

# How to Avoid Being an EHR Data Hostage

## 4 key questions to ask

If you've tried to leave your EHR vendor and they've told you they will not give you your patient data or you need to pay to get it, you're not alone.

Legally it's the patient's data and you as the doctor are the steward of your patient data. But unfortunately, some EHR vendors will try to withhold patient data to hold on to you as a customer.

So, before you buy, know your exit options:

### 1. Will the vendor provide you with an extract of your data or will you have to extract it yourself?

Some vendors provide data extraction services for an additional fee. If they don't, ensure there are the right tools in the software to do it yourself and they will assist you if needed. Data extraction can be complicated and the tools to do it are often not easy to use.

### 2. What will the data extraction include?

You are legally accountable for maintaining complete patient data for seven years or more, depending upon your state's laws. For EHR, you should ensure you can obtain all data and not just the Continuity of Care Document (CCD) required for certified EHRs. The CCD is not a complete medical record for a patient and does not meet the requirement for maintaining your patient notes.

### 3. Will your data be provided in a usable format for conversion to your new system?

A .csv file with is a common file format that can be converted by most vendors. Some vendors only provide multiple PDFs of the patient's record. While PDFs can be scanned into your new system for reference, they aren't fielded data and can't be used for analysis and reporting. If your vendor is only able to provide a backup of your entire patient database, be aware this data is encrypted and will require you to continue to pay the vendor for access to their software to read it.

### 4. How much will it cost?

Your existing vendor will likely charge to export data for you and some vendors will make the charge significant (\$10,000 or more) to discourage you from leaving. Ensure before you sign a contract you know what the provision is for receiving your patient data upon contract termination and exactly what it will cost.