



Texas Tech University Health Sciences Center El Paso Ambulatory Clinic Policy

Policy: Securing Medical Records Pending Litigation	Policy #: EP 5.5
Effective Date: 01/2012	Last Revision Date: 03/2025
References:	
TTUHSC El Paso Ambulatory Clinic Policies and Procedures Website: https://ttuhscep.edu/opp/default.aspx	

Policy Statement:

It is the policy of Texas Tech Physicians of El Paso (**TTP-EP**) Ambulatory Clinics to secure medical records, related records, testing reports and radiographic studies during litigation processes.

This procedure outlines the appropriate steps to be taken when securing a medical record (whether paper, combination of paper and electronic, or all electronic) for litigation purposes.

Scope

This policy applies and will be distributed to all TTP-EP Clinics.

Procedure

1. Claims Management will notify the following appropriate and identifiable TTP-EP Clinics and the Medical Records Department in writing of the need to secure medical records regarding a patient for whom a notice of claim letter or law suit has been received:
 - a) The Medical Records Department Supervisor will secure the applicable medical records including-psychotherapy notes.
 - b) Other clinics or departments will be notified as needed on a case-by-case basis.
2. The TTP-EP Clinics and Medical Records Department will locate the specified records and place the originals in a secure location within the department.
3. In addition, the Medical Records Department will:
 - Make a "copy chart" of the original paper records/reports, when requested by a clinic; and place a notice in "the copy chart" stating "**DO NOT FILE ORIGINALS IN THIS CHART**".
 - Make a disc copy of the EMR and secure it (with the paper chart that exists, if any).
 - Assure that the electronic medical record will have audit trails to determine modification of records.



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4. The originals of the secured records will remain under lock-up until further notice from Claims Management.

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