

Title:	INCOMPLETE RECORDS	No.:	AMD.6.10.10
Section:	4. Human Resources	Effective date:	2017-03-01
Issued by:	MAC	Date of last revision:	
Approved by: (signed by)	VP Medical Services, Training and Research Dre France Desrosiers	Date signed:	2017-01-20
Facility/ program:		<input checked="" type="checkbox"/> Vitalité Zone: <input type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	

PURPOSE

1. Make sure that the physicians and dentists complete their patients' chart.
2. Outline the process that leads to consequences that may ensue for incomplete records.

POLICY

1. All medical and dental staff members must complete their records in accordance with the applicable provincial laws and regulations and with the requirements set out in Policy ARC.3.30.10 "Quantitative Analysis of Records."
2. The Health Records Department is responsible for indicating the elements missing in a record in accordance with the applicable provincial laws and regulations.
3. Under the *Hospital Act* and under By-Law C.17.02 of Vitalité Health Network, an inpatient record must be completed within 30 days of a patient's discharge.
4. Under By-Law C.17.01 – Responsibility for Charting, members of the Medical Staff shall perform their charting responsibilities in accordance with the provisions of the *Regional Health Authorities Act*, the *Hospital Act*, and the By-Law Rules, and failure to complete a patient's record within the prescribed time period shall be grounds for suspension.
5. Under By-Law C.17.02, a member of the Medical Staff shall be subject to suspension where the member fails to complete a patient's record within the period of time determined by the By-Law Rules.
6. Under By-Law C.17.0.3, the CEO shall give notice of the temporary suspension of privileges under these By-Laws to the Medical Staff member, the Chair of the LMAC, and the Head of the member's Department. Provisions shall be made by the member for alternate coverage, where required.

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7. Under By-Law C.5.11 “Emergency Restriction/Suspension,” the CEO, after consulting with the Chief of Staff, may summarily restrict or suspend the privileges of a member of the Medical Staff by notifying the member in writing.
8. Under By-Law C.5.11.2, the CEO delegates to the VP, Medical Services, Medical Training and Research the task of reporting to the Board, to the College of Physicians and Surgeons of New Brunswick or to the New Brunswick Dental Society, to any other New Brunswick RHA and, if required by any legislative provisions, to the Department of Health – Medicare Services all emergency restrictions and suspensions of privileges.
9. Under By-Law C.5.11.3, if the CEO suspends a member, the VP, Medical Services, Medical Training and Research shall immediately, in collaboration with the Local Medical Director and the Department Head, ensure that arrangements are made for proper care of patients affected by the suspension and, where necessary, that a replacement attending physician is appointed and identified in the patient’s health record.
10. Under By-Law C.5.11.4, in cases of summary restriction or suspension of a member of the Medical Staff, the Chief of Staff shall take appropriate steps to ensure that this restriction or suspension is processed in accordance with the Review Procedure set out in Sections C.11, C.12, C.13, and C.14 of the By-Laws.

PROCEDURE

1. Role of the Health Records Department:
 - 1.1 After a patient is discharged, the department analyzes the record and ensures that all the elements are included and complete under Policy ARC.3.30.10 “Quantitative Analysis of Records” and notes any missing parts;
 - 1.2 Leaves incomplete records available for completion by physicians within 30 days of a patient’s discharge.
 - 1.3 Informs a physician, with a copy to the Medical Director, at 20 days that 10 days remain to comply with the By-Law.
2. After 30 days, the Medical Director informs the physician who is at fault that he or she must submit a recovery plan within 24 hours. The Medical Director must approve this plan and inform the Chiefs of Staff at the local and regional levels. The template for the recovery plan is presented at Appendix AMD.6.10.10 (1).
3. Once the physician has completed his or her records, the Health Records Department informs the Medical Director.

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4. The Medical Director confirms in writing that the recovery plan has been completed and informs the Chiefs of Staff at the local and regional levels and the CEO.
5. If the recovery plan is not followed, the Medical Director informs the Chiefs of Staff at the local and regional levels and the CEO.
6. To advise a member in writing of the terms of their suspension, use the letter template presented in Appendix AMD.6.10.10(2).

