

Emergency Room: Court Says Triage, Treatment Times Are Relevant, Not Confidential.

The parents filed a lawsuit against the hospital claiming that their daughter's wrongful death was caused by delay in examining and treating her in the hospital's emergency room.

As yet there has been no court ruling on the wrongful death allegations.

Other Patients' Arrival, Triage, Treatment Times Are Relevant

The issue at this time is whether the hospital will have to disclose to the parents' attorneys the arrival times, triage times, triage acuity designations and treatment times of all the other sixty-two patients who were in the emergency room between the time the daughter arrived and the time she died.

As a general rule the medical records of other patients are confidential and may not be accessed in a patient's malpractice suit.

APPELLATE COURT OF ILLINOIS
August 17, 2005

The Appellate Court of Illinois ruled there is no violation of other patients' right to confidentiality if this patient's family's lawyers have access to data about their arrival times, triage times, acuity designations and the times they were seen and treated by a physician.

The Appellate Court let stand the lower court's ruling that disclosure of any more personal medical information about the other patients such as their medical diagnoses and nature of treatment actually rendered would violate their rights. **Tomczak v. Ingalls Memorial Hosp., __ N.E. 2d __, 2005 WL 1981051 (Ill. App., August 17, 2005).**