

**457th DISTRICT COURT'S
STANDING ORDER REGARDING HIPAA AND
THE TEXAS MEDICAL PRIVACY ACT**

No party to a lawsuit has requested this Order. Rather, this Order is a Standing Order of the 457th District Court that applies in every suit utilizing protected health information.

Definitions

“Protected Health Information” shall include all information and records reflect that an individual received health care from some entity.

“Litigation Participants” shall include the following people associated with the litigation:

- Parties
- Testifying experts,
- Consulting experts,
- Copy services,
- Mediators,
- The Court.
- Counsel of record,
- Other attorneys and staff within their firms,
- Other litigation support services,
- Witnesses,
- Arbitrators, and

Court Order Regarding Protected Health Information

It is ORDERED that all Litigation Participants are authorized to disclose, receive, and use Protected Health Information in connection with the pending litigation, without need for further authorization or Court Order under HIPAA, the Texas Medical Privacy Act, or other law.

It is further ORDERED that if any Protected Health Information will be used as a filing in a case or as a document offered in Court for any purpose, then the party filing or proffering the document containing Protected Health Information must redact the patient’s (1) name, (2) birthdate, (3) social security number, (4) driver’s license or government identification card number, (5) address, and (6) telephone number.

It is further ORDERED that if all of the above listed items (1)-(6) are not redacted from any document containing Protected Health Information which is filed in a case, then the District Clerk may, without further order of the Court, restrict any such unredacted document from being

filed and require the filing party to provide a conformed copy of the document with redactions in its stead.

It is further ORDERED that if the above listed items (1)-(6) are not redacted from any document containing Protected Health Information offered in Court for any purpose, then the Court may reject the offer of such document, the admission of such document, or both, and may require offering a conformed copy of the document with the redactions in its stead.

It is further ORDERED that any document containing Protected Health Information, whether redacted or not, which is offered in Court, whether admitted as evidence or not, will be sealed for purposes of filing exhibits with the District Clerk and for the purpose of the appellate record.

This Court Order does not authorize any person to disclose, receive, or use Protected Health Information for any purpose other than the pending litigation.

NOTICE: ANY PROTECTED HEALTH INFORMATION RECEIVED AS A RESULT OF THIS COURT ORDER IS SUBJECT TO ELECTRONIC DISCLOSURE.

Signed August 11, 2020.

A handwritten signature in black ink that reads "Vincenzo J. Santini". The signature is written in a cursive style with a large initial 'V' and a long horizontal stroke at the end.

VINCE SANTINI, PRESIDING JUDGE OF THE
457TH DISTRICT COURT