



The Medical-Legal Insight Brief

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Medical record review observations that may impact liability, causation, damages, and case strategy.

WHY THIS MATTERS

- Missing records can alter case evaluation
- Timelines often reveal hidden delays
- Documentation gaps may affect liability analysis
- Early review helps focus expert resources

INSIGHT #1

The Timeline Often Reveals What Individual Records Hide

Medical records are rarely written in a way that tells a complete story. Delays, symptom progression, provider response, and treatment decisions often become apparent only after events are organized chronologically. When events are organized chronologically, patterns often emerge that were not obvious during an initial review. Medical records document events. Timelines often reveal patterns that may impact liability, causation, and overall case strategy.

INSIGHT #2

Large Record Productions Are Not Always Complete

One of the first questions I ask when reviewing a case is: "What records are missing?" A production may contain hundreds or thousands of pages and still be incomplete. Commonly overlooked records include:

- EMS documentation
- Nursing notes
- Medication administration records
- Telephone triage documentation
- Prior treatment records
- Diagnostic imaging reports

Before evaluating liability or causation, it is important to confirm that the medical story is complete.

INSIGHT #3

Documentation and Care Are Not Always the Same

During record review, I evaluate not only what is documented, but also what should reasonably be documented and is absent. However, one of the most important questions during record review is whether the documentation supports the care that was allegedly provided. Missing documentation can sometimes be just as important as the information that is present. Sometimes those gaps become significant.

INSIGHT #4

The Most Important Question in Record Review

One question consistently guides my review process: "What happened next?" Abnormal findings, critical results, and changes in condition should generate a clinical response. Following that sequence often provides valuable insight into causation, standards of care, and case development.

QUESTION OF THE MONTH

When evaluating a new case involving medical records, what issue tends to create the most uncertainty for your team?

- Causation
- Liability
- Missing Records
- Damages
- Standard of Care

Simply reply with your answer. I always enjoy hearing how different firms approach the medical side of case evaluation.

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