

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

PAMELA L. STEAD,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13-1378-CM
)	
UNIFIED SCHOOL DISTRICT NO. 259,)	
SEDGWICK COUNTY, KANSAS and)	
JOHN ALISON,)	
)	
Defendants.)	
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**ORDER AUTHORIZING INSPECTION AND REPRODUCTION OF MEDICAL AND
EMPLOYMENT RECORDS AND PROTECTED HEALTH INFORMATION
PURSUANT TO STATE AND FEDERAL LAW (HIPAA) AND NOTIFICATION
OF WAIVER OF PHYSICIAN/PATIENT PRIVILEGE**

To: All Hospitals, Clinics, Physicians, Surgeons, Osteopaths, Chiropractors, Psychiatrists, Psychologists, Counselors, Dentists, Orthodontists, Periodontists, Ophthalmologists, Optometrists, Otolaryngologists, Otologists, Pharmacies, Social Workers, Therapists, Substance Abuse Facilities, Rehabilitation Facilities, Disability Determination Services, Hospice Services, Governmental Agencies (State and Federal); all other Medical Institutions, Practitioners, Healthcare Providers; all Employers, past and present; and all Educational Institutions

YOU ARE HEREBY AUTHORIZED (but not ordered), pursuant to the laws of Kansas and applicable federal law, including but not limited to the Health Insurance Portability and Accountability Act (HIPAA), to make available for examination and reproduction by the parties and their counsel denominated in this lawsuit **any and all** medical, employment, and educational records of any type or nature whatsoever, and/or any protected health information within your care, custody, or in any manner concerning:

PAMELA L. STEAD

Medical documents and protected health information subject to this order include but are not limited to the entire medical chart cover-to-cover (including but not limited to correspondence; radiological films; monitoring strips of any kind; billing and payment records; prescriptions; test results; any and all records related to HIV testing, HIV status, AIDS and other sexually transmitted diseases;

any and all records related to the diagnosis and treatment of mental or emotional conditions and alcohol or drug dependence; and psychotherapy notes that are part of a medical record.

Unless specifically excluded by this Order, all medical records and protected health information in your possession regarding the person noted above may be produced.

WITH RESPECT TO EMPLOYMENT RECORDS, such records include but are not limited to all materials contained in the employee's personnel file cover-to-cover; wage payments, salary and tax information; performance evaluations; job applications; workers' compensation records and any other records pertaining to injuries incurred by the employee; any and all work releases or restrictions; any protected health information in the employer's records.

YOU ARE FURTHER NOTIFIED that, pursuant to federal and state law, counsel for the defendants are hereby authorized to talk with **PAMELA L. STEAD's** treating physicians or other healthcare providers, without counsel or the parties, being present or participating, provided the healthcare provider consents to the interview. This is based on the Court's finding that plaintiff has made a claim for personal injuries, and, in filing this lawsuit has waived any privilege existing between patient and healthcare provider.

SAID INSPECTION AND REPRODUCTION may be requested by any attorney of record herein as set forth below, and all clerical fees and expenses shall be paid by the attorney requesting such examination, reproduction or interview.

THIS ORDER COMPLIES with HIPAA federal standards for privacy of individually identified health information, 45 CFR Parts 160 and 164. This Order further allows the disclosure of

1. Information regarding diagnosis of, treatment for, and general status relating to HIV and AIDS pursuant to K.S.A. 65-6001, *et seq.*; and
2. Information regarding diagnosis of and treatment for mental conditions, alcohol and drug dependency and emotional conditions, pursuant to K.S.A. 65-5601, *et seq.*, and 42 CFR Part 2.

THIS ORDER SHALL BE EFFECTIVE throughout the pendency of this action.

Dated this 15th day of April, 2014.

s/ James P. O'Hara
U.S. Magistrate Judge

Approved by:

s/ M. Kathryn Webb

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