

HMO RIGS PATIENTS' ELECTRONIC MEDICAL RECORDS ABNORMAL TEST RESULT WARNINGS ARE DELETED

An investigation by two patient whistleblowers has uncovered Kaiser Permanente's rigging of its electronic medical records system to conceal abnormal lab test warnings and risk explanations from 8.6 million patients in their medical records posted on Kaiser's patient website.

The HMO's "Thrive" advertising campaign slogan, "electronic health records save lives," lures unwary patients into a trap of misplaced trust that Kaiser is providing accurate, complete health information. Rather, the HMO's electronic health records fail to warn patients that they are at risk of or suffer from life-threatening diseases.

Kaiser's concealment of abnormal test result warnings violates patients' rights to actively participate in their own health care. Hiding abnormal test warnings prevents patients from enforcing their right to complete, accurate information about the best diagnosis and treatment choices. The HMO's electronic medical records system creates obstacles for patients to obtain second opinions and to appeal the delay and denial of medically necessary health care.

Beginning in 2008, Kaiser Permanente's patient website retroactively deleted abnormal test result warning "flags" and risk explanations from patients' electronic medical records that had been previously posted on Kaiser's website. The redacted records contain no announcement that they had been altered. Kaiser's current system fails to include abnormal test result warning "flags" and risk explanations that had been included in the records in past years.

If Kaiser had nothing to hide, the HMO would have notified patients that the prior warning flags and risk explanations would be deleted from their future medical records. If Kaiser had nothing to hide, the HMO would have notified patients that the prior warning flags and risk explanations had been retroactively deleted from their past medical records. Kaiser's subterfuge causes a reasonable person to ask what other critical health warnings and risk explanations the HMO is hiding from patients.

In November, 2008, Robert and Jacquelyn Finney uncovered Kaiser's shocking scheme during their routine review of their electronic medical records posted on the HMO's patient website. The HMO had deleted abnormal test warnings of kidney and cardiovascular disease risk, which had previously been posted in their past medical records.

- In 2006, their electronic medical records included warnings, including "flags" and risk explanations, cautioning them that their kidney disease and cholesterol test results were abnormally high. (See Attachments 1 and 2)
- In 2008, abnormally high warning "flags" and risk explanations had been retroactively deleted from these same records. Their medical records contained no announcement that previous abnormally high warning "flags" and risk explanations had been deleted. (See Attachments 3 and 4)

The Finneys broadened their investigation by comparing the entirety of their electronic medical

records currently posted on Kaiser's website to the same records that they had previously saved. Abnormal test result warning information and risk explanations, previously included in past years, had been deleted from each one of their electronic medical records.

A key provision of President Obama's health reform stimulus provides \$36 billion to insurance companies and physician groups to implement electronic medical records systems. In California, the funding could add up to more than \$3 billion.

An integral purpose of electronic medical records is to advance patient rights. They are sold to the American public as patient-centered and patient-controlled tools specifically designed to empower patients to take charge of their health in an equal, meaningful partnership with their physicians.

In reality, they are a giveaway to insurance companies that harms patients instead of helping them. Electronic medical records systems, that insurance companies can rig at will, make a sham of government oversight and patient rights.

As the Finneys' investigation substantiates, absent strict government oversight and rigorous penalties, electronic medical records provide insurance companies with a weapon of mass destruction against patients. Rigged, government-subsidized electronic medical records systems harm patients and cheat taxpayers.

The Finneys' investigation was validated by the American Health Information Management Association's (AHIMA) introduction of a "Health Information Bill of Rights" on October 5, 2009. The bill's enactment is imperative, said Vera Rulon, AHIMA's president, due to "repeated abuses of access, accuracy, privacy and security of the most basic rights of individuals."

Included in the bill are:

- "The right to expect accurate and complete health information."
- "The right to know who provides, accesses, and updates your health information."
- "The right to hold health care professionals and others accountable for violations of privacy and security laws, policies and procedures."

Early, accurate diagnosis and treatment to prevent and detect disease, disability, and death are fundamental patient rights. Health care services that do not provide patients with full disclosure to exercise their rights are dangerous and worthless. Health reform built on a foundation of lies, like the "Ford Pinto," is unsafe at any speed.

