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HEALTH SOLUTIONS

AI, Medicine and the Law

McCague Borlack LLP

June 13, 2025

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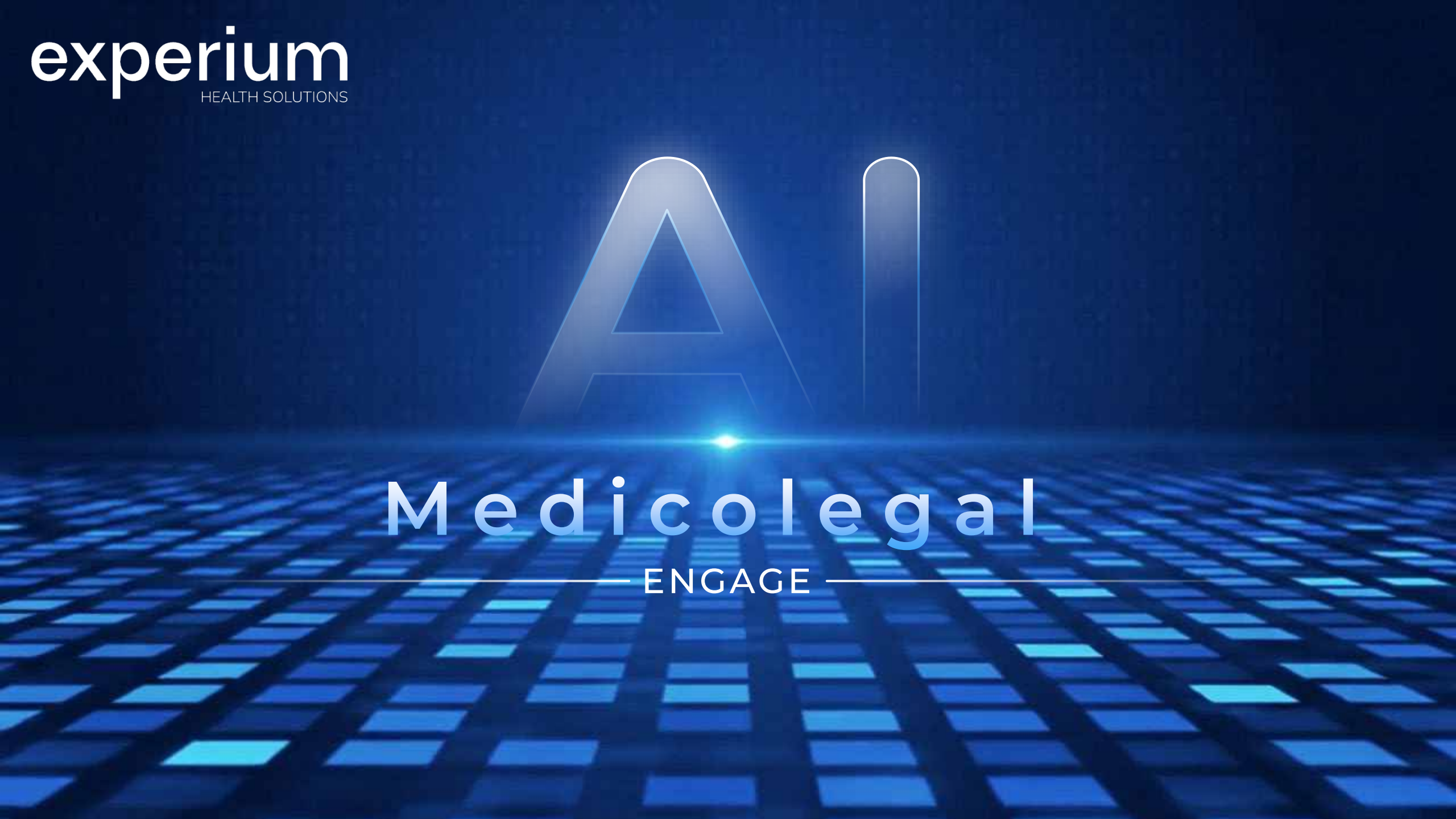
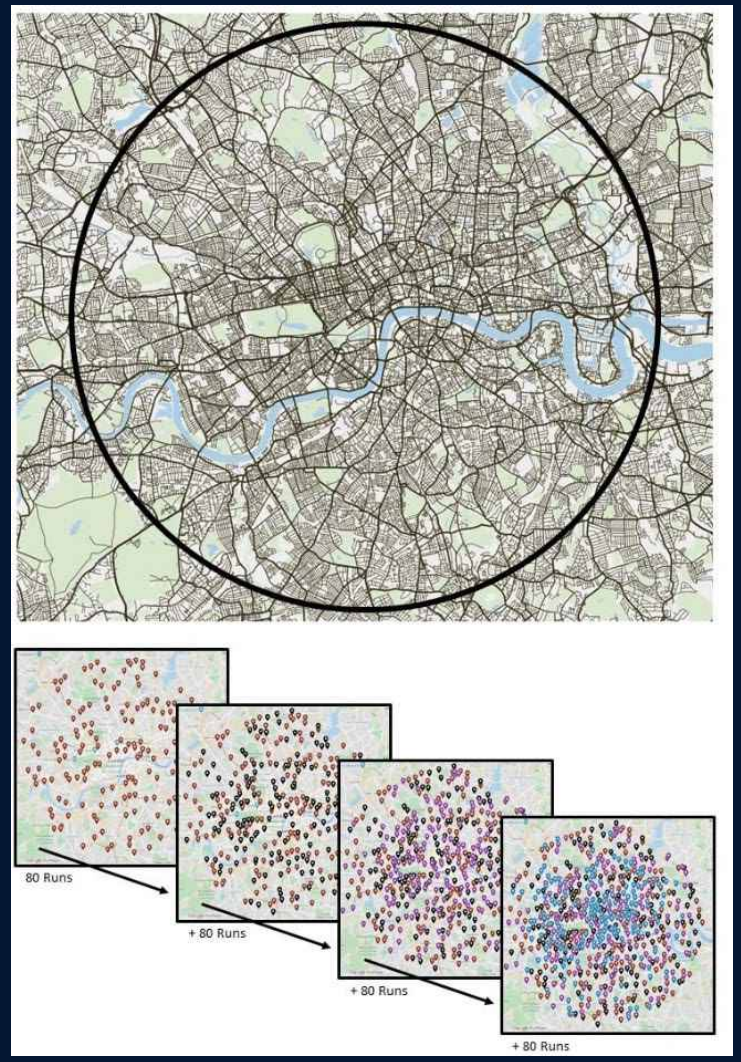


