

FILED
NORMA FANELLA BARCELEAU
CLERK OF COURT
2021 JUN 17 PM 12:54
EL PASO COUNTY, TEXAS
BY _____
DEPUTY

IN THE 383RD JUDICIAL DISTRICT COURT
OF EL PASO COUNTY, TEXAS

IN THE MATTER OF §
THE MARRIAGE OF: § CAUSE NO.: _____
 §
AND IN THE INTEREST OF: §
 §

**1ST AMENDED STANDING ORDER REGARDING HIPAA
AND THE TEXAS MEDICAL PRIVACY ACT**

No party to a lawsuit has requested this Order. Rather, this Order is a Standing Order of the 383rd Judicial District Court that applies in every suit utilizing protected health information.

Definitions

“Protected Health Information” shall include all information and records reflect that an individual received health care from some entity.

“Litigation Participants” shall include the following people associated with the litigation:

- | | |
|------------------------|--|
| a. Parties; | g. Other attorneys and staff within firms; |
| b. Testifying experts; | h. Other litigation support services; |
| c. Consulting experts; | i. Witnesses; |
| d. Copy Services; | j. Observers; and |
| e. Mediators; | k. The Court. |
| f. Counsel of Record; | |

Court Order Regarding Protected Health Information

IT IS ORDERED that all Litigation Participants are authorized to disclose, receive, and use Protected Health Information in connection with the pending litigation, without need for further authorization or Court Order under HIPAA, the Texas Medical Privacy Act, or other law.

IT IS FURTHER ORDERED that if any Protected Health Information will be used as a filing in a case or as a document offered in Court for any purpose, then the party filing or proffering the document containing Protected Health Information must

redact the patient's (1) name, (2) birthdate, (3) social security number, (4) driver's license or government identification card number, (5) address, and (6) telephone number.

IT IS FURTHER ORDERED that if all of the above listed items (1) – (6) are not redacted from any document containing Protected Health Information which is filed in a case, then the District Clerk may, without further order of the Court, restrict any such unredacted document from being filed and require the filing party to provide a conformed copy with redactions in its stead.

IT IS FURTHER ORDERED that if the above listed items (1) – (6) are not redacted from any document containing Protected Health Information offered in Court for any purpose, then the Court may reject the offer of such document, the admission of such document, or both, and may require offering a conformed copy of the document with the redactions in its stead.

IT IS FURTHER ORDERED that any document containing Protected Health Information, whether redacted or not, which is offered in Court, whether admitted as evidence or not, will be sealed for purposes of filing exhibits with the District Clerk and for the purpose of the appellate record.

This Court Order does not authorize any person to disclose, receive, or use Protected Health Information for any purpose other than the pending litigation.

NOTICE: ANY PROTECTED HEALTH INFORMATION RECEIVED AS A RESULT OF THIS ORDER IS SUBJECT TO ELECTRONIC DISCLOSURE.

SIGNED this 17th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Lyda Ness Garcia', is written over a horizontal line.

LYDA NESS GARCIA
Presiding Judge
383rd Judicial District Court