

## Healthcare

# Providing Powerful Solutions To Medical-Legal Dilemmas

*The Editor interviews Doreen Wise, R.N., Ed.D., founder and CEO, Medical Research Consultants (MRC).*

**Editor: What contributes to gaining the winning edge in healthcare litigation?**

**Wise:** A business-like approach is critical to success in healthcare litigation. This includes cost-effective assessment of claims. For example, we recently "triaged" thousands of medical records for one of our pharmaceutical clients who received settlement demands in a mass tort case. MRC nurses abstracted critical medical data from voluminous records, and presented that data to the client's precise settlement model. The client was excited because they were able to settle many of the claims based, in part, on our help in critical prioritizing of the facts.

**Editor: How did your Triage™ of records help the New York City Law Department following the events of 9/11?**

**Wise:** Our Triage of records is similar to how a medical team works – differentiating the most serious cases from those that are not "life threatening." Our assessment helps the legal team to set the priority levels, which can be particularly important when anticipating mass tort claims following a catastrophic event.

For the 9/11 cleanup, we quickly and efficiently assessed the key causation and damage elements. Our assessment helped the New York City Legal Department to accurately determine what medically happened and to define the risk profile for each case based on medical facts and legal realities.

The New York City Law Department scanned and uploaded the records, and we did all our work electronically.

**Editor: Do your clients set the rules for determining the priority assigned to a particular medical fact pattern?**

**Wise:** Depending on the stage of the investigation or litigation, our clients may be in-house counsel or law firms. We dialogue with our clients and their medical scientists before we begin our Triage of records determining the exact set of medical-legal issues by which to abstract and rank the medical data. At the completion of our review, the data abstraction is presented in a way that is quick and easy for the client to use with the level of detail that the client would like to see.

**Editor: What technology tools has MRC developed to help its clients manage mass tort litigation?**

**Wise:** Recently we opened an innovative record retrieval and management center at the request of our clients. The center capitalizes on the marriage of MRC's top quality customer service and our browser-based document management system WiseFiles™. As the paper records are received, they are scanned on the premises (to preserve confidentiality) and uploaded into this highly



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secure repository. Our system allows for storage, organization of, and accessibility to massive numbers of documents. On one project alone, we managed over 20 million pages.

Our record retrieval center is accessible 24 hours a day via an SSL-encrypted web session. Documents can be searched by either indexed fields or document contents. The software can also "knit together" discovery documents, experts' testimony and graphics for court exhibits. We have already shown our clients that they can enjoy huge cost savings using our record retrieval system.

We can burn CDs for clients who want to carry one CD rather than boxes of folders when they travel. Now that many hotels have high-speed data lines, they do not even have to carry the CD. They can log directly onto our secure web site to retrieve the documents to which their password and user ID allow them access.

The system keeps a record of the identification of who has viewed what record, along with an electronic timestamp. This electronic audit trail is one example of how electronic records can be more secure than paper records. In a paper world, there is often no way to determine who has looked at what and when.

**Editor: For more than 20 years, MRC has been serving litigation teams in translating medical information into legal realities. What led you to found this business?**

**Wise:** Early in my career, I managed a multidisciplinary psychotherapy practice. An attorney asked me to do some medical research to help him prepare for the deposition of one of Houston's leading surgeons. The fit was so natural that MRC began to grow bit by bit as others learned of our services. We now offer a turnkey approach to comprehensive litigation support. In addition to triaging records, we also do much more comprehensive reviews including chronological summaries of the relevant medical information for easy attorney access. Our process is informed by continuing collegial relationships with practicing physicians and nurses who bring the perspectives of well respected professionals practicing in the field and not just experts dedicated to testifying in court.

**Editor: How did you grow from a regional to a national firm?**

**Wise:** About six years ago, we were approached by outside counsel for a pharmaceutical company to assist in a mass tort litigation. This has led to the opportunity to work in other large pharmaceutical tort litigations; we also have provided multi-level support for contaminated groundwater and explosion cases. Little by little, we are diversifying our client base and having the chance to help in a widening variety of legal issues.