EVOLUTION OF NAVIGATION



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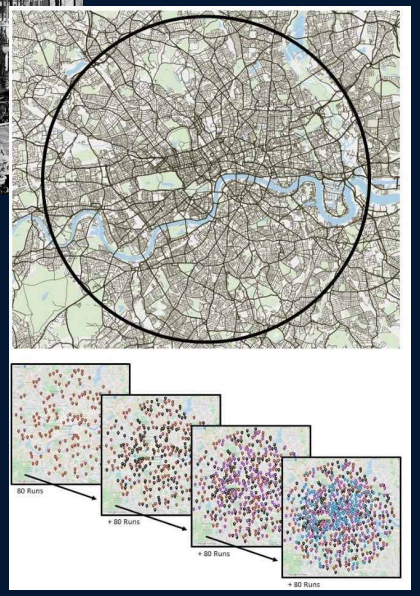
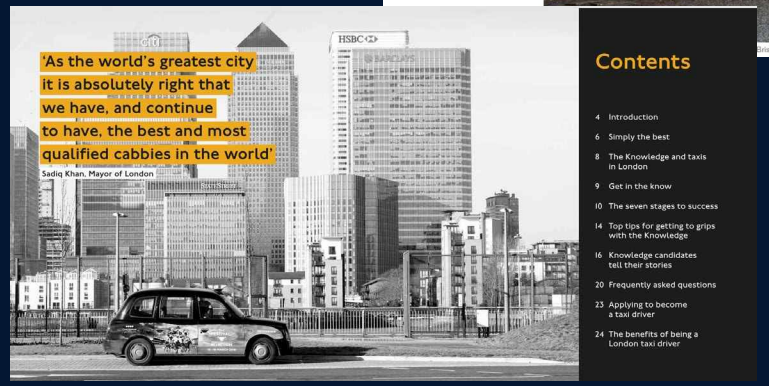
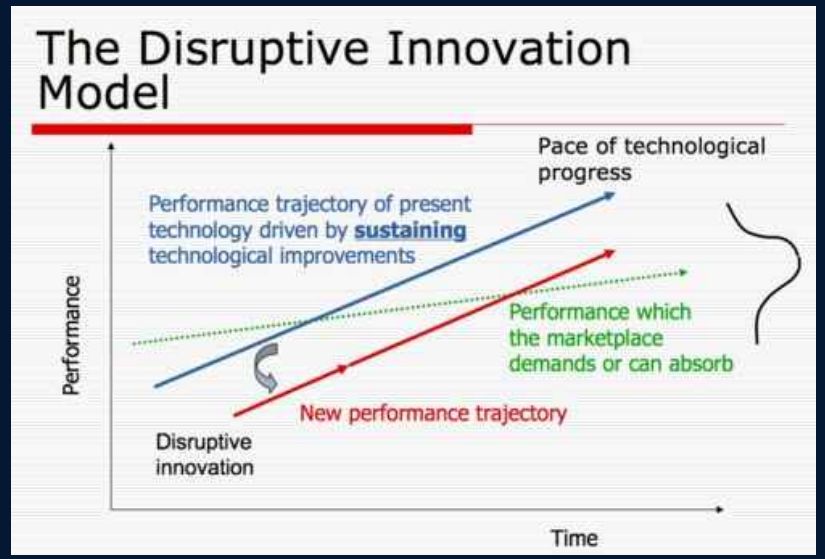


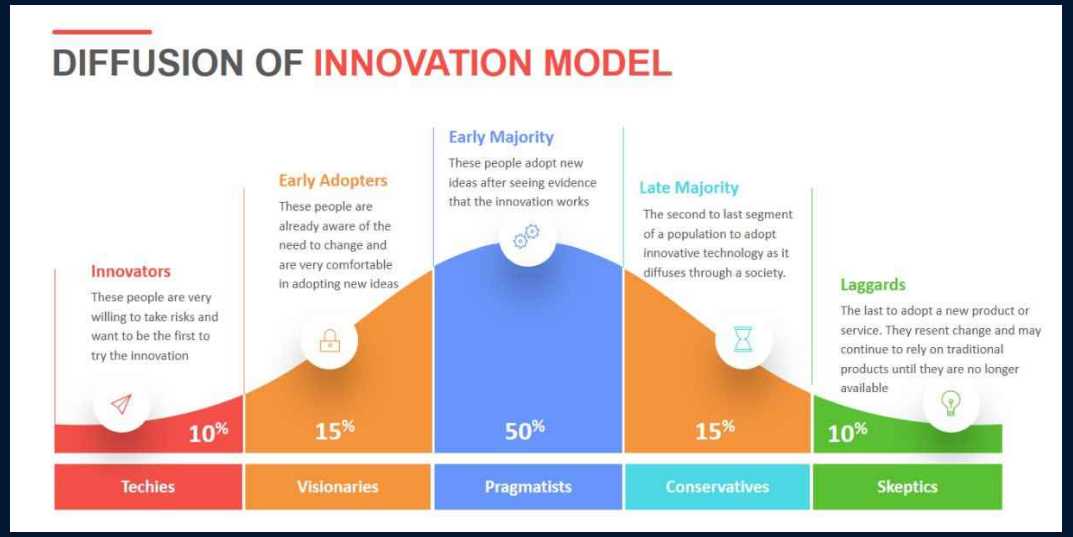


"It takes most people around three to four years, although the more time you put in the quicker you'll pass. Those who choose to study full time have been known to pass the Knowledge in two years."

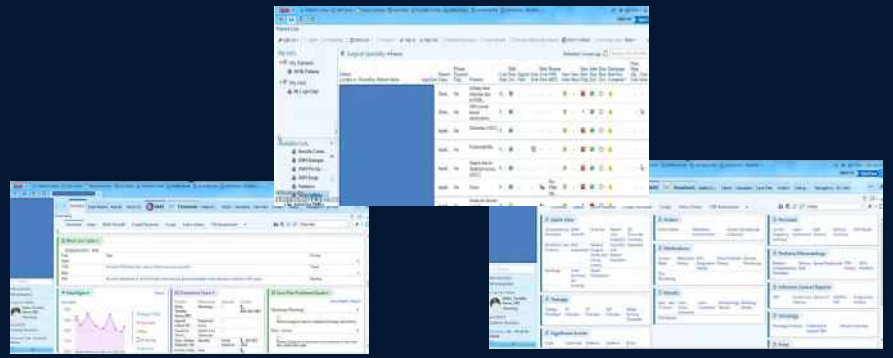
EVOLUTION OF NAVIGATION

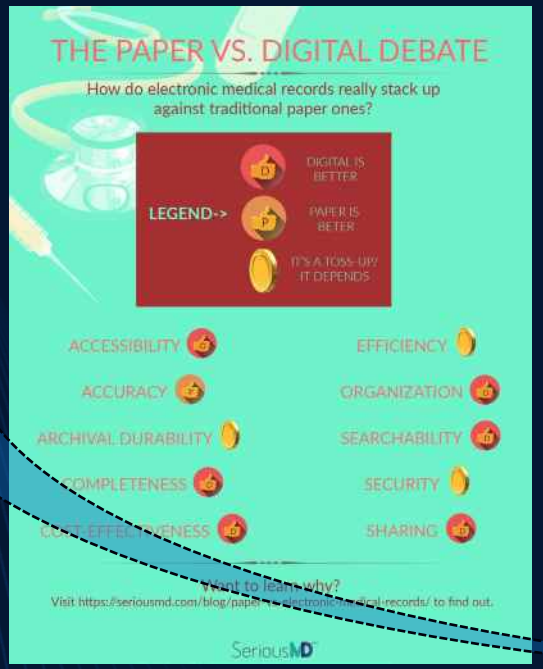
THE PATH FORWARD



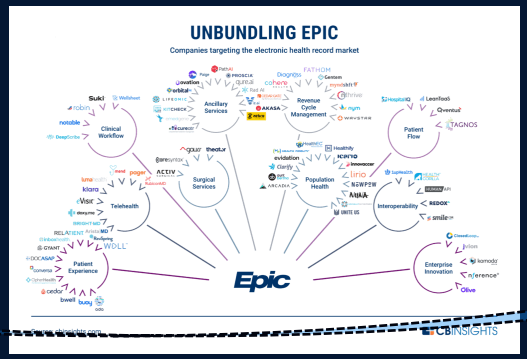


THE PATH FORWARD





2017



ORIGINAL ARTICLE

MAYO CLINIC

Check for updates

The Association Between Perceived Electronic Health Record Usability and Professional Burnout Among US Physicians

Edward R. Melnick, MD, MHS; Liselotte N. Dyrbye, MD, MHPE; Christine A. Sinsky, MD; Mickey Trockel, MD, PhD; Colin P. West, MD, PhD; Laurence Nedelec, PhD; Michael A. Tutty, PhD; and Tait Shanafelt, MD

Abstract

Objective: To describe and benchmark physician-perceived electronic health record (EHR) usability as defined by a standardized metric of technology usability and evaluate the association with professional burnout among physicians.

