



WARNINGS AND DISCLAIMERS

Warnings and Disclaimers

PLEASE READ THESE DISCLAIMERS CAREFULLY

Praxis is a complex and flexible Electronic Medical Records software program that aims to streamline the care of patients. We have made every effort to produce a program free of bugs, but we cannot anticipate every combination of uses we might encounter in an actual medical practice.

Although Praxis continues to evolve and improve, we cannot guarantee a “perfect performance,” and you may experience occasional bugs and errors. If you decide to use this software, you remain responsible for critical patient data (see also page 53)

Limited Warranties

Praxis is designed to operate at the very frontier of software knowledge. We at INFOR*MED pledge to do our best to correct problems as they are discovered by you and other users. Please inform us of any questions, problems, and—most importantly—ideas.

If, after reading these warranty limitations, you feel your risk of using the program is unacceptable, please return it within your trial period for a full refund.

Technical Caveats

Do not rely solely on this program to make your medical decisions. As with any new software, Praxis may fail to perform as intended, resulting in reporting errors. The program has been thoroughly tested by our developers and testers. However, this does not mean that there are no issues left undetected.

You should consider that:

- Computers are not all alike. The hardware configurations in your particular computer may result in software errors not previously detected or reported.
- Operating systems differ from one computer to another and are continually upgraded, often on a moment's notice! An upgrade could cause major problems within your Praxis program. Errors in your database programs may also occur for the same reason.
- You may run some programs in your computer whose combination or interaction with Praxis may not have been evaluated by other users.
- Praxis is artificial intelligence software. As such, we cannot conceive of every possible use that may be asked of it. Unlike a human being, a computer program does not have "judgment," and it may show strange and incorrect information because of actions that have not been foreseen by developers.

Because there are so many intricacies in a program, there is always a possibility that an error could result in a loss of data or incorrect information being reported to you or your staff. Just because an error has never happened or been reported by other users, does not mean that it may not happen for the first time to you or your clinic. We do promise that if we learn of a program error, we will immediately correct it and attempt to alert you by e-mail (a good reason to be properly registered and to provide us with your current email address), and we will publish the error and its patch or correction on our website at supportserver.praxisemr.com/

Be particularly careful when relying on:

- Agents that alert you or your staff (see page 960). Health Maintenance warnings (see page 784)
- Medications being displayed with correct patients
- Correct patient information being shown
- Notes inserted properly into the patient record
- Previous encounters being saved appropriately
- Practice Advisories inappropriately triggering or not triggering.

Again, Praxis has been thoroughly tested without detecting any problems prior to this release, but all this means is that no one has found an error yet. **IT DOES NOT MEAN THAT AN ERROR MAY NOT BE LURKING IN THE PROGRAM.** As soon as you are aware of such a problem, please let us know and we will correct it for you and everyone else.

Bugs and Crashes

As noted above, no software is completely bug free. Basically, a bug occurs because a user does something (tries a certain move or key combination) that no developer thought someone would try and that no other user has ever tried. When anyone reports such a bug, we release a patch to fix it. Being bug-free is like being “healthy;” it is a diagnosis by negation. As a doctor you really don’t know that someone is truly healthy, but you suspect this is the case because the patient reports no symptoms and there are no laboratory findings that indicate any illness. Yet, as you know, a disease could still hide within a patient, and until the patient reports a symptom to you, you remain in the dark. So, it is with software bugs.

The number of potential bugs is **directly proportional** to the size of a program (Praxis is considered large) and to the level of complexity (Praxis is considered complex). Moreover, the number of bugs is **inversely proportional** to the number of users (Although Praxis is being used in hundreds of clinics, the number is still small when compared with competitors with thousands of clinics, and even more so with commercial applications going to a mass market with millions of users, so unknown errors may be relatively higher). As a result of these factors, the potential for uncovering bugs later in the life of the program is higher, and this is to be expected. Finally, Praxis is being constantly improved with new features added all the time and **a tradeoff exists between innovation and excellence on one hand, and crashes and errors on the other**. New features not only have not been used by hundreds of clients when first released, but a more subtle problem occurs, every new feature may result in errors on other prior stable parts of the program that this new feature interacts with inappropriately. Software is a huge house of cards based on ones and zeros, where everything potentially affecting everything else.

