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Clinic records remain hot potatoes

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Lawyers, court officials and former clinic directors continue to squabble over the future of thousands of medical records abandoned after the closure of the Coastside Family Medical Center.

As many as 35,000 records remain in locked storage after E. Lynn Schoenmann, the court-appointed trustee, set up a two-day release center at the former clinic at Shoreline Station earlier this month. The trustee says that approximately 2,000 records were handed back to patients during the temporary distribution. More than 3,000 patients sent in forms to Schoenmann's office requesting their records, but about 1,000 requested records were never claimed during the short event.

In a Tuesday meeting at U.S. Bankruptcy Court, Schoenmann told Judge Dennis Montali that thousands of records have been given back to patients, but the distribution met several problems. Many patients likely failed to show up, or decided the long line wasn't worth it, Schoenmann said.

Independent observers also reported many problems from the records release, particularly patients who didn't receive notification in the mail. Also, letters sent out to Spanish-speaking families were not translated.

Dr. Grant Weiss, an advocate for former patients of the Coastside medical center, said that despite several problems, the short-term effort to get medical records back in patients' hands was a success.

"The trustee did a heroic job there and I give them credit," he said. "She did what she could and that was a heck of a thing."

The thousands of records left over from the Coastside medical center have been an albatross for Schoenmann, who is legally the guardian of the remaining assets of the clinic. Since taking over the remnants of the clinic when it declared bankruptcy, Schoenmann has sought to hand off responsibility for redistributing the records back to patients — a duty that she has repeatedly said her office is not equipped to fulfill.

Tuesday, the trustee proposed that the clinic's former board of directors retake possession of remaining records. Montali rejected that idea, saying he wanted the trustee and former board to attend a mediation session in November to negotiate a better way to get records back into patients' hands.

Representing the former board members, attorney Iain MacDonald suggested the records could be made available through a digital scanning service that would scan and archive the documents and sell them back to patients.

Schoenmann argued this proposal would still require notification to be sent out, and would likely be too costly for poor patients.

Medical charts are no longer available for free, but patients can request them by mail at a cost of $25. Schoenmann's office is reportedly working to release the 24,000 "inactive" records housed at the SourceCorp storage facility in San Jose. The trustee's office has posted information that it will begin mailing out retired records at the beginning of October at a cost of $35 per record.

The majority of records left over from the Coastside medical center will be destroyed in August if they are not claimed.

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