

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

MICHAEL A. ROADENBAUGH,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 08-2178-CM-GLR
)	
CORRECT CARE SOLUTIONS, LLC)	
DR. SATCHELL,)	
DR. HOANG,)	
DAVID R. McKUNE, Warden)	
ROGER WERHOLTZ, Secretary of)	
Corrections)	
)	
Defendants.)	

ORDER

Pending before the Court is the Motion for an Order Releasing Medical Records (doc. 56) filed by Defendants John Satchell, D.O., and Ky Hoang, M.D. The motion requests an order to permit these Defendants to obtain Plaintiff’s medical records. Defendants have submitted a proposed Order for Disclosure of Protected Health Information to allow them to obtain the records. Defendants further request that Plaintiff be compelled to produce a list of all health care providers, including physicians, hospitals, and other healthcare providers, who have rendered treatment to Plaintiff within the preceding five years, including all hospitals where Plaintiff received any treatment. Defendants state they are unable to obtain Plaintiff’s relevant medical records at issue in this action and are similarly unable to determine what providers, other than those Plaintiff may have seen at Lansing Correctional Facility, may have provided care and treatment to Plaintiff in the past five years. Without such information Defendants say they cannot move forward with the ordered Screening Panel action, designate its panel member, or otherwise prepare a defense. *Pro se* Plaintiff has filed no opposition to the motion.

K.S.A. 65-4903 contemplates that the screening panel consider “medical records and medical care facility records, contentions of the parties, examination of x-rays, test results and treatises” in making its determination whether there was a departure from the standard practice of the health care provider specialty involved and whether a causal relationship existed between the damages suffered by the claimant and any such departure. The Court finds the relief sought by the instant motion will facilitate the purpose of the screening panel, as set forth in K.S.A. 65-4903.

IT IS THEREFORE ORDERED THAT Defendants’ Motion for an Order Releasing Medical Records (doc. 56) is sustained. **Within twenty (20) days of the date of this Order**, Plaintiff shall produce to Defendants a list of all health care providers, including physicians, hospitals, and other healthcare providers, who have rendered treatment to Plaintiff within the preceding five (5) years, including all hospitals where Plaintiff received any treatment. To the extent possible, the list shall include names and addresses of the healthcare providers.

IT IS FURTHER ORDERED THAT Defendants’ request for the Court to enter an order allowing them to obtain Plaintiff’s medical records is sustained. In conjunction with the filing of this Order, the Court will enter Defendants’ proposed Order for Disclosure of Protected Health Information.

Dated in Kansas City, Kansas on this 21st day of April, 2009.

s/ Gerald L. Rushfelt
Gerald L. Rushfelt
United States Magistrate Judge

cc: All counsel and *pro se* parties