

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF KANSAS

SHIRLEY SCROGGINS a/k/a SHIRLEY J.
MCGAUGH

Plaintiff,

v.

LUKE MANAGEMENT, L.L.C. and
ARCHIE WESLEY

Defendants.

Case No. 07-1123-MLB

**AGREED ORDER FOR INSPECTION AND
REPRODUCTION OF RECORDS, INCLUDING
PROTECTED HEALTH INFORMATION
PURSUANT TO STATE AND FEDERAL LAW (HIPAA)**

TO: Educational Institutions, Employers Past and Present, All Hospitals, Clinics, Pharmacies, Physicians, Laboratories, Social Workers, Counselors, Psychologists, Psychiatrists, Therapists, Medical Institutions, Health Care Providers, Governmental Agencies (State and Federal) and Insurance Companies.

NOW on this 17th day of July, 2007, this matter comes before the Court on the application of the parties for an order directing those referenced above to produce for inspection and reproduction any and all records, documents, or other information within their custody and/or control pertaining to **Shirley Scroggins a/k/a Shirley J. McGaugh, SSN:xxx-xx-2259; DOB: xx/xx/1950**. Plaintiffs appear by and through her attorney Brian Pistotnik, Affiliated Attorneys of Pistotnik Law Offices, 2831 E. Central, Wichita, Kansas, 67214. Defendant Luke Management, LLC and Archie Wesley appear by and through their attorney Brooks Kancel of Fleeson, Gooing, Coulson & Kitch, L.L.C., 1900 Epic Center, 301 N. Main, Wichita, Kansas 67202. There are no other appearances.

WHEREUPON, being adequately advised, the Court hereby finds and orders:

You are hereby authorized, directed and 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 inspection and reproduction by the parties, their counsel denominated in this lawsuit, any and all records, documents, and other information of any type or nature whatsoever, including any and **all** protected health information, correspondence and billings, within your care, custody, or control, concerning Shirley Scroggins a/k/a Shirley J. McGaugh, whose Social Security Number (last four digits) is 2259.

Unless specifically excluded by this Order, ALL records, documents, or other information, including protected health information, in your possession regarding the person noted above shall be produced for inspection and reproduction; Provided however, that this Order does not provide for the production of any medical records maintained in connection with any program relating to substance abuse education, prevention, training, treatment, rehabilitation or research, which are conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, and which are covered by the provisions of 42 U.S.C. § 290dd-2 and 42 C.F.R., Part 2. Such production may be requested by any attorney of record herein as set forth below, and clerical fees and expenses as permitted shall be paid by the attorney requesting the same.

This Order complies with HIPAA federal standards for privacy of individually identifiable health information, **45 C.F.R. Parts 160 and 164**, and with Kansas law regarding the disclosure of health care information.

This Order shall be effective throughout the pendency of this action.

IT IS SO ORDERED.

s/ DONALD W. BOSTWICK
U.S. Magistrate Judge

APPROVED BY:

/s/ Brooks Kancel
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