Participants and Methods: This cross-sectional survey of US physicians from all specialty disciplines was conducted between October 12, 2017, and March 15, 2018, using the American Medical Association Physician Masterfile. Among the 30,456 invited physicians, 5197 (17.1%) completed surveys. A random 25% (n=1250) of respondents in the primary survey received a subsurvey evaluating EHR usability, and 870 (69.6%) completed it. EHR usability was assessed using the System Usability Scale (SUS; range 0-100). SUS scores were normalized to percentile rankings across more than 1300 previous studies from other industries. Burnout was measured using the Maslach Burnout Inventory.

Results: Mean ± SD SUS score was 45.9±21.9. A score of 45.9 is in the bottom 9% of scores across previous studies and categorized in the "not acceptable" range or with a grade of F. On multivariate analysis adjusting for age, sex, medical specialty, practice setting, hours worked, and number of nights on call weekly, physician-rated EHR usability was independently associated with the odds of burnout with each 1 point more favorable SUS score associated with a 3% lower odds of burnout (odds ratio, 0.97; 95% CI, 0.97-0.98; $P<.001$).

Conclusion: The usability of current EHR systems received a grade of F by physician users when evaluated using a standardized metric of technology usability. A strong dose-response relationship between EHR usability and the odds of burnout was observed.

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HealthLeaders

TROUBLE AT THE TOP: EPIC FACES MOUNTING LAWSUITS AND ALLEGATIONS EVEN AS IT GROWS

BY FORBES | MAY 16, 2025

Epic Systems is perhaps the most successful health technology company in the world. Its electronic health record (EHR) platform is now used by the majority of large health systems in the U.S. Its customers are vocal in their support and are often passionate defenders of the platform's reliability, configurability, and comprehensiveness. And its commercial success continues: according to newly released KLAS Research data, Epic gained even more market share in 2024, widening the gap between itself and competitors.

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Press Coverage

INSIGHTS > CALIF. BAR EXAM FIASCO SHOWS WHY ATTYS MUST DISCLOSE AI USE

Calif. Bar Exam Fiasco Shows Why Attys Must Disclose AI Use

June 10, 2025

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Artificial Intelligence

The NEW ENGLAND JOURNAL of MEDICINE

Perspective
JULY 18, 2024

FUNDAMENTALS OF MEDICAL ETHICS

The Ethics of Relational AI — Expanding and Implementing the Belmont Principles

Ida Sim, M.D., Ph.D., and Christine Cassel, M.D.

November 2022 marked an inflection point in the public's experience with artificial intelligence (AI), when ChatGPT, a "large language model" (LLM), chatted with millions of

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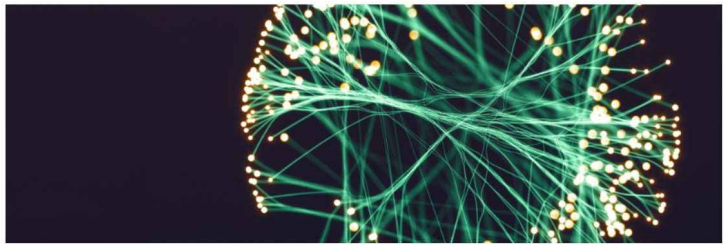
The medico-legal lens on AI use by Canadian physicians

A deep dive



Published: September 2024

NAWCJ

ARTIFICIAL INTELLIGENCE (AI) IN MEDICINE AND LAW

By Judge Robert G. Rassp
California Workers' Compensation Appeals Board
Los Angeles, CA

Position paper presented at CSIMS 2024 by Hon. Robert G. Rassp, Chairman of the Board of Directors, Friends R
(friendsresearch.org)

Disclaimers: The opinions expressed in this article are those of the author and are not those of the State of California Dep
Relations, Division of Workers' Compensation, or the Workers' Compensation Appeals Board. The opinions expressed her
the "Common Rule" 45 CFR 46 that pertains to the ethical requirements in medical research and the protection of researc
current legal requirement that 45 CFR 46 applies to injured workers whose claims may involve the use of AI.

INTRODUCTION

Artificial Intelligence, or "AI," is taking our society by storm. When computers first became in wide use in business a programming language would occur every five years or so with upgrades in software development that would cause users operating systems and download the latest operating system applicable to either their Mac or IBM based computer. Today, so

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ADVICE TO THE PROFESSION: AI SCRIBES IN CLINICAL PRACTICE

Last Updated: June 2024

Artificial intelligence (AI) technology is rapidly evolving and expected to improve health care and the way it is delivered. In particular, the use of AI scribes has the potential to alleviate physician burnout and reduce time spent on clinical documentation. This *Advice to the Profession* document discusses some of the benefits and outlines key considerations physicians should keep in mind when using AI scribes.

What is an AI scribe?

An AI scribe is an AI-powered tool that automatically captures and summarizes (and, in some cases, records) clinical encounters between a physician and a patient into detailed medical notes for the physician's review in real-time.

AI scribes can be very helpful in alleviating some of the administrative burdens that physicians face, allowing them to focus on direct patient care while supporting more accurate record-keeping.

How does an AI scribe differ from dictation software?

Dictation software simply converts voice to text, while an AI scribe can extract content from what it summarizes and apply it to appropriate fields of the patient's medical record. More recent AI scribes have the capability to analyze and isolate relevant medical information from the conversation between a physician and patient, and create a more concise medical note for the physician's review.

Toronto & GTA / Columnists

MANDEL: AI 'hallucinations' hit second GTA court case in a month

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Michele Mandel

Published May 27, 2025 · Last updated May 28, 2025 · 3 minute read

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Opinion

While courts still use fax machines, law firms are using AI to tailor arguments for judges

AI can read a judge's entire history of decision-making and spit out an argument based on what it finds

Robyn Schleihauf · for CBC Opinion · Posted: Mar 02, 2023 4:00 AM EST | Last Updated: March 2, 2023

Thank You

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HEALTH SOLUTIONS

AI, Trust, and the Human Touch

Why Human-in-the-Loop Is the Future—and Present—for Legal Professionals using AI

Connor Atchison
Co-Founder & CEO, Wisedocs

Agenda

01 Introduction and Background

02 Why Legal Is Adopting AI

03 AI is Here — But the Humans Are not Leaving

04 Human-in-the-Loop (HITL) in AI

05 Oversight Matters: Autonomous Vehicles vs. “Autopilot” Aviation

06 How to leverage AI in your law firm

07 Q&A

Introduction and Background

A Personal Story in Legal Claims

I spent 12 years in the Canadian Armed Forces working in healthcare administration, where I witnessed how outdated, manual processes created bottlenecks, not just in care, but in the documentation and legal decisions that followed.

That experience became personal when I became a caregiver for a family member after a catastrophic car accident. Suddenly, I was on the other side, navigating a system filled with paperwork, procedural delays, and long wait times for decisions.

