

C. RELEASE AND REPRODUCTION OF MEDICAL RECORDS.

1. ORDER.

Upon motion of any party showing good cause and upon notice to all other parties, and prior to the pretrial hearing, the court may order any hospital, physician or medical provider in the state, by any agent thereof competent to act in its behalf, to reproduce by copying or other recognized method of facsimile reproduction, all or any portion of designated hospital records, physician records, medical records or x-rays, which constitute or contain discoverable evidence pertinent to an action pending in this court. Such order shall direct the hospital, physician or medical provider to describe by cover letter the portion or portions of the records reproduced and any omissions therefrom and to specify the usual and reasonable charges therefor, and such order shall designate the person or persons to whom such reproductions shall be delivered or made available, the date by which they shall be delivered or made available, and the potential penalty for failure to comply with the court order.

2. OBJECTIONS.

Objections to the admissibility of such hospital, physician or medical records on the grounds of materiality or competency shall be deemed reserved for ruling at the time of trial without specific reservation in the order to reproduce. Reproductions made pursuant to this procedure may be admitted in evidence without further identification or authentication, but subject to rulings on objections impliedly or specifically reserved, unless the order otherwise expressly provides.

3. COSTS.

Charges for reproductions of its records shall be paid directly to the hospital, physician or medical provider concerned by the movant or the movants.

4. RETURN.

Where original records are produced in court and reproductions subsequently substituted by agreement of the parties or by order of the court, the movant or movants shall be responsible for the cost thereof. Unless otherwise ordered by the court, all original records shall be returned by the moving party to the hospital, physician or medical provider upon entry of judgment in this court.

Amended eff. 06/26/2008