

From: [James Fabbrini](#)
To: [Amy Bowne](#)
Subject: Objection to Supreme Court Rule 218 Amendment
Date: Tuesday, April 30, 2019 2:56:18 PM

Dear Ms. Bowne,

Please allow this email to serve as my strong opposition to the proposed SCR amendment. This amendment, and its proposed HIPPA order, will allow unfettered access to the private medical records of a plaintiff without regard to scope or relevance. It forces those seeking redress for injuries to give up their right to privacy to their entire medical file. There is no practical reason that this overly broad amendment be allowed.

The decision as to what medical records should be disclosed in a personal injury case should be made with extreme caution, as these records are as personal as they get, often disclosing symptoms, procedures, and ailments that most people wouldn't even tell their family or best friends about. This proposed amendment goes way to far in demanding the disclosure of all medical records, many of which that will be completely unrelated to the injury issues of complainants.

The decisions as to what records should be disclosed is best left up to the judge in each individual case who has a better understanding of the issues at bar and has the ability to listen to the arguments for and against disclosure. Additionally, *in camera* inspections can be used to resolve contested issues, without destroying the plaintiff's right to privacy, as this proposed amendment would do.

In sum, there are far better ways to balance the needs of litigants without completely taking away the plaintiff's right to privacy.

Regards,

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