The claim process took more than 18 months to resolve. One of the biggest delays being reviewing hundreds of pages of medical records—an all-too-common challenge for legal professionals managing injury, disability, or tort claims.

That experience inspired Wisedocs: a mission to bring clarity, speed, and automation to legal workflows that are too important to leave fragmented.

There has to be a better way.

Why Legal Is Adopting AI

REFERENCE: MCKINSEY REPORT, CONNING SURVEY, CLIO

AI Adoption in Legal is Skyrocketing

79%

of legal professionals are now using AI in some capacity in their practice, skyrocketing from just 19% in 2023, reshaping legal work.

From research to document review, AI is transforming efficiency, accuracy, and outcomes across the legal industry, with legal professionals being some of the most enthusiastic adopters.

AI is being used industry wide to help deliver audit-ready, defensible decisions with clear citations, in a fraction of the time.

REFERENCE: CANADIAN LAWYER ARTICLE

Operational Challenges in the Legal Practice

Manual process burden legal teams

Legal staff spend countless hours manually reviewing documents & case files. This tedious process consumes billable hours and diverts attention from higher-value strategy and advisory work.

High turnover disrupts case continuity

With increasing attrition rates, particularly among junior associates rising to 20%. Institutional knowledge is lost in this turnover, causing disruptions in active case handling.

No scalable systems in place to absorb growth.

Firms struggle to grow without automated solutions for document review. Rising caseloads and client demands place increased stress on legal teams, leading to delays & missed expansion opportunities.

Each challenge reinforces the others, locking firms in an inefficient and vicious downward cycle.

AI is Part of the Solution— but How it's Used is Critical

01 The focus now shouldn't be whether to adopt AI, but how to implement it effectively, ensuring AI supports rather than disrupts human expertise.

02 AI tailored to industry standards empowers teams by reducing administrative burdens, optimizing workflows, and improving decision-making.

03 The rise of AI in law raises significant ethical concerns around transparency, bias, and undermining human roles

Exploring the Generative AI Legal-Tech Landscape

From contract analysis to case summarization, generative AI is reshaping how legal professionals work. Understand the tools transforming the legal landscape today.

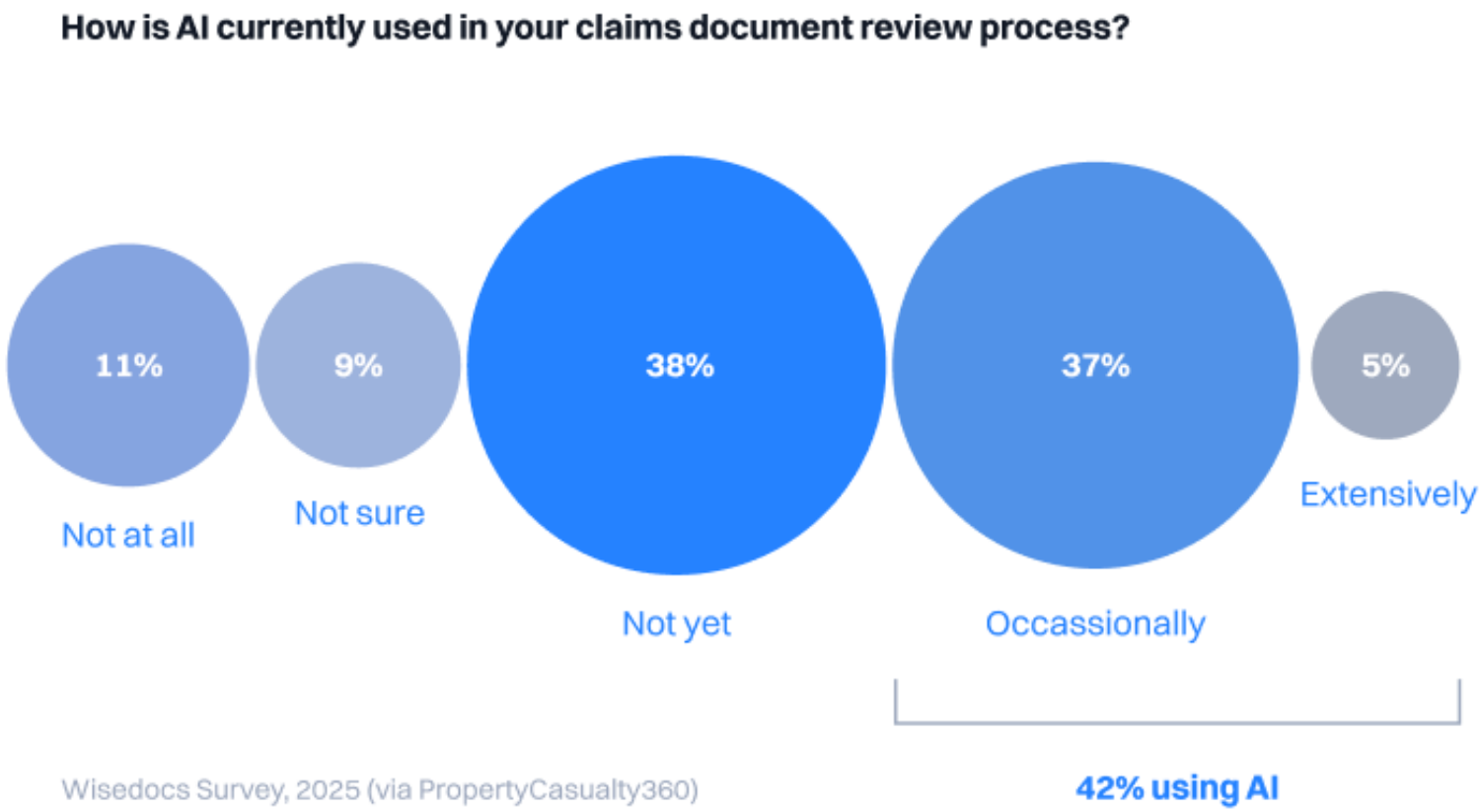
AI is Here — But the Humans Are Not Leaving

Early AI Adopters Are Emerging

42% of respondents from a Wisedocs-commissioned survey with PropertyCasualty360 reported to be at least occasionally using AI in their workflows.

Notably, those who use AI tend to trust it more.

33% who "occasionally use AI" selected medium to high trust in AI.



Why the Adoption of AI in Claims? The Business Impact

Top Drivers for Adoption

- Increase capacity & output
- Reduce operating costs
- Enhance customer experience

How Success is Measured

- Profitability
- Productivity & Efficiency
- Accuracy

69% state document automation & data extraction is the top area AI can improve their business

The signals are clear: industry professionals are eager for AI to improve their processes, with the biggest interest in freeing up time rather than replacing expertise.

AI-Driven Legal Case Analysis

01 Data In: Medical records, vast patient history, billing information, legal subpoenas, interrogatories, deposition records etc

02 Analysis: Extract meaningful information, identify patterns or inconsistencies, apply evidence-based practices

03 Data Out: Integration via API to legal and claims systems

AI Has a Trust Issue

Despite widespread discussion of AI, trust remains a major barrier to real-world adoption in document review processes.

54%

of industry professionals cite accuracy concerns as the top challenge in adopting AI.

11%

of industry professionals don't use AI and don't plan to.

2%

of industry professionals have high trust in AI-generated output when used alone.

Trust increases 4x When Humans Validate AI Outputs

Among respondents who expressed a clear opinion, we saw trust in AI jump from 16% to 60% when expert validation was introduced—showing that human validation is the key to unlocking confidence in AI.

