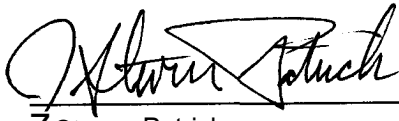

ADMINISTRATIVE ORDER 2019-01 Re Hospital and Medical Clinics Notification to Law Enforcement Agencies.

Pursuant to The Health Insurance Portability Accountability Act of 1996 Public Law 104-191 and the applicable Federal Regulations ("HIPAA") an issue has arisen when either Sheriff Departments transporting prisoners to a hospital, medical facility or other entity covered by HIPAA for treatment or observation or law enforcement presents at such facilities with an individual for medical clearance prior to taking individual into custody an individual and, for whatever reason, law enforcement is unable to remain with the individual, as to whether the facility may notify law enforcement as to when they may retrieve the individual. Such information may be disclosed pursuant to court order for law enforcement purposes. 45 CFR I§64-452(a) and (f) authorizes release of information; otherwise protected, pursuant to a Court Order.

Order

Hospitals medical facilities and the other entities subject to HIPAA shall, if law enforcement operating in the Seventh Judicial District has delivered a person into their care, and has not remained with the person, notify that department or agency when the person is ready to be released back into law enforcement's care, custody or control. Nothing in this order shall be construed as any waiver of any other privacy interests of the individual under HIPAA.

Done this 22nd day of April, 2019 nunc pro tunc February 27, 2019.



Z Steven Patrick
Chief Judge

XC: 7th JD Judges
7th JD Clerks of Court