

Law requiring release of health information upheld

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(HealthDay)—A state law that requires plaintiffs to release relevant protected health information before proceeding with allegations of medical liability has been upheld by a federal appeals court, according to the American Medical Association (AMA).

The state [law](#) requires the release of relevant protected health information so that the prospective defendant may obtain documents and conduct interviews with other medical professionals who treated the plaintiff on matters relating to the liability claim.

The AMA notes that, earlier, the [appeals court](#) overturned a lower court ruling relating to a Florida law requiring release of relevant [health information](#) in *Murphy v. Dulay*; the law was overturned as being impermissible under the federal Health Insurance Portability and Accountability Act (HIPAA). The appeals court in this case found that

the written authorization required by the Florida law is compliant with the HIPAA statute. The state law was patterned after a Texas law that passed in 2003, whose purpose is to screen out frivolous lawsuits and promote early claim settlement.

"As a result of that law, 'the frequency of meritless claims has dropped substantially,' the Litigation Center of the AMA and State Medical Societies said in a friend-of-the-court brief," according to the report.

More information: [More Information](#)

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