Meanwhile, mistrust drops by over 50%.

Human-in-the-Loop (HITL) in AI

AI in Claims — Choosing the Right Path

KEY CONSIDERATION	NO AI (MANUAL, TRADITIONAL REVIEW)	AGENTIC AI (FULLY AUTOMATED)	COPILOT AI (AI + HUMAN EXPERTISE)
Compliance	✅ Regulatory alignment: Human-led reviews ensure legal defensibility.	⚠️ High risk: AI-generated decisions may lead to fines, disputes, and liability.	✅ Enhanced compliance with oversight: AI + HITL ensures audit-ready decisions & compliance.
Accuracy	⚠️ Human fatigue leads to errors: Reviewing thousands of pages manually leads to missed details.	⚠️ AI may misinterpret data : strict validation needed to avoid errors, hallucinations, and legal disputes.	✅ Trusted decisions: AI accelerates processing without sacrificing accuracy.
Cost	❌ Expensive & labor-heavy: High cost due to manual reviews.	✅+⚠️ Low upfront cost, but hidden risks: AI errors increase rework, compliance fines, and litigation costs.	✅+⚠️ Cost-effective & defensible: Saves money by reducing errors, risk, and legal exposure, but doesn't reduce labor costs to the same degree as automated processes.
Speed	❌ Slow & resource-intensive: Claims take months to resolve.	✅ Fast but unsupervised: AI speeds up processing but may cut corners.	✅+⚠️ Optimized speed with expert oversight: AI accelerates workflows without compromising compliance but slower than fully automated AI output.
Scalability	❌ Workforce bottlenecks: Overburdened professionals, slow manual scaling.	✅+⚠️ Scales without guardrails: AI handles high volumes but without safeguards.	✅ Scales responsibly: AI + HITL ensures growth without compliance risks.
THE BOTTOM LINE	Expensive, slow, and outdated. A fading past.	Fast and lowest cost, but risky—errors, hallucinations, compliance issues. An AI utopia.	The best of both worlds—speed, accuracy, compliance, cost effectiveness and expert oversight. A practical reality.

What Exactly is Human-In-The-Loop?

Human-in-the-Loop (HITL) refers to AI systems that rely on human oversight at key stages — from training and validation to quality control — to ensure outcomes are accurate, compliant, and aligned with real-world context.

3 LEVELS OF HITL IN CLAIMS AND LITIGATIONS

HITL TYPE	WHEN IT HAPPENS	PURPOSE	EXAMPLE
Model Training (Upstream / Pre-Deployment)	Before AI is deployed	Teach AI how to process complex claims & legal documents	Human experts correct AI-extracted medical/legal terminology in training data
Output Validation (Downstream / Post-Deployment)	After AI generates outputs	Ensure accuracy & compliance before delivery	QA team reviews AI-generated medical or legal summaries before sending them to clients
Real-Time HITL (Live Interaction)	While AI is running	Immediate human intervention when AI is uncertain— common in other AI applications, but less common in claims & litigation	AI in claims rarely operates in real time, as legal and insurance workflows prioritize post-processing review over immediate decision-making

REFERENCE: FORRESTER RESEARCH

Why Human Oversight is Critical from Start to Finish

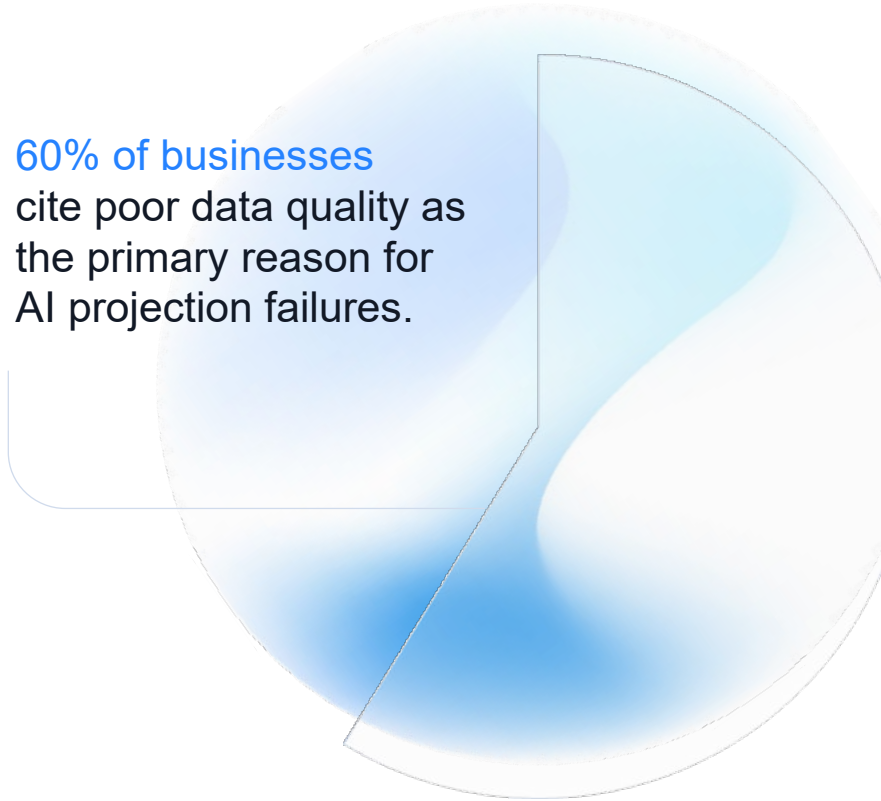
Before AI Can Help, it Has to Be Taught: Generic models don't grasp legal or claims complexity. Quality outcomes start with quality, domain-specific training data.

AI assists, it doesn't decide: Like an "Autopilot" in aviation, AI can help navigate and reduce the burden — but it's not flying solo. Human expertise keeps decisions grounded in context.

Upstream HITL ensures claims-specific data is reviewed, corrected, and structured before training begins.

Downstream HITL ensures organizations can act on AI insights confidently — without sacrificing accuracy, compliance, or control.

