

# TODD: How Should We Document What We Do?

## TRANSCRIPT

Hello and welcome to today's TODD, how should we document what we do? Documentation is one of the most critical, albeit slightly annoying and boring things, that we must do as part of our CARE team, behavioral intervention, threat assessment and any of the types of teams that we run. So it's a bit of the eating your vegetables process. You know, maybe not the most exciting thing on the plate here. Everyone wants to get to the chocolate cake or having something a little bit more enjoyable to do. But like vegetables, documentation is really critical and a really important part of the process. There's a number of reasons for this. One of which is the old adage, if you didn't write it down, it didn't happen. So good documentation at the heart of what we do gives us really some coverage, some CYA if you will, regarding our ability to make sure that we're clearly lining up what kind of work that we're doing and showing individuals in the future, our process and how we looked at approaching the treatment and the decisions that we're making. When we don't document things, we leave that open. And it really does become a problem and it becomes much more subjective in terms of what we did and how we completed it.



One of the most important things, and I'll say this right up front, regarding documentation, whether it's for a CARE team or in a clinical setting, a medical setting or even a legal setting, is the idea of timeliness. One of the biggest errors I've seen in my practice in the past related to documentation has been when they're turned in late. And as I mentioned, like eating vegetables and being in a place where maybe it's not the reason all of us got into this work, the documentation becomes often an afterthought. And to that end, I've watched documentation pile up. And when documentation like that piles up, one of the problems that

we run into is as we try to fix that logjam and clear all documentation, we end up being more vague or vaguer, I suppose, and not as complete in the type of detail that we need to include. If I'm trying to catch up on 30 notes over a month long stint where I was just very busy, we run into some problems being able to create those notes the same way I would create them if I was doing them in a in a 24 or 48 hour period after that contact.

The other part here that's really important about documentation is just making sure that we're thinking about the reasons we document. So I mentioned the legal risk issue that's showing our work, showing our process, which is very important. But the other piece is sometimes we go on vacation. Hopefully, you know, more frequently than not, we spend our time away from the office. Sometimes we change jobs. We want to make sure the documentation provides a guide or a path for the next person picking up the case or the scenario that we're working so that they can do that in a consistent manner.

We also want to make sure that our documentation is in a database computer database ideally, so that can be searchable and clearly legible. There's also standards and we'll do another TODD on this in a separate time related to FERPA, FIPPA for those friends up in Canada, HIPAA, state confidentiality laws. So we need to understand when we're documenting something, what type of standard applies here and how that information is recorded and quite frankly can be accessed by others. And understanding as we're writing those notes and keeping that documentation, knowing how that all comes together is really critical.

You see my little Hello Kitty journal here, and it's a bit of a running joke related to this, but please, please do not keep two sets of books. And what I mean by this is if there's an official record that's being kept, perhaps, in Maxient or Advocate or another database system, there's a temptation, I think, for team members to have their own notes. And the problem here with their own notes is we end up creating two

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sets of books. And what we've seen in some cases where these sets of notes don't always line up, that there's the official record that's kept in Maxient, Advocate, the database system, and then there's our personal thoughts that are kept there. And you can imagine if a case goes sideways or badly and we end up being subpoenaed, you can think for a moment of being on the stand and having to respond to these questions. Can you explain to me why the notes that you took described the case this way and the notes and the official record describe it this way. Which is accurate? You know, are you inconsistent in other areas of your practice? So those notes, while I understand the desire to keep those notes and have your own personal thoughts written down in that space, a lawyer, if things go sideways, is going to be much more interested in your Hello Kitty journal or the leather journal that I'm writing in at a meeting, than accessing these other databases so they know the good stuff. It's going to be in there. So please be careful about doing this. There's a training once where we mentioned shredding these notes and lawyers don't like the word shred. So instead of shredding the phrase that this lawyer from Memphis shared with me was discard your personal notes in the normal continuance of business. So, I like that

phrase again, discard your notes in the normal continuance of business, i.e., shred them and get rid of them so that you have one set of official notes.