Attachments

1. Original electronic record- cholesterol test results - J. Finney, September 13, 2006
2. Original electronic record- kidney test results - R. Finney, September 11, 2006
3. Altered electronic record- cholesterol test results- J. Finney, September 13, 2006
4. Altered electronic record-kidney test results - R. Finney, September 11, 2006

Robert Finney, Ph.D., was Hewlett-Packard's Health Care Cost Containment Manager. Jacquelyn Finney was a federal Medicare fraud investigator. Dr. Finney is the author of "HOW TO PLAY HMO HARDBALL: The Patient's Self-Protection Manual."

Contact: (760) 436-0183, healthcare@cpc-com.com October, 2009



Member name: Jacquelyn Finney
Date of birth:
Gender: Female
Primary care physician: ANDREW MYERS GOLDEN MD
Date printed:

LIPID PANEL

For general information about a type of test, click "About this test."

If "A" (for abnormal, reactive, or positive), "H" (for high), or "L" (for low) is displayed in the "Flag" column, the test result is outside the usual range. Minor abnormalities of test results are not unusual and are subject to the interpretation of your health care practitioner.

Occasionally you may see a test with no results. This may indicate that the test was ordered but not done.

Component Results

Component	Your Value	Standard Range	Flag
CHOLESTEROL	282	- mg/dL	H
TRIGLYCERIDE	62	- mg/dL	
HDL	103	- mg/dL	
LDL CALCULATED	167	- mg/dL	H
CHOLESTEROL/HIGH DENSITY LIPOPROTEIN	2.7	-	



General Information

Collected:
9/13/2006 10:40 AM

Resulted:
9/14/2006 5:33 AM

Ordered By:
[REDACTED]

This test result has been released by an automatic process.

For general information about a type of test, click "About this test" above.



Member name: Robert Finney
Date of birth:
Gender: Male
Primary care physician: ANDREW MYERS GOLDEN MD
Date printed: 5/1/2008

CREATININE, SERUM

For general information about a type of test, click "About this test."

If "A" (for abnormal, reactive, or positive), "H" (for high), or "L" (for low) is displayed in the "Flag" column, the test result is outside the usual range. Minor abnormalities of test results are not unusual and are subject to the interpretation of your health care practitioner.

Occasionally you may see a test with no results. This may indicate that the test was ordered but not done.

Component Results

Component	Your Value	Standard Range	Flag
CREATININE	1.6	0.7-1.3 mg/dL	H
GLOMERULAR FILTRATION RATE	46-NB	- mL/min	

General Information

Collected:
9/11/2006 3:46 PM

Resulted:
9/11/2006 4:11 PM

Ordered By:
[REDACTED]

This test result has been released by an automatic process.

For general information about a type of test, click "About this test" above.

If you have any questions about this test result, please contact your health care practitioner's office.



Member name: Jacquelyn Finney
Date of birth:
Gender: Female
Primary care physician: ANDREW MYERS GOLDEN MD
Date printed: 10/3/2009

LIPID PANEL

For general information about a type of test, click "About this test."

If you have any questions about this test result, please contact your health care practitioner's office.

Minor abnormalities of test results are not unusual and are subject to the interpretation of your health care practitioner.

Component Results

Component	Your Value	Standard Range
CHOLESTEROL	282	<200 mg/dL
TRIGLYCERIDE	62	<150 mg/dL
HDL	103	>/=40 mg/dL
LDL CALCULATED	167	<100 mg/dL
CHOLESTEROL/HIGH DENSITY LIPOPROTEIN	2.7	<4.3

General Information

Collected:
9/13/2006 10:40 AM



Resulted:
9/14/2006 5:33 AM

Ordered By:



This test result has been released by an automatic process.



Member name: Robert Finney
Date of birth:
Gender: Male
Primary care physician: ANDREW MYERS GOLDEN MD
Date printed: 10/6/2009

CREATININE, SERUM

For general information about a type of test, click "About this test."

If you have any questions about this test result, please contact your health care practitioner's office.

Minor abnormalities of test results are not unusual and are subject to the interpretation of your health care practitioner.

Component Results

Component	Your Value	Standard Range
CREATININE	1.6	0.7-1.3 mg/dL
GLOMERULAR FILTRATION RATE	46-NB	



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