As a rule of thumb after a crash, first review your information thoroughly and redo whatever is missing. Then please report the bug to us.

Backing up Properly is a Must

The solution to many of these problems is to make **frequent backup copies and keep the copies in a safe location away from your office**. Even if you are on our clouds, an external backup that you have control of is highly recommended. Backups systems are inexpensive and great insurance against Murphy-type loss.

Security Limitations and HIPAA

Our continuing policy is to hide patient medical records in order to protect patients—and you—against a breach of confidentiality. However, we do not warrant that our system is breach-proof. Indeed, with sufficient ingenuity, skill and effort, it might be possible to breach any security password of the safest system. We recommend that you use a firewall to prevent a trespasser from getting into your computer. (on the

other hand, be careful not to install a firewall that is **too** restrictive, because you will experience difficulties in entering your system and also receiving an appropriate level of support and training from us.) The new HIPAA law speaks of “reasonable” precautions, understanding that 100% protection is unrealistic, if not impossible.

This also explains why the Praxis database must remain off limits. The Praxis database is very sophisticated and tampering with it will likely make the program run improperly, leaving us with no idea of how to fix it. **So please do not attempt to enter or disassemble the encrypted database; don't even allow technicians to attempt that for you.**

Remember that the HIPAA LAW requires both you and your support people (including the praxis support team) to sign a HIPAA business associate agreement. We are required by the agreement to use restricted medical information only to help you train your staff and support your system. We are required by law not to divulge any patient information. Simply download the contract from the client section of our website (supportserver.praxisemr.com/). Fill it out, keep a copy for yourself, and fax us a copy to comply with the law.

Interface Problems – Billing Software

Be careful if you use a billing software interface. **You may not enter information in the Praxis patient demographic area that is also found in your billing application.** The reason is that demographic information entered into Praxis that also exists in the billing application, will be automatically overwritten as soon as the two programs interface. Thus, enter all demographic information into your billing application rather than into Praxis.

Be particularly careful with patient registration numbers. Patient records have been completely exchanged by using a different registration number in the billing application and in Praxis. Praxis will believe that two patients with identical registrations are, in fact, to be treated as one and the same and will automatically accept all incoming demographic information for that registration number regardless of the name of the patient or any other identifying information.

This is the electronic equivalent of mistakenly placing the entire chart of one patient in another patient's folder. Be careful!

Note: There is now a patient merger program that will fix these duplications, however, it is very time consuming as you or your staff need to identify the correct duplicate record.

Only if you know for sure that a field does not exist in your billing software, may you place it safely into Praxis.

The best solution, if you intend to interface Praxis with a billing software is 1) not to create new patients in Praxis, and 2) not to alter or amend demographic information in Praxis but in your billing software instead. If the programs are properly interfaced, all changes in your billing software should appear in Praxis within a few seconds.

Interface Problems-Laboratory data

A subtle but serious problem may result from the inadvertent renaming of an incoming laboratory value to the wrong name. Be particularly careful when merging laboratory names into one for ease of viewing. Different laboratory companies may use slightly different terminology, but the Medical Officer in your clinic may inadvertently rename an incoming laboratory into a different type of lab altogether (see page =).

Attention: Cloud Users

Clouds are an amazing solution for complex software like Praxis EMR. However, you cannot and should not rely on any cloud system to handle your backup, whether it is ours or anyone else, without keeping your own independent automatic and continuous backup stored at a separate location of your choice for additional safety. This precaution is simple and inexpensive to implement. The location you select may be any independent place you trust, such as your home, your office, or even that of a third party (not us) whom you trust to provide this service on your clinic's behalf. provided you take the usual HIPAA protection for backup computer and have the appropriate HIPAA Business Associate agreement in place. So, no matter what happens to the cloud, you have your own medical records backed up in the location of your choice to be back in business in record time with this cloud vendor or any other. Keep in mind that this precaution is in addition to any internal backups your cloud vendor may provide you.

Please be aware that the cloud system may go down at unpredictable times for short periods of time. Our cloud vendors are always on the alert for malfunction but there is always a chance that the system may fail and you will not have your medical records for a short period of time. This, of course, may also happen if the server is located in your practice. Unlike paper records, computer records are only as good as the electricity that feeds them and the connection to your site. Internal backups are always available and as soon as the system goes down, alternative servers are quickly set up to take up the slack, but precious time may elapse. In addition, the

server is usually rebooted for a few minutes in the middle of the night, to ensure optimal performance. The rebooting usually cleans up whatever data garbage that may have been stored in random access memory during the previous day.