There's a set of dos and don'ts when it comes to good documentation, and I'll go over these quickly, they're not hard to understand. Writing things clearly is really essential here. Being very clear in your documentation is critical. And what I mean by that is avoiding jargon, complicated sentences, really, you know, think Hemingway, if you will, kind of short declarative sentences (hopefully without the misogyny) and really

focus on good, clear, declarative sentences. Avoid those confusing acronyms, know your audience, know who you're writing to.

One of the issues we've run into as well is that people write for a very specific audience. They think, well, this is going to go into this database, that it'll only be discovered if there's a legal case. Well, sometimes students can access these, especially under FERPA. They have some permission to do that. We could have someone picking up the case, accessing it, parents, as well as, again, FOX News, CNN. If things go badly, they could be subpoenaed, not in the public view. So when you're writing, have an awareness that this is not just writing into a private little database that no one's ever going to see in in major cases where there are some legal implications or some dangerousness. One of the things that we're going to see really clearly is these notes coming into the public view. So be aware of your audience when you're writing. And what that means is what's your tone? We don't want to have opinions floating into our notes. We don't have our passionate viewpoints, rhetoric, tone, attitude. And this is it's a lot easier to see this and be like, yeah, that's definitely not OK. You see the tone sneaking into the notes when someone's annoyed. It's related, I think, a bit to our explicit bias, those feelings that are known to us. How do you feel about the student? Well, quite frankly, I don't like the student at all. That does not want to be a tone that ever captures itself in our notes.

Turning them in timely, I mentioned this earlier, really the most important thing when it comes to documentation, make sure when you're turning things in, they're turned in quickly. The biggest error I've seen over and over again has been waiting to turn in notes for weeks, if not months, and really getting into a position where you have some problems in that space.

Similarly here, we want to pay attention to reviewing your work. And what I mean by that is being in a headspace where we have a process in place where

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we're able to review the work that's being done that we understand as this work is being reviewed, there's a process, a quality assurance process, and this process might be one that's able to be reviewed and studied and better understood to improve the notes. So you might hear the term audit, you might hear the term keeping aware of this continuous improvement. What I mean by this is that someone's looking at the notes. Maybe a committee is looking at notes and documentation and identifying bad habits, difficult trends, not to punish the note taker, but instead to make things better.

Having this consistent process in your notes, I think is important as well. What I mean by this is having a template, if you will. One of my favorites is: talk about what occurred, what the presenting problem is, then talk about your interventions, your analysis. What did you do in this scenario to improve or address the presenting problem? And then finally, what's the plan moving forward with clearly stated actionable items?

Let's sum up some of these ideas in this TODD and I'm covering a lot in a very short period of time here. But the overarching idea is that documentation is really so critical. And I know it's nothing that people get overly excited about, but we really do have to make sure, like a well running car, this is the tune up and the oil change, making sure that we

have that good maintenance for our practice. Please don't fall into that trap, and we've seen this happen as well where people say, well, I'm not going to write things down because if I write things down, I could get in trouble for them. So, I'm not going to take any notes. That is not a good, defensible position. Please do not follow that. It's going to get you into trouble. Similarly, the two sets of books, a very common thing that people do, and it's commonly getting people in trouble because of the inconsistency between what they're writing in their personal notes. In the state of California, as an aside, sometimes this issue gets a little confusing because they think about public record requests. That's not my concern here. What my concern is more, because there's this rule in California or law related to people being able to keep their own private records and them not being subject to public record requests, what I'm talking about here is if you're at a meeting and people see writing things down at that meeting, that could be subject to subpoena and that can then come into a court proceedings. I'm less concerned with what maybe a state school might be concerned about, with what's public record and what could be requested and a little more concerned about the legal implications here. Having this continuous review process, again, is critical. Don't just write the notes and hope for the best. We have to have an active and ongoing process to improve these notes moving forward. I hope this TODD was helpful for you today. Thanks.