**Editor: What trends are you seeing in mass tort litigation?**

**Wise:** We're seeing a more business-like approach by companies' in-house counsel to control litigation costs. For a number of years DuPont has been viewed as an industry leader in developing innovative ways to manage litigation and control costs. We now are seeing other companies embrace this very practical and sensible idea.

**Editor: Congratulations on receiving the Shattered Glass Award, which the Harris County Political Women's Caucus awards to successful professional and business women. Do you have any practical tips for women going into business?**

**Wise:** Nursing is traditionally regarded as a female profession, so it never occurred to me that I would face the glass ceiling many of your readers confront each day. In their names, I was very honored and pleased to receive the award.

If I were starting my business today, one of first things that I would do is to apply for woman-owned business certification. The certification helps a company to qualify for status as a Minority- and Woman-owned Business Enterprise (MWBE), which helps to open doors for certain government and corporate procurements.

Persistence and stubbornness are a key to success. I would also add that it is important to network with other women business owners. Learning from someone else's experiences can help save the time and money of reinventing the wheel.

Most important is to have great customer service – both in how you serve your external customer as well as your internal staff. That really makes all the difference. We are remembered by our quality and that comes from a well respected staff.

**Editor: You enjoy a highly qualified, dedicated workforce. What contributes to your ability to retain a motivated and enthusiastic team?**

**Wise:** We currently have more than 200 in our workforce, about half of whom are nurses, including about two dozen who are contract workers. The other members of our team are record retrieval, management professionals and administrative staff.

Our technology advances enable much of our work to be done electroni-

cally in a secure remote environment. Because the work is completely paperless, we are able to give most of our staff the option of working at the office or from home. With Houston's bizarre weather that often extends the time for commuting to as much as two hours, we have all benefited from telecommuting.

Most of the nurses on our staff started here in Texas, but many are very mobile. Thankfully, with our technology advances, we are able to allow them to work from wherever their current home base is. We recently had one employee work from as far away as Qatar. She is now experiencing the culture shock of moving to Philadelphia, but I'm happy to report that she is still working with us.

**Editor: Please tell our readers about MRC's commitment to public service in the local, regional and global community.**

**Wise:** MRC sponsors two non-profit corporations. The first is Gabriel's Gifts, which provides support for families and the volunteers searching for missing children; it also educates the public on prevention of child disappearances.

Among its other activities, Gabriel's Gifts manages the Amber Alert program in Houston and has become a model for training other Amber Alert programs around the country. It is remarkable that in our community about 8,600 children have disappeared this year. In the 135 times that Amber Alert has been implemented, most of the children have come home safely.

Our second commitment is to Admissions Control, which is a take off from the name of NASA's Mission Control. Its goal is to identify economically-disadvantaged high school students who have the potential and desire for college. We found a disconnect between the children, who are smart enough to attend college and the schools that are waiting to accept them: they could not achieve acceptable SAT scores, nor manage the admissions process. We provide the students with information and support they need to get through that process, including designing the curriculum to help the students prepare for the SATs.

During this past holiday season, we reached out to the children of Moldova, a small republic in southeastern Europe, which had a population about the size of Houston – about four million – until about one quarter of its population left because of economic distress. Working with the Children's Emergency Relief International (CERI), we contributed shoes, sweat shirts, jeans and other physical donations, as well as cash. Our contributions helped the "intranet," which is a combination orphanage and school in Moldova where over 700 children, aged six to seventeen, live. The intranet hopes to give the children a chance to learn skills that literally may be a life altering opportunity.

**Editor: Where can our readers learn more about MRC?**

**Wise:** They can visit our web site at [www.mrchouston.com](http://www.mrchouston.com) or contact me at [dwise@mrchouston.com](mailto:dwise@mrchouston.com).