

**LAW DIVISION**  
**NOTICE REGARDING HIPAA AUTHORIZATIONS**

As of January 1, 2019, all medical care providers, *i.e.*, individuals and entities, are required to comply with all validly issued subpoenas for protected health information (PHI), accompanied by a qualified protective order, entered by a court pursuant to the Health Insurance Portability and Accountability Act.

Medical care providers are **prohibited** from requiring execution of written authorizations for the release of PHI, **in addition to or in lieu of**, a court-entered qualified protective order. The federal regulation governing the disclosure of PHI in judicial proceedings does not impose such a requirement. *See* 45 C.F.R. 164.512(e)(1)(i).

Medical care providers who continue to require such authorizations may be sanctioned on the motion of the court that issued the subpoena or the party that served it.

