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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

AVALON SURGERY AND
ROBOTIC CENTER, LLC, a
California limited liability company,

Plaintiff,

v.

CIGNA HEALTH AND LIFE
INSURANCE COMPANY, a
Connecticut Corporation DBA
CONNECTICUT GENERAL LIFE
INSURANCE COMPANY, an
operating subsidiary of Cigna
Corporation; EMBASSY OF THE
STATE OF KUWAIT, an entity
representing the government of the
State of Kuwait in the United States;
KUWAIT CULTURAL OFFICE, a
specialized agency of the government
of the State of Kuwait; and DOES 1
THROUGH 10 inclusive,

Defendants.

Case No. 2:20-cv-05744 DSF
(JEMx)
Hon. Dale S. Fischer

~~[PROPOSED]~~ QUALIFIED HIPAA
PROTECTIVE ORDER [Discovery
Document: Referred to Magistrate
Judge John E. McDermott]

Complaint Filed: April 8, 2020

1 1. In accordance with, and as defined by, the regulations promulgated
2 under the Health Insurance Portability and Accountability Act, specifically 45
3 C.F.R. part 164.512(e)(1)(ii) and (v), the Court hereby enters a HIPAA Qualified
4 Protective Order (QPO).

5 2. GOOD CAUSE STATEMENT: This matter involves medical
6 service payment disputes. Discovery in this matter requires disclosure of
7 sensitive patient information and medical records protected under HIPAA. To
8 ensure safeguards for patients' protected health information ("PHI"), the parties
9 seek to enter in to this QPO to further protect patient medical records produced
10 and medical information disclosed in this matter.

11 3. Pursuant to this QPO, all parties to this lawsuit are:

12 a) prohibited from using or disclosing any protected health information
13 (PHI) produced or disclosed by a party in this case, for any purpose other than the
14 litigation of the above-styled lawsuit; and

15 b) required to destroy all copies of the PHI (including permanent deletion
16 of electronically-stored copies of the PHI), or to return them to the disclosing
17 entity at the conclusion of the above-styled lawsuit.

18 4. For purposes of this QPO, "conclusion" is understood to include the
19 time for any records retention requirement and statute of limitations applicable to
20 a party or a party's counsel. "Litigation" is understood to include all appellate
21 proceedings or the expiration of time to commence such appellate proceedings
22 without appeal.

23 5. Pursuant to 45 C.F.R. part 164.512(e)(1)(i) and for purposes of
24 HIPAA compliance, without waiver of any objection or privilege, the parties and
25 their witnesses are expressly and specifically authorized to use or to disclose to
26 the attorneys, agents, employees, and designees of each party or each party's legal
27 counsel in this case PHI pertaining to the medical service claims referenced in the
28 complaint.