Our team will assist you to set it up wherever you indicate.

Drug Information Technologies (Drug Contraindication Database software) Warranty Limitations

If you will use the Drug Information Technologies' Database, please read the following additional warranty and contractual limitations (page 1689).

Medical Caveats

In addition to technical unknowns, the fact that you are working on a unique Electronic Medical Records Generator—a true “Concept Processor”—also implies certain caveats to which you have to pay special heed:

Your Responsibility for Making Diagnosis and Treatment

You acknowledge that the software does not make final clinical, medical or other decisions and is not a substitute for competent, properly trained and knowledgeable staff who bring you professional judgment and analysis to the information presented by the software and that you are solely responsible for verifying the accuracy of all patient information and determining the data necessary for you to make medical decisions, as well as for complying with all laws, regulations, and licensing requirements applicable to your delivery of healthcare services.

Praxis is not an automatic chart generator any more than an automobile is an automatic driver. PRAXIS is concept-processing software (see [The Praxis Charting Manifesto](#) White Paper), and that makes it quite different. It will surely get you there easier, better, and faster, but you still have to know enough to negotiate all the turns!

The Issue of Honesty

We assume the user is an honest physician, who will either record only what he actually observes and performs on the patient, or—even better—who uses the chart to remember the areas that deserve immediate investigation (sort of like a pilot uses a checklist). We cannot take responsibility for your medical accuracy, and we take no responsibility for anyone's honesty. This is why Praxis does not delete records, although they may be amended at any time. The previous history of changes is always preserved. It is far better to make a “sequential correction” later, stating that

the previous entry was wrong, than to have to expunge electronic information (see amendment on page 1188). This is also why all the databases are encrypted for your protection and that of your patients. **In addition, to be safer, you may print files as PDFs.**

The Issue of Medical Logic

Although not quite the same as the issue above, Praxis may follow a path you did not intend. Visually inspecting the entire output, both **before and after it is generated**, is the only way to assure that Praxis is following your instructions the way you wish. Most of the time, discrepancies will work in your (and the patient's) best interest, as Praxis reminds you of things you may have forgotten to order or study. However, it could go the other way. Praxis may order a drug that is contraindicated in a given patient or with other drugs it has ordered for you. Praxis does have warnings against this eventuality, but no system is perfect, and you should never entirely rely on the software's output.

Issue of Medical Knowledge

Remember that all knowledge regarding diagnosis and treatment is actually yours. Praxis learns everything from you, and we cannot guarantee that the output generated will contain acceptable procedures and examinations. If you do not know a given fact, Praxis cannot teach it to you; Praxis will help you recall a fact you have already learned, which is of significant help. Everything that Praxis generates was learned from you. It is therefore your responsibility to ascertain that the output is acceptable before you authorize its execution. In addition, INFOR*MED has developed Practice Advisories, but even these may be questionable. In fact, the governments' own clinical guidelines are released with disclaimers.

The USPSTF concludes that the current evidence is insufficient to recommend electronic nicotine delivery systems for tobacco cessation in adults, including pregnant women. The USPSTF recommends that clinicians direct patients who smoke tobacco to other cessation interventions with established effectiveness and safety (previously stated) (Grade I Statement) (U.S. Preventive Services Task Force, 2015).

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Figure 1. *All CMS Measures are released with similar disclaimers. Clearly, any guidelines that we may place in your Praxis based on these guidelines inherit the same disclaimers. You may review our work and corrected as you wish.*

Since Medicine is not an exact science, you are still considered the only true and final "expert."

The Examples Should be Carefully Screened by You

The clinical examples that we include in the appendix and elsewhere are used to demonstrate the workings of Praxis and should not be confused with medical advice of any type. Even those examples we have reproduced from client-physicians represent only their opinions. You should not base your judgment on these examples, but use them as you see fit.

SOFTWARE IS NOT FOOL-PROOF! BE ON CONSTANT ALERT AGAINST FAILURE!

We wish you the very best of luck with this program, and we hope you will enjoy using it. the way we have enjoyed putting it together.