responding to Audit Requests</li><li>• Types of Records to Include in an Audit Response</li><li>• EMR-Related Audit Denials</li><li>• Impact of Payer Documentation Requirements</li><li>• How to Defend Against Audit Denials</li></ul>
12:00 PM – 1:00 PM	<b>Lunch (On Your Own)</b>		
1:00 PM – 1:30 PM	<b>Recordkeeping Best Practices</b> — <i>Nicole K. Nugent</i> <ul style="list-style-type: none"><li>• Charting Do's and Don'ts</li><li>• Electronic Medical Records</li></ul>		

## Presented By:

### Amy K. Fehn — Moderator

- Partner at Wachler & Associates, P.C.
- Practices health care regulatory law
- Listed in DBusiness Top Lawyers 2012 and 2013
- J.D. degree, summa cum laude, University of Akron School of Law; B.S.N. degree, summa cum laude, Kent State University
- Can be contacted at 248-544-0888 or [afehn@wachler.com](mailto:afehn@wachler.com)

### Nicole K. Nugent

- Shareholder with Sullivan, Ward, Asher & Patton, P.C.
- Represents health care systems, health care professionals, and ski areas in complex personal injury cases
- Named to the 2010 Michigan Rising Stars for Super Lawyers
- J.D. degree, Wayne State University Law School; B.S. degree, Wayne State University
- Can be contacted at 248-746-2763 or [nnugent@swappc.com](mailto:nnugent@swappc.com)

### Saulius Polteraitis

- Attorney with Foley, Baron Metzger & Juip, PLLC
- Practice focuses on representing health care organizations and professionals in the defense of complex medical malpractice claims
- Represents clients in general negligence and premises liability matters
- Formerly worked for a personal injury firm focusing on medical malpractice claims
- Litigated medical malpractice cases across the state of Michigan
- Represented clients in first and third-party no-fault cases, premises liability, workers' compensation and general negligence matters
- J.D. degree, University of Connecticut School of Law



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MAIL: Mail this form with payment to:  
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Dept. 5382, P.O. Box 2933  
Milwaukee, WI 53201-2933

### Where Is It?

Radisson Hotel  
Detroit-Bloomfield Hills  
39475 Woodward Avenue  
Bloomfield Hills, Michigan  
248-644-1400

### Who Should Attend?

This seminar is designed for medical records directors, health information directors, business managers, office managers, nurses, hospital administrators, compliance directors, release of records professionals and attorneys.

### GENERAL INFORMATION:

- This seminar may be recorded.
- If you need special accommodations, please contact us two weeks in advance of the program.
- Lorman Education Services is not approved to offer self-study CPE credit for accountants; therefore, no CPE will be given for this program if ordered as a self-study package.

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