

IT Advisory Checklist for Attorneys

Whether as legal counsel you advise healthcare providers on information technology (IT) diligence and strategy, facilitate contract negotiations and related transactions, provide investigation or litigation assistance, or assist with regulatory compliance, PYA's complimentary IT Advisory Checklist for Attorneys offers high-level insights in key impact areas. PYA provides clients with comprehensive advisory services that are supported by our specialized knowledge and extensive expertise. Learn more about [PYA's IT Advisory and Consulting Services](#), and contact PYA at (800) 270-9629.

Key Considerations When Selecting an IT Advisory Professional	Yes	No
Does the IT advisory team have the appropriate level of healthcare experience (e.g., prior CIO, compliance, or executive level, managerial experience in healthcare organizations)?		
Does the IT advisory team have the appropriate level of experience with the existing information systems or infrastructure as well as their implementation?		
Does the team have experience with similar engagements [e.g., electronic medical record (EMR) contract negotiations or assistance with various regulatory analyses]?		
Does the IT advisory team have sufficient resources to complete the engagement within the necessary timeframe?		
Have you been provided with a list of meaningful, credible references with contact information?		

Factors for Completing an EMR Selection Analysis or Advising in Contract Negotiations	Yes	No
Have multiple EMR vendors been considered for comparison purposes in the selection process (e.g., Epic, Cerner, and Meditech)?		
Does the EMR selection consider current clinical processes (e.g., billing, dictation, prescribing) and the requirements of implementation and integration with those processes?		
Does the EMR selection match the administrative and clinical capabilities of the software with the identified needs of the organization (e.g., billing requirements with services provided, efficiency of patient registration and communication, note-taking, or dictation capabilities)?		
Are the financial needs of the healthcare organization met in the EMR selection or its associated contract negotiations (e.g., price negotiations with EMR vendors)?		
Does the EMR contract meet organizational requirements and include appropriate provisions for a Business Associate Agreement (BAA) and limitations of liability?		

Important Regulatory Compliance Focus Areas	Yes	No
When legal counsel engages IT advisory consultants for assistance with Stark law compliance, does the analysis of Stark law compliance accurately explain the pricing models that are used for the recipients of EMR items and services (e.g., direct cost reimbursement or subscription models)?		
When legal counsel engages IT advisory consultants for assistance with Stark law compliance, is the medical group contribution of the cost of EMR items and services detailed and documented with regard to the Stark law exception and anti-kickback statute safe harbor?		
When legal counsel engages IT advisory consultants for assistance with Stark law compliance, are the total contributions of EMR items and services taken into account for the analysis of Stark law compliance under consideration [e.g., implementation costs, EMR build, and at-the-elbow (ATE) support]?		
Are pricing models and implementation costs considered reasonable for the time period in which contributions were made?		
Have the market comparisons for the costs of EMR goods and services been appropriately addressed?		
Are the total contributions from the recipient (i.e., the end practice) to the entity providing EMR implementation assistance for EMR items and services appropriately defined in billing and financial information from the period under review?		