

**PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL**

ESTATE OF _____, DECEASED

CASE NO. _____

APPLICATION TO RELEASE MEDICAL RECORDS

[R.C. §2113.032]

Applicant states that _____ (“Decedent”) died _____,
20____.

Decedent’s domicile or residence was _____
(Street Address)

(City, Village, or Township)

(County)

(State)

(Zip Code)

Applicant requests authority to obtain Decedent’s medical records and billing records for the purpose of evaluating a potential wrongful death, personal injury, or survival action on behalf of the Decedent, and Decedent’s beneficiaries and next-of-kin. Attached is a form 1.0 titled “Surviving Spouse, Children, Next of Kin, Legatees and Devisees” and a copy of Decedent’s death certificate.

Applicant states the following: **(Check whichever is applicable)**

- Applicant is an individual who is eligible to be appointed as a personal representative of the Decedent’s estate under Ohio law; or
- Applicant is named as executor in the Decedent’s will.

Signature - Attorney for Applicant

Signature - Applicant

Type or print name

Type or print name

Street Address

Street Address

City State Zip

City State Zip

Phone Number (include area code)

Phone number (include area code)

Attorney Registration No. _____

Judgment Entry

The Court, having considered this Application to Release Medical Records and Medical Billing Records filed pursuant to R.C. §2113.032,

[] **The Court finds that** the Application is well taken and the appointment of the applicant to obtain Decedent's medical records and medical billing records for the purpose of evaluating a potential wrongful death, personal injury, or survival action on behalf of the Decedent without appointment as executor or administrator of the Decedent's estate is in the best interest of the Decedent's beneficiaries and next-of-kin.

The Court Orders That:

1. _____ ("Special Commissioner") is appointed to obtain Decedent's medical records and medical billing records solely for the purpose of evaluating a potential wrongful death, personal injury, or survival action on behalf of the Decedent's estate and Decedent's beneficiaries and next-of-kin.
2. Upon written request of the Special Commissioner, all medical providers that provided medical care or treatment to the Decedent shall promptly release those medical records and medical billing records to the Special Commissioner.
3. Promptly upon the earlier of (i) receipt of such records or (ii) before the expiration of the applicable statute of limitations, the Special Commissioner shall deliver a report to the Court using form GC PF 4.12 - "Report of Receipt of Medical Records and Medical Billing Records," but the Special Commissioner shall not file such records with the Court, except as otherwise ordered by the Court. If the Special Commissioner does not file GC PF 4.12 - "Report of Receipt of Medical Records and Medical Billing Records" within six months after the date of this Judgment Entry, then the Special Commissioner shall file a status report with the Court explaining efforts made by the Special Commissioner to obtain such records.
4. The Special Commissioner shall (i) store such records in a safe and secure manner, (ii) maintain the confidentiality of such records, (iii) comply with federal HIPAA law and similar state law regarding such records, and (iv) not disclose or otherwise distribute such records to any person or entity, excepting the attorney who signed this application or as otherwise required by applicable law or order of this Court.

[] The Court denies this application.

Dated: _____

Judge Timothy J. Grendell