

From: [Peter Zneimer](#)
To: [Amy Bowne](#)
Subject: Supreme Court Rule 218 Amendment
Date: Tuesday, April 30, 2019 2:15:54 PM

I write in opposition to the amendment to Supreme Court Rule 218 and in opposition of the proposed HIPAA Order. The proposed order would require a Plaintiff to make his entire medical history available to the defendants' lawyer, even though the plaintiff's history may be filled with medical history that has nothing to do with the present case. This violates a plaintiff's constitutional right to privacy guaranteed by the Illinois Constitution S.H.A. Const. Art. 1, § 6, against the plaintiff's right to a remedy, also guaranteed by the Illinois Constitution. S.H.A. Const. Art. 1, § 12. It also violates the patient-physician privilege by forcing a plaintiff to "waive" his or her medical privacy even for conditions that are not at issue.

Under this proposed amendment, a plaintiff could be sitting a red light and be rear-ended by a driver with one of the many sub-standard insurance companies that are allowed to do business in Illinois. The injured plaintiff is taken by ambulance to the emergency room with neck pain and back pain. The plaintiff is X-rayed, treated and released with no further treatment. The medical bills are \$10,000.00 and the sub-standard insurance is offering \$2,00.00 to settle. Plaintiff has no health insurance and starts getting collection notices and is reported to collection agencies, destroying his credit rating. The injured plaintiff is forced hire an attorney and file lawsuit just to get is emergency medical bills paid. To add insult to injury the plaintiff, under this amendment the injured plaintiff will have to sign a waiver to give unlimited access, forever to the sub-standard insurance company and their lawyers because the sub-standard insurance refuses to offer even the medical bills to settle the case. Now the sub-standard insurance company and their lawyers have access to all of the plaintiff's medical history, possibly including medications, genetic conditions, breast enlargement and other cosmetic surgeries, abortions, birth control, erectile dysfunction, rashes, sexually transmitted diseases; the list goes on. The plaintiff then goes to the deposition for the case where an abusive defense attorney proceeds to question the plaintiff on the plaintiff's entire medical history. All of this is done in an effort by the sub-standard insurance company and their legal enablers to harass and wear down the plaintiff to get the plaintiff to accept the low-ball offer. This is the current state of affairs in Illinois. However, to end on a positive note, I see that Allstate's profits are way up.

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