

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BRADLEY KOCSIS)	
)	
Plaintiff,)	
)	
v.)	Case No.: 14-2167-CM
)	
SEDGWICK COUNTY, KANSAS, <i>et al</i>)	
)	
Defendants.)	
_____)	

**AGREED ORDER FOR INSPECTION AND REPRODUCTION OF MEDICAL AND/OR
MENTAL HEALTH RECORDS FOR DISCLOSURE OF PROTECTED HEALTH
INFORMATION PURSUANT TO STATE AND FEDERAL LAW (HIPAA); AND
QUALIFIED PROTECTIVE ORDER**

TO: All Hospitals, Clinics, Pharmacies, Physicians, Psychiatrists, Psychologists, Therapists,
All Other Medical Institutions, Practitioners, Health Care Providers, Insurers and
Employers Past and Present, of Bradley Kocsis.

You are hereby authorized pursuant to the laws of Kansas and applicable federal law,
including the Health Insurance Portability and Accountability Act (HIPAA) and 45 C.F.R.
164.512(e)(1)(i), to disclose and make available for examination and reproduction by the parties
and their undersigned counsel denominated in this lawsuit **any and all** medical, mental health,
insurance or employment records of any type or nature whatsoever and/or any protected health
information within your care, custody, or in any manner concerning Bradley Kocsis, DOB
X/X/1987, social security # XXX-XX-7130.

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 any and all
medical and mental health records from any source and any and all correspondence); radiological

and ultrasound studies; physical and occupational therapy records and evaluations; diagnostic studies; pathological tissue and slides; social services records; monitoring strips of any kind; billing and payment records; prescriptions; test results and raw testing data; any and all records related to HIV testing, HIV status, AIDS or sexually transmitted diseases; any and all records related to the diagnosis and treatment of mental, alcoholic, drug dependency, or emotional condition; psychiatric and psychotherapy notes.

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

You are further notified, pursuant to federal and state law, that all undersigned counsel of record are hereby authorized and permitted to meet with or speak to Bradley Kocsis' treating physicians or other health care providers, without counsel or the parties, including the plaintiff, being present or participating, provided the health care provider consents to the interview. This is based on the Court's finding that Mr. Kocsis has made a claim alleging personal and psychological injury, and in filing this lawsuit has waived any privilege existing between the patient and health care provider. Although this Order authorizes and permits all health care providers of Bradley Kocsis to grant informal interviews, the Order does not require a health care provider to meet or speak with any attorney in this proceeding. A physician or other health care provider has a right to decline an attorney's request to speak or meet with the physician or other health care provider informally.

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 identifiable health information, 45 C.F.R. Parts 160 and 164. This Order further allows the disclosure of information regarding diagnosis and treatment of mental, alcoholic, drug dependency and emotional condition pursuant to K.S.A. 65-5603(a)(3).

This Court further enters a qualified protective order consistent with 45 C.F.R. 164.512(e)(1). Specifically, the parties are prohibited from using or disclosing the protected health information of Bradley Kocsis for any purpose other than this litigation. Further, the parties agree to return to the covered entity or destroy the protected health information (including all copies made) at the end of this litigation.

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

Entered into this 27th day of May, 2015.

s/ James P. O'Hara
James P. O'Hara
United States Magistrate Judge