

Court Limits Records Ordered Produced Under "Patient's Right to Know" Amendment

November 09, 2011

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.

Related Practices

Appellate & Trial Support Health Care

Related Industries

Health Care

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be

given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.