REFERENCES

1. New Brunswick *Hospital Act*, Regulation 92-84, Section 20(1).
2. By-Laws, October 2013.
3. Policy GEN.6.20.60 Documentation in Clinical Records (in progress)
4. Policy ARC.3.30.10 Quantitative Analysis of Clinical Records
5. Documentation : Tenue des dossiers médicaux (1^{re} partie): Describes the elements of a good medical record.
6. Documentation : Tenue des dossiers médicaux (2^e partie): Presents case studies in which documentation impacted the defence of physicians.

DISTRIBUTION

ARC

Supersedes:	Zone 1: <u>16.50.10</u>	Zone 5: <u>SUP-HR-5-20</u>
	Zone 4: <u>ARC-V-A-35</u>	Zone 6: _____

_____, ____ 2017 (YYYY-MM-DD)

Dr. _____

Subject: Incomplete record recovery plan

Number of incomplete records as of _____: _____ records

I, _____, having _____ **incomplete records**, agreed to complete _____ **records every two weeks** until the backlog is eliminated. I recognize that the situation regarding my incomplete records will be monitored closely and that any deviation from this plan may result in the suspension of my privileges.

Dr/e

(YYYY-MM-DD)

Medical director

(YYYY-MM-DD)

cc : Local Chief of staff
Regional Chief of staff
Vice-president, Medical services, Training and Research

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HAND DELIVERED

Date

Dr. x

Subject: Notice of imminent suspension

Dear Dr. _____:

You currently have _____ incomplete inpatient records of which _____ date from over 30 days. We have attempted to obtain your cooperation on this matter, as indicated by the following correspondence:

- Notice from Health Records on _____ (date);
- Written notice from Health Records on _____ (date); and
- Notice from Dr. _____ (choose: by letter, e-mail, or in person) on _____ (date).

Since you are failing to fulfill your charting responsibilities under the provisions of the *Regional Health Authorities Act* and the *Hospital Act* and their regulations, I am hereby informing you that your privileges will be suspended on _____ (date) if your records are not completed. The list of your incomplete records is attached.

By failing to fulfill your charting responsibilities, you are harming patient care. I also wish to point out the following statutory provisions:

1. Under article 20(2) of Regulation 92-84 under the *Hospital Act*, you must complete an inpatient's record within 30 days of discharge. This article reads as follows: 20(2) *A person who makes any part of a clinical record of an inpatient shall deliver it to the chief executive officer or a person designated by the chief executive officer within thirty days after the discharge of the inpatient.*

2. Your responsibilities are set out in Vitalité Health Network's By-Laws, in particular, in the following articles:

- C.7.0.2 Without limiting the generality of the foregoing, the following are examples of conduct subject to discipline.
7.0.2 (h) Persistent failure to perform charting duties as required by the Hospital Act and as outlined in the By-Law Rules and/or departmental rules.

- C.17.0 Responsibility for charting
 - C.17.0.1 *All members of the Medical Staff shall perform their charting responsibilities in accordance with the provisions of the Regional Health Authorities Act or the Hospital Act and the Regulations thereunder and failure to do so shall be grounds for the suspension, reduction or withdrawal of privileges.*
 - 17.0.02 *A member of the Medical Staff shall be subject to suspension where the member fails to complete a patient's record within the period of time determined by the By-Law Rules.*
 - C.17.0.3 *The CEO shall give notice of the temporary suspension of privileges under these By-Laws to the Medical Staff member, the Chair of the LMAC, and the Head of the member's Department. Provisions shall be made by the member for alternate coverage, where required.*

Sincerely yours,

Gilles Lanteigne, Ph.D.
President and CEO and Secretary of the Board of Directors

encl: List of incomplete records

cc: Dr. France Desrosiers, VP, Medical Services, Training and Research
Dr. X., Medical Director
Dr. X, Local Chief of Staff
Dr. X, Head of X Department