

# FHCA 2019 Annual Conference & Trade Show

## CE Session #62 – Making Your Documentation Your Ally: Turn the Tables on the Plaintiff Lawyers

Thursday, August 8 – 11:30 a.m. to 12:30 p.m.  
Celebration 9-10 – Legal/Regulatory/Survey

### Upon completion of this presentation, the learner will be able to:

- Identify areas of litigation exposure
- Develop strategies to avoid litigation
- Train staff to develop best practices

### Seminar Description:

“Not Documented...Not Done...” This is a common theme that emanates from plaintiff lawyers when they sue skilled nursing and assisted living facility operators. The typical claim alleges that the center cannot show that good care was provided because the documentation is lacking. This session will focus on techniques to train your staff to be more diligent and creative in their charting so that you can provide a strong and viable defense when a claim is made. Nurses are trained to chart by exception. In this litigious world, it is imperative to not only document the compassionate care that is provided every day, but to also provide a vivid snapshot of the caring relationships and good deeds that are a mainstay in the senior living community. Real world examples and video deposition clips from actual cases will be utilized to show how plaintiff lawyers utilize medical charts and manipulate the contents in order to bolster their case.

### Presenter Bio(s):

**Brian Bursais** a founder of and administrative partner of Ullman Bursa Law. Mr. Bursa’s practice includes employment law, general liability, guardianships and the defense of nursing homes, assisted living facilities, doctors and hospitals. Mr. Bursa also serves as outside general counsel to small and medium size nursing home and assisted living companies.

**Kirsten Ullman** is the founder and managing partner of Ullman Bursa Law. Ms. Ullman is a trial attorney with a diverse background of experience. During the past two decades, she has dedicated her practice to the areas of professional liability defense, including medical and legal malpractice defense, and has defended nursing homes, assisted living facilities, physicians, hospitals, chiropractors, home health agencies, nurses, pharmacists, dentists and attorneys and has been designated Long Term Care Litigation Support National Counsel by two major insurance carriers. Ms. Ullman has also practiced in the areas of general liability, products liability, premises liability, transportation law and employment law. She has successfully tried cases in Florida, New Jersey, Ohio, Arkansas, Mississippi and Kentucky and has handled cases as regional counsel in Georgia, South Carolina, North Carolina, Kentucky, West Virginia, Mississippi and Arkansas.