

To Parent(s) and Guardians of Patient Receiving Outpatient Developmental Services

Subject: Documentation Requests for Legal Purposes

Dear Parent/Guardian:

The Pediatric Developmental Physicians, Psychologist and Nurse Practitioners at Children’s Hospital of The King’s Daughters (CHKD) and Children’s Specialty Group, PLLC (CSG) are committed to providing the best developmental health care and treatment possible to your child. This requires the entire team to be focused on the clinical aspects of treatment and the therapeutic relationship with your child or adolescent.

From time to time, patients and their families may be involved in legal proceedings, including custody disputes, visitation and parental rights determinations, child support, school due process hearings or other legal matters. While we understand the importance of these matters to all those involved, the treatment team will not become involved in ongoing legal matters or court proceedings, as it distracts from our focus of providing clinical care and treatment.

To ensure that there are clear expectations and limitations regarding any request involving a legal matter, the following guidelines are provided for your review and acknowledgement:

Will Not Be Provided – Do Not Request

- Letters to the court for any reason requested by a parent or guardian, including written statements that the request is “from my attorney;”
- Letters or written statements to your attorney for use in any legal proceeding;
- Completion and endorsement of an affidavit submitted by the parent or guardian; and
- Testimony in court on behalf of either parent or guardian related to divorce, custody or other civil matters.
 - Parent(s) or guardian(s) should not provide their attorney any of our provider’s names as potential witnesses in these types of cases.

What We Can Provide – Legally and Professionally

- Guardian ad Litem (“GAL”) requests for medical records, phone conferences and a written summary, if the GAL determines it to be appropriate, regarding care and treatment of minor patients.
 - There must be a copy of the GAL court appointment on file in medical record.

- With proper written authorization, a brief communication with either parent or guardian’s attorney for the purposes of clarifying information in the minor patient’s medical records.
 - There must be a copy of a valid authorization on file prior to communication.

Witness Subpoena issued to Providers for Testimony in Court or Arbitration

All providers are required by law to comply with any subpoena issued to elicit sworn testimony as a witness in court. However, this is very disruptive to our practice, the lives of our patients, and hampers our ability to provide treatment to other patients if the provider must clear their schedule to testify in court for any amount of time. While we understand that custody disputes are very difficult for and important to all parties, these matters can be acrimonious and protracted at times. Our providers cannot be routinely involved in these proceedings and maintain an effective therapeutic relationship with our patient, your child. Accordingly, we may be forced to evaluate if ongoing treatment of your child is clinically compromised by the situation. In some circumstances, this may result in the discharge of your child from our treatment team.

Additional Information

We ask that you provide a copy of *all* current custody or other court orders or legal documents that provide information about who *is* permitted and who *is not* permitted to participate in a minor patient’s care and treatment, including access to medical records and consent to treatment.

Any request for copies of a patient’s medical record must be submitted to the CHKD medical records department and can be requested in the link below.

<https://www.chkd.org/Patients-and-Families/Your-Child-s-Medical-Records/>