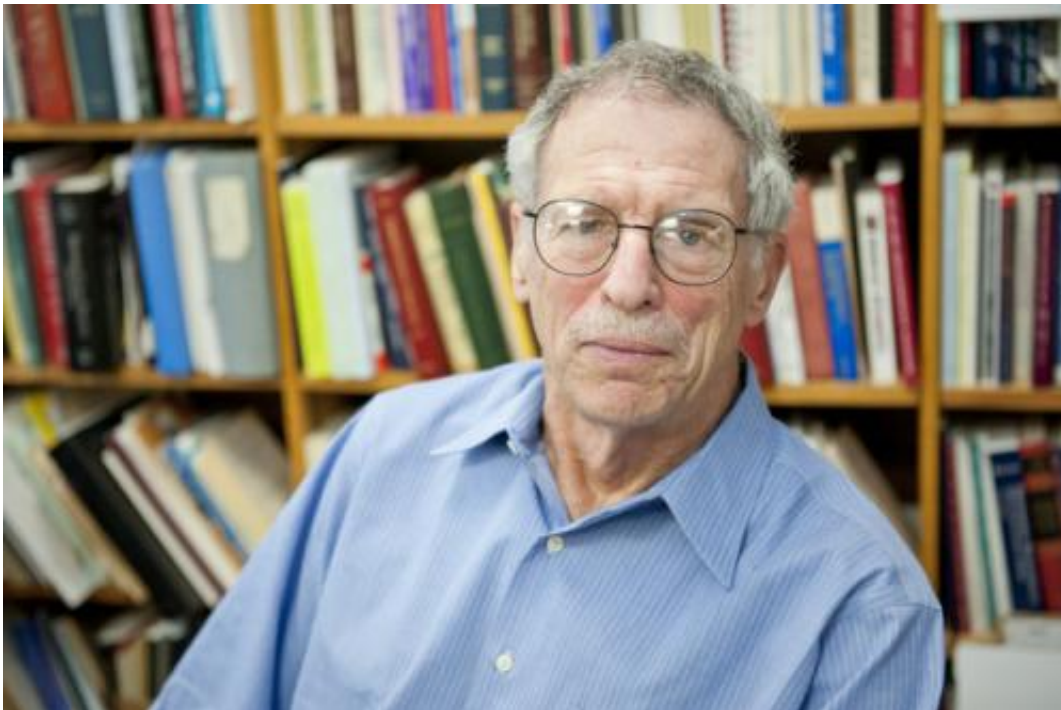


## 3Qs: Patients' access to doctors' notes examined

November 20 2012, by Lauren Dibble

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Law professor Michael Meltsner discusses the impact of a recent study that sought to determine the effect of allowing patients to review their doctors' notes after a visit.

In a pilot study called OpenNotes, more than 100 primary-care physicians volunteered to invite more than 20,000 patients to review their doctors' notes following an office visit to determine the effects of facilitating that access. The results of the study, published in the *Annals of Internal Medicine* in October, found that a majority of patients felt more

in control of their care, adhered to medication prescriptions and wanted the program to continue.

We asked Michael Meltsner, the George J. and Kathleen Waters Matthews Distinguished University Professor in Northeastern's School of Law, who participated in the study and wrote an accompanying editorial, to discuss the study and issues of transparency around patients' medical records.

## **What information are patients legally entitled to? How easily accessible is this information?**

Patients are legally entitled to their records but access to them is difficult. Obstacles are put in their way by healthcare personnel, many of whom aren't used to sharing the records or knowing just where they can be located. All too often, patients give up the quest in frustration. But there is now a growing national movement for doctors to open their notes to patients. Recent research concludes that fears patients will be confused by what they are told or that doctors will have to waste valuable time writing and discussing their notes are overblown.

## **Why are some doctors and medical professionals viewed as being resistant to full transparency? Does transparency put them at any legal risk?**

I think it's less fear of liability than a sense that patients won't know what to do with the information that doctors often feel they are writing for other doctors, rather than the patient. There may also be anxiety that the physician will lose some control and be subject to nagging questions about the treatment and the patient's medical history. But patients overwhelmingly want to see these records when they are given the chance and once healthcare providers realize this, arrangements that facilitate

sharing information are inevitable.

## **How does full transparency and access to medical information benefit patients? Does the healthcare system as a whole benefit?**

I tried to summarize the complicated answers to these questions in my October editorial in the *Annals of Internal Medicine*, but my summary response is that information is usually valuable, especially if you believe that individuals have to play a role in their own development, care and treatment. [Patients](#), for example, often suffer selective amnesia after discussing serious issues at an office visit. Having a copy of the doctor's notes allows a ready check of what was said and recommended as well an opportunity to consult over the details with family and friends.

**More information:** [annals.org/article.aspx?articleid=1363511](https://annals.org/article.aspx?articleid=1363511)

Provided by Northeastern University

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