

§ 18.80.8 HIPAA Compliant Qualified Protective Order

**IN THE DISTRICT COURT OF \_\_\_\_ COUNTY  
STATE OF OKLAHOMA**

\_\_\_\_\_  
Plaintiff,  
vs.

No. CF-

\_\_\_\_\_  
Defendant.

**AGREED QUALIFIED PROTECTIVE ORDER**

In accordance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulations, 45 C.F.R. § 164.512(e), it is hereby stipulated and agreed by and between the respective parties hereto and their counsel that \_\_\_\_ [hospital] is authorized to produce Plaintiff's medical records from any and all treatment received by Plaintiff at the Hospital. This disclosure is in response to Defendant's discovery requests (or subpoena) dated \_\_\_\_\_. Plaintiff's medical records are confidential pursuant to HIPAA and, therefore, the disclosure will be conducted pursuant to the following terms, restrictions and conditions.

1. Information contained in Plaintiff's medical records shall be disclosed only to counsel of record in this action or only to individuals certified by such counsel as employed by or assisting counsel in preparation for, or at the trial of, this action.
2. At the conclusion of the action, counsel for Defendant will return all copies of the medical records to the Hospital or provide the Hospital with satisfactory assurances that all copies have been destroyed.
3. Any such documents or information shall be used only for the purpose of litigating this action.
4. The production of such documents or information concerning Plaintiff's medical records shall not constitute a waiver of any privilege or other claim or right of withholding or confidentiality which Plaintiff may have.

Dated this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
District Court Judge

Approved as to form:

\_\_\_\_\_  
Counsel for Plaintiff

\_\_\_\_\_  
Counsel for Defendant