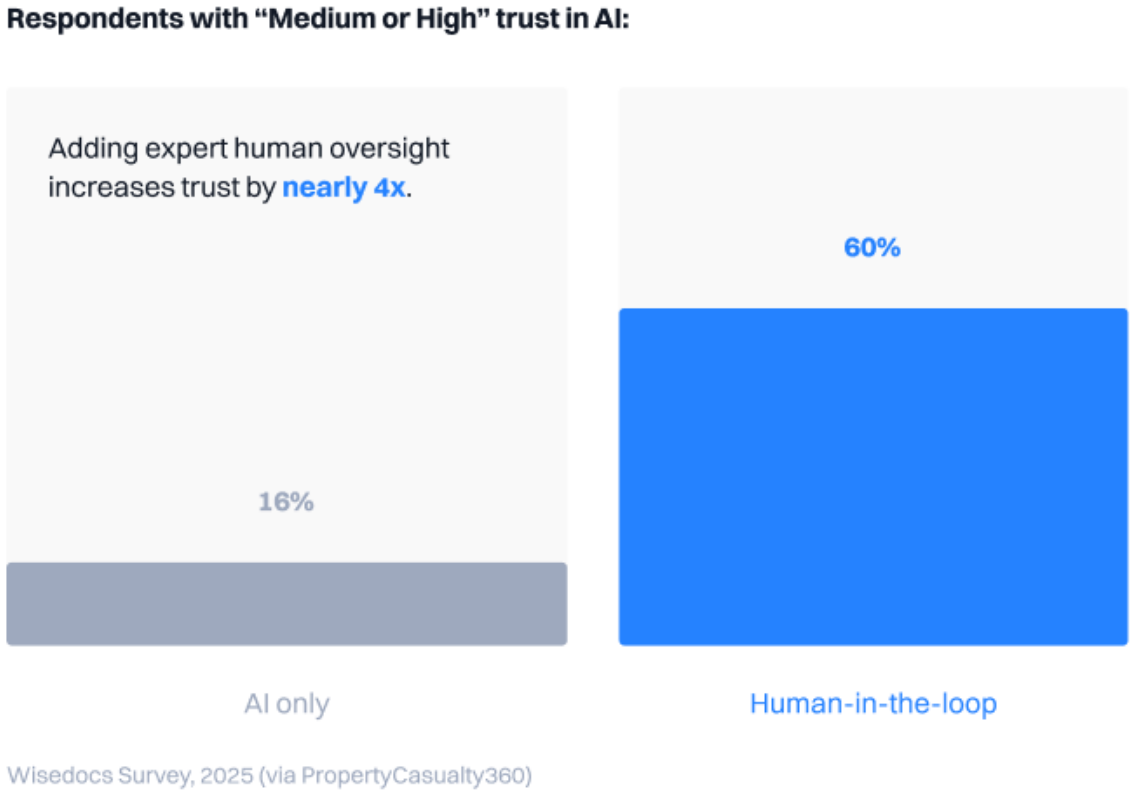
60% of businesses cite poor data quality as the primary reason for AI projection failures.



Human-in-the-Loop is a Trust Multiplier

By combining AI with expert human oversight, organizations can overcome this trust deficit, allowing a greater focus on operational improvements.

- Trust in AI jumps from 16% to 60% when expert reviewers validate AI outputs
- High trust rises from 2% to 22% with human oversight
- Mistrust in AI drops nearly 3x when humans are involved (HITL)



REFERENCE: NORTH CAROLINA DEPARTMENT OF INSURANCE (NCDOI)

Regulators Are Catching Up — And Drawing the Line

North Carolina DOI (24-B-19): Sets insurer guidelines for AI use — transparency, fairness, and oversight required.

Senate Bill 315: Proposes banning AI-only decisions in claims — human review must stay in the loop.

The Message: AI can assist, but can't act alone on high-stakes decisions.

Implication:
Copilot AI (Human + AI) will quickly become the regulatory default.

Oversight Matters:
Autonomous Vehicles vs. “Autopilot” Aviation

REFERENCE: BBC, TESLA

Tesla’s Autonomous Vehicles & Agentic AI: Big Promises, Harsh Reality

Elon Musk has long promised full autonomy via “Full Self Driving” (FSD).

Regulators and critics say FSD still requires human attention & intervention.

Numerous lawsuits and fatal crashes have raised concerns about safety.

Tesla’s robotaxi ambitions have faced repeated delays.

2019: Musk said that within a year there would be a million Teslas on the road capable of acting as robotaxis.

2025: Tesla’s site currently says, “The currently enabled Autopilot and Full Self-Driving (Supervised) features require active driver supervision and do not make the vehicle autonomous. Full autonomy will be dependent on achieving reliability far in excess of human drivers as demonstrated by billions of miles of experience, as well as regulatory approval, which may take longer in some jurisdiction.”

Autopilot in Aviation: A Model for Responsible AI in Legal

01

Why it Was Created

Autopilot was introduced to reduce pilot fatigue on long flights and support routine navigation — not to replace pilots.

02

What it Does (and Doesn’t)

Autopilot handles stable flight paths, but pilots still control takeoff, landing, and respond to unexpected events.

03

Why Pilots Stayed in the Cockpit

Flying is too high-stakes to fully delegate — humans are essential for judgment, accountability, and passenger trust.

04

The Tie to Legal

Like flying a plane, managing claims and litigation is complex and high-consequence. AI can assist — but expert oversight must stay in the loop.

Two Possible Interpretations — and How to Choose

Agentic AI (Robotaxi)

- ❌ No human in vehicle
- 🧠 AI makes real-time decisions alone
- 📉 Risk of confusion in edge cases
- 😬 Public trust still evolving

Copilot AI (Autopilot in Planes)

- 👨‍✈️ Pilot remains at the controls
- 🤝 AI assists, human makes final call
- ✈️ Trusted for high-complexity tasks
- ✅ Proven & regulated collaboration

Both models have merit — but context matters. Agentic AI can work in controlled environments, but trust and reliability are still evolving. In high-stakes domains like legal, copiloted AI — where humans stay in the loop — offers a more proven, accountable approach.

How to Leverage AI in your Law Firm

Empowering Your Solution Stack with AI

Use AI tools to supercharge alignment across your solution stack & augment processes.

Learn from platforms like Netflix — multichannel infrastructure works in harmony & offers users optionality.

Embrace the optionality to build, buy, or integrate solutions as needed.

The Proof is Clear:

The industry is moving fast

61%	Adopting AI into their workflows in 2023
77%	Adopting AI into their workflows in 2024

AI isn’t optional—it's becoming core to modern document review operations.

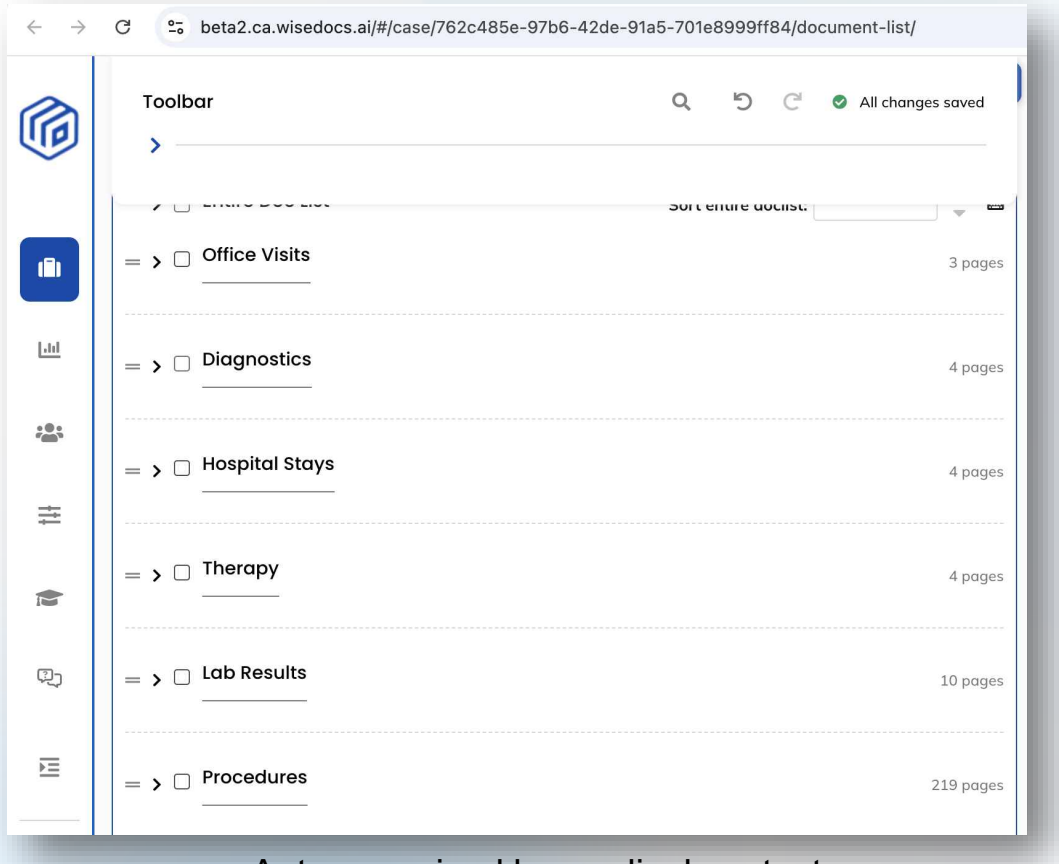
The Solution

Chronological Ordering of All Case Information

Wisedocs has a robust document sorting module which allows fully configurable record sorting options that can be customized to legal firm's specialties.

