

# The Litigation Team's Medical Records & Demand Checklist

15 CRITICAL CHECKS FOR MEDICAL DISCOVERY, CARE GAPS, AND COURT-READY DEMAND LETTERS



## THE RESPONSIBILITY & THE RISK

Insurance carriers search medical records for care gaps, unverified billing, and undisclosed prior injuries to devalue your demand. A structured clinical record review protects settlement value and prevents blind spots.

## THE 5-STEP VERIFICATION WORKFLOW

1



### Emergency & Intake Baseline

Verify EMS run sheets, triage notes, and initial pain complaints. Confirm consistency between police accident narrative and ER intake.

2



### Care Gap & Treatment Continuity Audit

Identify any gaps of more than 14 days. Document explanations (No-Fault termination, carrier IME denials, scheduling backlogs) before the adjuster flags them.

3



### Pre-Existing Condition & Causation Isolation

Cross-reference prior radiology against acute post-accident imaging to substantiate aggravation of pre-existing asymptomatic pathology.

4



### Medical Specials & Lien Reconciliation

Reconcile every billing ledger line against clinical chart entries. Flag billing without corresponding operative or physical therapy notes.

5



### Deposition & Demand Cross-Check

Confirm that all subjective complaints cited in the demand letter are anchored to specific provider records and page numbers.

## DEFENSE & ADJUSTER RED FLAGS TO CATCH

- ☐ **Unexplained care gaps:** Gaps between ER and first orthopedic consultation.
- ☐ **Omitted prior trauma:** Degenerative disc disease noted without trauma aggravation language.
- ☐ **Conservative care limitations:** Inadequate documentation before surgical recommendation.
- ☐ **Billing/chart mismatch:** Invoiced services missing clinical SOAP documentation.
- ☐ **Contradictory daily life notes:** Physical therapy notes reporting "patient feeling great" just prior to IME.

## ETHICS & SUPERVISION CHECK

- **Rule 1.1 - Competence in Evidence Review :** Understand AI limits and protect confidentiality.
- **Rule 1.5 - Fair & Verifiable Damages**
- **Rule 1.6 - Client Confidentiality & HIPAA Considerations**
- **Rule 5.1 - Supervising Partner Liability :** Maintain oversight of all staff- and AI-assisted summaries.



### ATTORNEY REVIEW ACKNOWLEDGMENT

Review reminder aligned with AI-assisted legal work responsibilities

*"Turn Medical Records Into Court-Ready Case Insights in Minutes."*