

SUPREME COURT OF OHIO

Griffith, Exr. v. Aultman Hospital

Griffith v. Aultman Hosp., 146 Ohio St. 3d 196, 2016-Ohio-1138 (Ohio 2016) · No. 2014-1055 · Decided March 23, 2016

SUMMARY

The Supreme Court of Ohio held that data qualifies as a medical record under R.C. 3701.74(A)(8) when it pertains to a patient’s medical history, diagnosis, prognosis, or medical condition, is generated during healthcare treatment, and the healthcare provider decides to keep or preserve it. The physical location or department in which the data is stored is not determinative. The court reversed the Fifth District’s judgment and remanded for further proceedings to determine whether the hospital had produced the patient’s entire medical record.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Kennedy, J.; Pfeifer, J.; French, J.; O'Neill, J.; O'Connor, C.J.; O'Donnell, J.; Lanzinger, J.
JURISDICTION	Ohio
DECIDED	March 23, 2016
DOCKET	2014-1055
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the Fifth District Court of Appeals affirming the trial court's grant of summary judgment to Aultman Hospital in an action seeking production of a complete medical record under R.C. 3701.74 and R.C. 2317.48.
STANDARD OF REVIEW	Summary judgment is reviewed under Civ.R. 56(C); the moving party bears the initial burden of identifying the basis for the motion and portions of the record showing no genuine issue of material fact.
PRECEDENTIAL VALUE	Published, precedential decision of the Supreme Court of Ohio
PARTIES	Gene'a Griffith, executor v. Aultman Hospital

TOPICS

- medical records privacy
- health law
- statutory interpretation
- summary judgment
- civil procedure

PRACTICE AREAS

health law

medical records privacy

civil procedure

statutory interpretation

summary judgment

QUESTIONS PRESENTED

1. What data qualifies as a medical record under R.C. 3701.74(A)(8)?
2. Whether the physical location or department in which patient data is stored determines whether it is a medical record.
3. What does the term maintain mean in R.C. 3701.74(A)(8)?
4. Whether a patient requesting medical records under R.C. 3701.74 must state a reason for the request.
5. Whether Aultman Hospital established on summary judgment that it had produced Howard Griffith's entire medical record.

HOLDINGS

1. A medical record includes patient data in any form that pertains to the patient's medical history, diagnosis, prognosis, or medical condition and that a healthcare provider generated and decided to keep or preserve in the process of the patient's healthcare treatment.
2. The physical location or department where patient data is kept is not relevant to whether the data qualifies as a medical record under R.C. 3701.74(A)(8).
3. For purposes of R.C. 3701.74(A)(8), maintain means that the healthcare provider made a decision to keep or preserve the data.
4. R.C. 3701.74 does not require a patient or the patient's representative to state a reason for requesting medical records.
5. The hospital did not establish on the record that there was no genuine issue of material fact regarding whether it had produced Howard Griffith's entire medical record.

KEY QUOTATIONS

“We therefore disagree with the reasoning of the Fifth District and conclude that the physical location of patient data is not relevant to the determination whether that data qualifies as a medical record under R.C. 3701.74(A)(8).” (¶ 25)

“We hold that for purposes of R.C. 3701.74(A)(8), “maintain” means that the healthcare provider has made a decision to keep or preserve the data.” (¶ 29)

*“All that is required of a patient or a patient’s representative is to “submit to the health care provider a written request signed by the patient * * * dated not more than one year before the date on which it is submitted.”” (¶ 28)*

FACTUAL BACKGROUND

Howard Griffith was hospitalized for surgery and placed on continuous cardiac monitoring after developing intermittent atrial fibrillation. He was later found unresponsive with his cardiac-monitor leads detached, suffered

severe brain damage, and died after life support was withdrawn. His daughter and executor requested his complete medical record, including cardiac-monitoring data, but the hospital initially produced only records maintained by its medical-records department.

PROCEDURAL HISTORY

Griffith requested Howard Griffith's complete medical record and filed an action to compel production after believing that cardiac-monitoring strips and nursing records had been withheld. The trial court granted summary judgment to Aultman Hospital, and the Fifth District affirmed. The Supreme Court of Ohio reversed and remanded for application of the statutory definition of medical record and further proceedings as necessary.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court must apply the Supreme Court's definition of medical record, conduct further proceedings to develop the evidentiary record if necessary, and determine whether Aultman Hospital met its burden of showing that it produced the entirety of Howard Griffith's medical record.

CASES CITED

- State ex rel. United States Steel Corp. v. Zaleski, 98 Ohio St. 3d 395, 2003-Ohio-1630, 786 N.E.2d 39, ¶ 12
- Slingluff v. Weaver, 66 Ohio St. 621, 64 N.E. 574 (1902)
- Boley v. Goodyear Tire & Rubber Co., 125 Ohio St. 3d 510, 2010-Ohio-2550, 929 N.E.2d 448, ¶ 20
- Armstrong v. John R. Jurgensen Co., 136 Ohio St. 3d 58, 2013-Ohio-2237, 990 N.E.2d 568, ¶ 12
- Weaver v. Edwin Shaw Hosp., 104 Ohio St. 3d 390, 2004-Ohio-6549, 819 N.E.2d 1079, ¶ 12
- Cleveland Elec. Illum. Co. v. Cleveland, 37 Ohio St. 3d 50, 524 N.E.2d 441 (1988)
- Dresher v. Burt, 75 Ohio St. 3d 280, 292, 662 N.E.2d 264 (1996)
- 2014-Ohio-1218

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