

Court Limits Records Ordered Produced Under “Patient’s Right to Know” Amendment

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The Third District Court of Appeal released: *Cedars Healthcare Group, Ltd. v. Martinez*, Case No. 3D11-3436, Fla. L. Weekly D2071 (Fla. 3d DCA Sept. 21 2011) (*reh'g denied*), which granted certiorari because the trial court ordered Defendant Cedars Healthcare Group, Ltd. to produce records under Article X, Section 25 of the Florida Constitution (“Amendment 7”) without limitation. The Court found that Plaintiff’s request to produce sought records of adverse medical incidents involving patients other than Plaintiff, but the trial court did not limit the production of those records to the same or substantially similar condition, treatment, or diagnosis as the Plaintiff patient requesting access as required under section 381.028(7)(a), Florida Statutes. By not limiting the records subject to production, the Third District held that the trial court departed from the essential requirements of the law. [Read the Court's Decision here.](#)

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