

Unexpected Record Damage: Protecting Health Records From Water Hazards

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Accidents, severe weather, and natural disasters can result in extensive water damage to important documents, such as health records and X-ray films. For example, hurricanes, heavy rains, broken water pipes, and even an overflowing floor drain can cause unexpected damage to records stored in a basement or storage room. Water damage also can be an unanticipated side effect of fire-fighting efforts.

When a medical or dental practice faces a loss, such as water-damaged records and X-ray films, certain steps should be taken. First, the loss should be reported to the practice's insurance carriers (general liability and property). Second, the records should be checked to determine the extent of the damage. Are the records/films completely destroyed, or are some of them only partially destroyed? Could the records potentially be restored? The extent of the damage will determine the next steps.

Partially Destroyed Records

Moisture in any form and paper don't mix; when exposed to water, paper begins to deteriorate. The same deterioration occurs with X-ray film jackets, but the process is slower. Moisture infiltrates the paper's cell structure, followed by swelling and discoloration. This creates an environment that will permit the growth of mold and bacteria on the surface of the paper or X-ray film jackets. The growth of mold and bacteria can occur in a domino-like effect, spreading from folder to folder.

Water-damaged health records and X-ray films can potentially be restored. Although the complete restoration of water-soaked documents often is expensive, it might be wise to attempt to salvage them. However, this process has to begin as quickly as possible because of deterioration.

In warm weather, mold growth might appear within 48 hours. Mold also can be expected to appear in poorly ventilated areas within the same timeframe. Therefore, reducing high humidity and temperature and venting the areas as soon as feasible is imperative. Water-soaked material must be kept as cool as possible with good air circulation. Failure to do so could lead to a higher recovery/restoration cost.

As soon as possible, obtain the services of a restoration company to restore the practice's damaged records. Because the restoration company will be working with patient information, a Health Insurance Portability and Accountability Act (HIPAA) business associate agreement (BAA) must be in place with the company. (Learn more about [HIPAA BAAs](#).)

The restoration company will place the materials into commercial freezers. Once frozen, the materials are moved to a freeze-drying chamber. Air within the freeze-drying chamber is removed through a vacuum process, and the temperature is lowered. The moisture within the materials is converted to a vapor state and then taken out of the chamber. The temperature within the freeze-drying chamber is gradually increased over time, and any residual moisture is removed.

Freezing, followed by vacuum freeze drying, is one of the most effective methods of removing water from paper records and X-ray films. This method has been used in the recovery of books, manuscripts, leather, maps, historical and collectible items, and textiles.

If water damage has resulted from fire-fighting measures, cooperation with the fire marshal and health and safety officials is vital for a realistic appraisal of the feasibility of a safe salvage effort. Fire officers will decide when a building is safe to enter. In these instances, salvage operations are planned so that the environment of water-damaged areas can be stabilized and controlled both before and during the removal of the records and films.

Completely Destroyed Records

When records are completely destroyed, the challenge to the practice will be twofold. First, the destroyed records will need appropriate disposal. Second, new records will have to be constructed from information the practice can assemble.

Damaged records must be completely destroyed to protect patient confidentiality and comply with HIPAA regulations. The records should be dried and then shredded if possible. No intact record or X-ray may be discarded. As noted previously, mold may develop so it's best to try to keep the area where records are stored cool and dry.

When ready to destroy the records, the practice should keep a log of all records that are destroyed as is done with planned record destruction. This log should include the following information:

- Name
- Date of birth
- Social security number
- Dates of first and last visit
- General problems
- Procedures performed in the office
- Documentation of what was destroyed, how it was destroyed, and the date of destruction

Reconstructing records can be done by pulling together information from other systems and files available to the practice. The practice also should send notification letters to patients whose records were damaged to advise them of the situation.

In the letters, the practice can enclose a health/dental history form and request that each patient complete the form to the best of his/her ability. A copy of the notification letter should be filed in the patient's reconstructed health/dental record.

Once each chart is rebuilt, it should include clear documentation explaining that it was reconstructed. This documentation should include at least the following:

- The date the chart was reconstructed
- The reason for reconstruction
- Sources of information for reconstruction
- Efforts made to obtain other information (if applicable)
- A statement that, as a result of reconstruction, the information contained in the chart as of the reconstruction date is considered inexact

Medicare and other insurance carriers may expect to be notified that patient records have been lost. These organizations expect the healthcare provider to provide health record documentation to support patient claims. If a health record is destroyed, these organizations may want the practice to sign a form that attests to the unexpected loss of the record.

For payment purposes, the Centers for Medicare & Medicaid Services (CMS) specifies these requirements for documentation in case of loss: (1) date, (2) information lost, and (3) event causing the loss, which must be specified in each health record. The provider also must have (1) a list of patient health records lost, (2) a description of the recovery efforts, and (3) the outcome from the efforts.

In cases in which the healthcare provider is unable to provide documentation because the needed health record was completely destroyed as a result of disaster, CMS will accept a Disaster Attestation Letter. If the health record is partially destroyed as a result of disaster, the healthcare provider should submit the portion of the health record that was not destroyed with a Disaster Attestation Letter. (Learn more details about and see samples of [Disaster Attestation Letters](#).)

Additionally, if CMS requests health records for any reason, the documentation of the recovery efforts and loss must be sent. Any practice subject to Comprehensive Error Rate Testing (CERT) or Payment Error Rate Measurement (PERM) review can request administrative relief through CMS.

Prevention

Addressing potential water damage might not seem like an urgent priority. However, without appropriate precautions, important records, X-ray films, and other materials might be compromised or destroyed.

To prevent water damage, consider whether the office is at risk of flooding. For example, the practice should ask a local emergency management agency if its office is located in a known floodplain. Then the elevation of the office in relation to local rivers, creeks, bays, and the ocean should be determined.

Further, it is appropriate to evaluate storage space at least twice a year, although a quarterly examination would be more ideal. More frequent inspections are appropriate when weather is unusually harsh, no matter the season. Weather extremes expose the vulnerabilities of buildings much more quickly.

Routine prevention steps include storing records at the highest level possible inside the office and stacking records and X-rays off the floor. Shelving units should be used, if possible, and they should be positioned as high off the floor as possible. Keep in mind that storing records too high can pose a potential injury concern for staff members. A sturdy step stool might be needed for staff members to safely access these records.

Plastic tarps can be placed in rolls over the stored records and then unrolled when a storm approaches to protect against rain and roof damage. Additionally, any paper should be removed from the lower drawers of any desks and file cabinets and put in plastic bags or plastic containers and placed on top of the units. Also, if a severe storm is coming, lower boxes from the basement should be retrieved.

Healthcare providers who maintain paper records also should consider storing copies of administrative records (financial, insurance, patient scheduling, patient lists) offsite in a secure area.

Finally, a system of routine record destruction should be developed so that only the records necessary to keep are kept. This will limit the clutter in storage areas and reduce the number

of records exposed to the risk of water damage. For more information and guidance, see MedPro Group's [Record Retention](#) guideline.

Conclusion

Each office practice should (a) implement prevention strategies to safeguard health records and X-ray films, and (b) consider document restoration as part of emergency preparedness and disaster planning. For additional helpful resources, visit the National Archives website for [salvage procedures](#).

This document should not be construed as medical or legal advice. Because the facts applicable to your situation may vary, or the laws applicable in your jurisdiction may differ, please contact your attorney or other professional advisors if you have any questions related to your legal or medical obligations or rights, state or federal laws, contract interpretation, or other legal questions.

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