

# CASE STUDY: COMPLIANCE EDISCOVERY STORAGE & LITIGATION SUPPORT

## Health Care — Elements Behavioral Health

### Case Overview

- **Industry** Healthcare
- **Customer** Elements Behavioral Health
- **Number of User Accounts** 2,200
- **Business Need** Compliance Archiving, Centralized Storage Management, eDiscovery Readiness for HIPAA Compliance
- **Solution** MessageSolution Compliance Archive eDiscovery Platform

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### Case Resolution



#### Background

Elements Behavioral Health (EBH) is the premier company for mental health and trauma treatment. EBH's treatment centers are committed to providing the highest quality clinical care drawing from the latest evidence-based approaches. The unique program is carefully designed to meet specific needs of clients in order to focus on long-term, sustainable recovery, and overall improvements in quality of life.

#### Customer Challenge

In December 2006, the Federal Rules of Civil Procedure Act (FRCP) was amended to include eDiscovery rules. On July 29th 2009, the California Code of Civil Procedure Act known as the Electronic Discovery Act, permitted opposing counsel, government entities, and others to inspect, copy, test, or sample essentially all unprivileged information storage in an electronic medium or format. That includes personal health information (PHI), computerized financial record emails, personal notes, memos, and among other materials. With eleven treatment centers across the nation, Elements Behavioral Health (EBH) heavily relies on email for compliant business communications with their patients. Similar to all treatment centers who rely on the

As a health care facility, Elements Behavioral Health is subject to HIPAA retention compliance with requirements preservation of all medical records including email communications between the health care professionals and their patients. EBH is required to provide immediate access to these records, both the confidential patient records and track discharged patient communications.

In addition, Elements Behavioral Health Technical Support Department's help desk was facing ongoing support challenges, one of which involved Bring Your Own Device (BYOD) users among its employees. BYOD Employees were switching between phones and tablets with continual failed syncing attempts in Exchange email environment and having to search and restore the entire mailboxes often. Subsequently, Elements looked into compliance server upgrades and help desk support. They researched cloud service provider, Microsoft Office 365, for a compliant archiving solution that would minimize HIPAA audit risks and provide the



Resolution: MessageSolution Compliance Email Archive eDiscovery Platform™

Upon review, Elements Behavioral Health found that Microsoft Office 365 Regional Redundant storage represented a hidden data ownership cost associated with 11 treatment centers, with cost varying state by state. Defending their treatment centers took on additional legal expenses associated with out-of-state data storage. In contrast, MessageSolution's HIPAA Storage Cloud Archive can be centralized and replicated locally. Thus, EBH found a solution. With MessageSolution, EBH was able to integrate with Microsoft's Exchange web services protocol. This integration delivered a decisive advantage and superior archive access while providing their users a rich exchange experience by archiving, search and restore of email, calendar items, and contacts. It was also the only solution that could meet the search scalability requirements that were lacking in other cloud service provider offers. MessageSolution's Compliance Archiving allowed Elements to meet the HIPAA document retention requirements. Compliance email review and archiving support for redaction further ensured that Elements' ongoing post patient care privacy objectives were met. Ultimately, MessageSolution Compliance Email Archive assisted EBH advisors and counsel with better email review and search workflow to improve the organization's internal resource management and client care.

## Solution Benefits

MessageSolution provided Elements with a two-fold value proposition based on unlimited compliant storage and enhanced SOC II Type 2 datacenter security. With MessageSolution Compliant Archiving, Elements was able to ingest legacy data and remain compliant with their existing data retention policies for users email without having to acquire additional storage while managing multiple email servers. Feature such as Outlook access, users and legal team did not need to leave Outlook to access their archived mailbox. They can see the archive folder and quickly search and restore any email in their archive with native integration to Outlook.



### Email Archiving & eDiscovery

Using advanced search culling data and case management for review and predictive coding technology, MessageSolution extends IT and legal staff the ability to hone in on information specific to the case and, thereby, reducing the time and cost of reviewing irrelevant email and documents. Unified search makes it intuitive for the legal team to look for anything electronically—whether the data comes off SharePoint files, Instant Messaging systems or Exchange mail servers. Initially, the responsibility of data-retrieval for litigation or Public Record Acts requests was left for the IT staff to handle. The tools were now made available and provide Elements' legal staff the ability to produce relevant data from various electronically stored information resources on their own. They also furnish attorneys a way to manage all relevant data throughout the lifecycle of the case. By outsourcing email archiving and eDiscovery to MessageSolution, they avoided the capital expense of maintaining HIPAA compliant storage and archiving servers. Centralized Archiving in their state of residence reduced their access eDiscovery costs.

## Summary

As a healthcare service provider dealing with sensitive personal health information, Elements Behavioral Health is subject to compliance regulations including HIPAA and California Code of Civil Procedure Act known as the Electronic Discovery Act. With emails being the backbone of communication between eleven centers and with their patients, EBH was looking for an archiving solutions for their regulatory compliance, eDiscovery, and storage needs. MessageSolution Compliance Archiving eDiscovery Platform was able to fulfill these needs along with providing support to Elements' help desk.

### Main Functionalities of MessageSolution Platform

- Search, restore, recover emails and attachment files
- Integrated with Microsoft Exchange web service protocol
- Centralized & localized storage cloud
- Outlook access to personal archive
- Reduce costs, increase employee productivity, enhance quality of patient care.
- Enhanced HIPAA business process efficiency ensuring 100% email message accountability
- Access, Search Audit, Delete and Export controls
- Restricted access to PHI
- Data Encryption AES256 ensuring integrity of PHI at rest
- Increase mailbox size while decreasing .PST file use
- Legal staff can access data without IT assistance
- Reduce time reviewing requested information
- Reduce end user mobile support
- Outsourcing to MessageSolution ensures lowest cost of data ownership & eDiscovery