Claim files are automatically organized into chronological, relevant categories — bills, diagnostics, miscellaneous, hospital stays — all fully configurable to match legal workflows.

This structure reflects the legal review process for claims, allowing legal teams to quickly find key insights and reduce time spent on unstructured documents, leading to faster navigation and clearer decision paths.

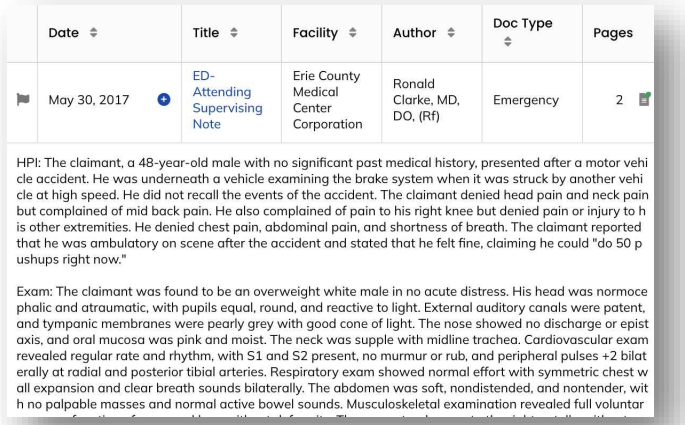


Auto-organized by medical context.
Configurable to match a firm’s preferred workflows.

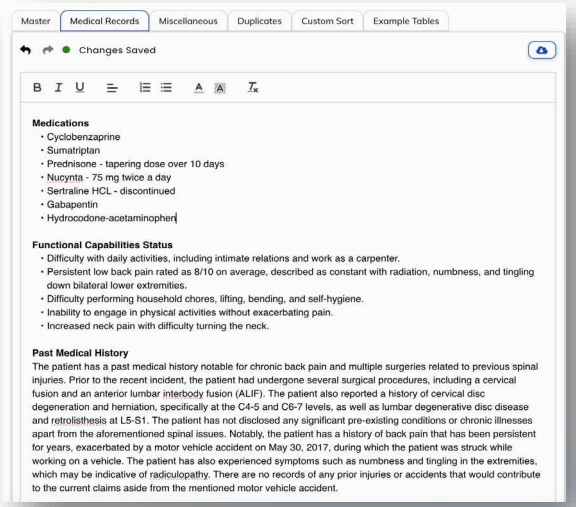
The Solution

Multi-Level Claim Summarization – From Clinical Detail to Legal Strategy

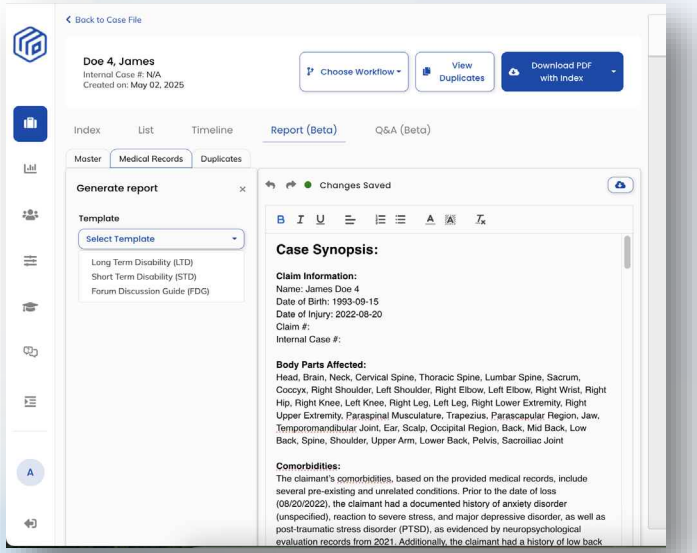
Wisedocs enables firms to review claims at three critical levels — Document, Claim Activity, and Overall Case — helping teams move seamlessly from granular clinical content to high-level case strategy.



Document Level "Summaries"



Claim Activities



Overall Case

The Solution

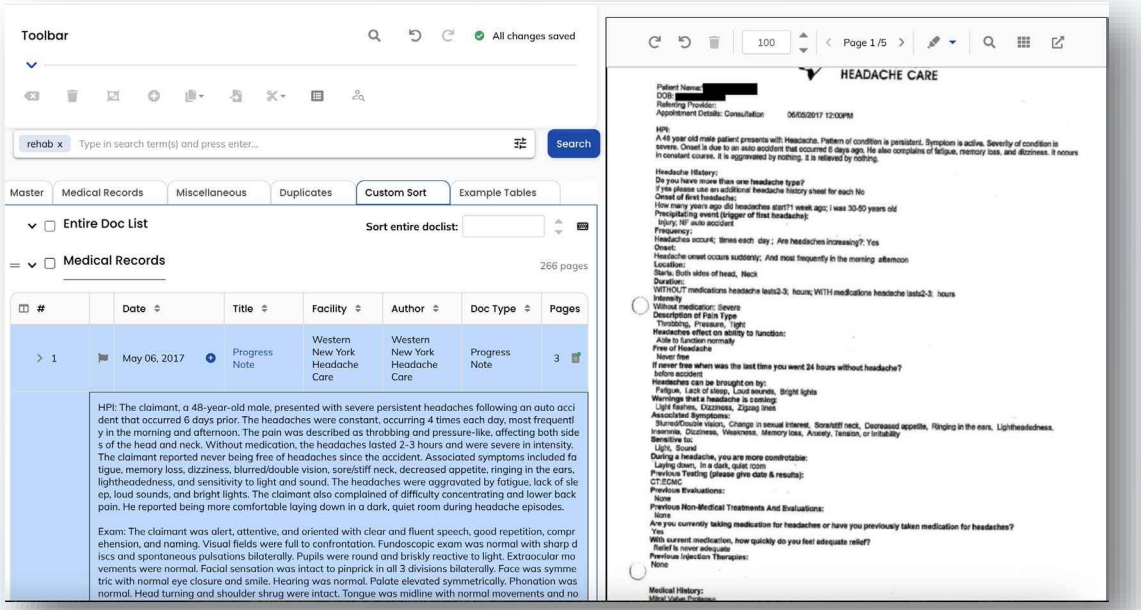
User Interface and Medical Record Review

Wisedocs' UI is designed specifically for claims legal teams, helping firms effectively process and automate record reviews.

The interface organizes documents into sortable tables with metadata fields like date, author, and document type for easy navigation. Built-in tools remove duplicates, group records, and categorize document types for clarity.

Legal teams can customize export views and filters to meet internal procedures for legal reviews and assist in case strategy.

This streamlined process enhances usability and speed, reducing reviewer fatigue and improving decision-making accuracy for legal teams.



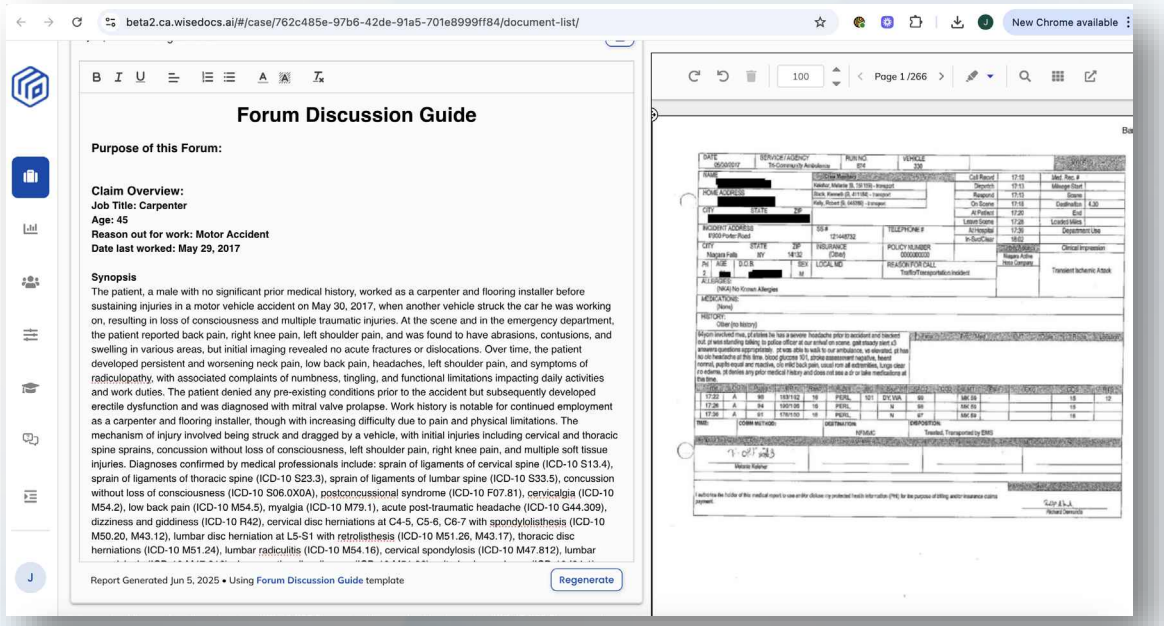
The Solution

Wisedocs Custom Reports

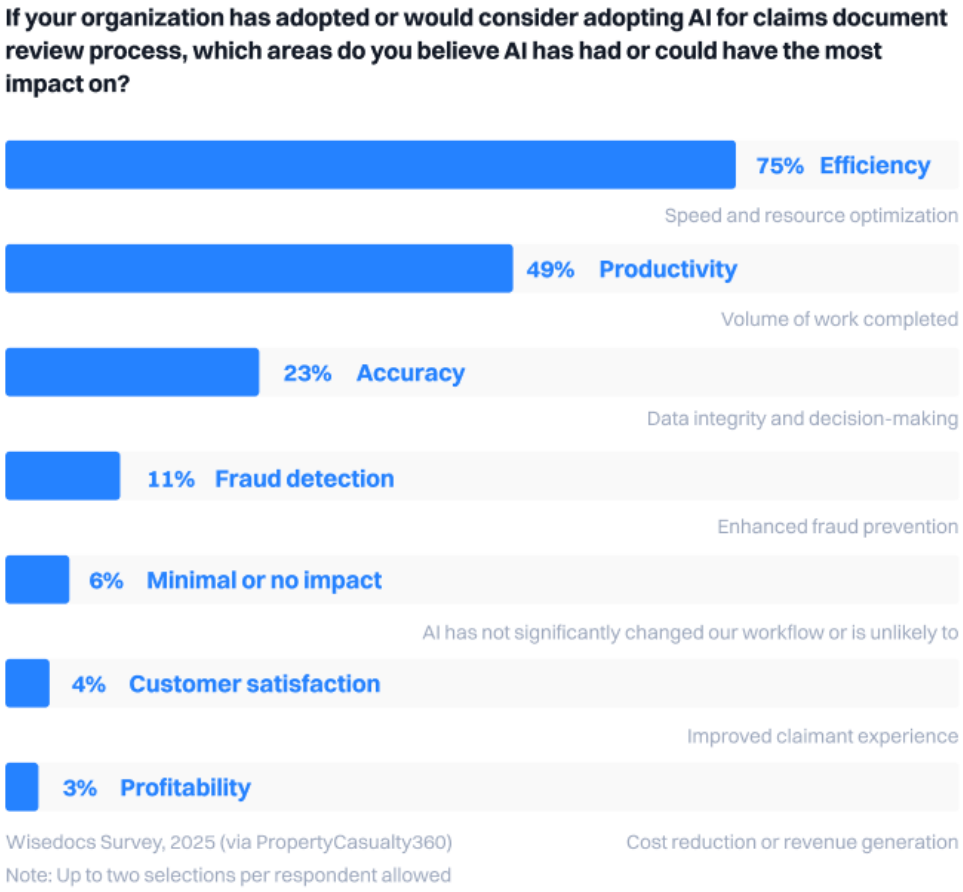
Wisedocs enables firms to populate internal reporting templates using structured data extracted directly from medical records, claims documents, and submitted forms.

The Wisedocs Reports module can be customized for any firm-specific template, using data from human-verified summaries. Each report field is hyperlinked to its source record, ensuring transparency for audits and legal compliance.

Reports are configurable areas of law, such as STD, LTD, and Appeals, aligning with firm specific standards and workflows. This minimizes manual effort, improves documentation consistency, and strengthens the defensibility.



Start with Efficiency and Productivity Gains First



In high-stakes legal industries, adopting AI can feel daunting. But for those ready to integrate AI into their processes, the payoff is clear: greater efficiency and productivity.

Industry professionals are already seeing the benefits—reporting faster processing times and streamlined workflows for processing claims.

Efficiency through speed and resource optimization is widely seen as the most impactful area where AI can transform the claims document review process.

REFERENCE: TECHCRUNCH

3 Steps to Getting Started

Build Your AI Tech Stack

Explorative AI: Machine learning and neural networks, identify patterns and surface data

Abstractive AI: Natural Language Processing for reading, understanding, and reasoning on complex documents

Large Language Models (LLMs/SLMs): Enable system with abstract thinking and automation

Right Combinations Matter

There's no silver bullet. To move beyond simple automation to augmented manual processes, you need the right combination of technologies.

Well-structured AI tech stack equips your team with reliable, secure systems for defensible outputs—supporting efficiency without compromising oversight.

Evolve As the Market Does

This field is evolving rapidly, and so will your needs. Staying competitive means staying current.

Anthropic raised $3.5B to advance it's AI systems

Emerging technologies are reshaping how AI is trained, scaled & deployed

AI is the “Autopilot” Humans Ensure a Safe Landing

Balancing Automation with Human Expertise

Human-In-The-Loop

Essential for maintaining precision, security, and liability protection in claims management.

Striking the Balance

The future of claims management lies in combining automation with human judgment to ensure the best outcomes.

Safeguarding Decisions

With human oversight, AI can be leveraged to enhance efficiency without compromising accuracy or fairness.

"The benefits are significant, with the potential to transform the way legal professionals deliver value and service to clients...AI can allow professionals to spend time on more innovative and intellectually satisfying practices—the type of work that originally attracted them to the legal profession"

REFERENCE: THOMPSON REUTERS

Have Questions? Let's Talk

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