

Vorys Trial Team Prevails in Medical Privacy Case

If you have any questions, please contact one of the following, or your Vorys relationship attorney:

Daniel J. Buckley
djbuckley@vorys.com
513.723.4002

Suzanne K. Richards
skrichards@vorys.com
614.464.6458

John J. Kulewicz
jjkulewicz@vorys.com
614.464.5634

The Supreme Court of Ohio ruled on July 1, 2009 in Roe v. Planned Parenthood Southwest Ohio Region that, under the state laws in force at the time their claim arose in a private civil lawsuit against Planned Parenthood, the parents of a Cincinnati teenager who obtained an abortion at a Planned Parenthood clinic are not entitled to discover confidential child abuse reports or medical records of other minors who were treated at the same clinic. Vorys, Sater, Seymour and Pease represented Planned Parenthood in this action related to medical privacy. The slip opinion is available at <http://www.supremecourt.ohio.gov/rod/docs/pdf/0/2009/2009-Ohio-2973.pdf>.

In 2004 the plaintiffs' daughter, then 14, was accompanied to a Planned Parenthood clinic by her 21-year-old boyfriend for an abortion. The parents sued Planned Parenthood for unlawful abortion, claiming they should have suspected abuse and reported it to authorities.

The plaintiffs sought and were granted a discovery order from the Hamilton County Court of Common Pleas, demanding 10 years of medical records of minors who sought abortions at Planned Parenthood locations throughout Southwest Ohio. Planned Parenthood viewed this as an invasion of medical privacy and appealed the trial court's discovery order ruling to the 1st District Court of Appeals, where the order was overturned.

Vorys partner, Daniel J. Buckley, who argued the case, said, "This decision is a victory for medical privacy; not just for Planned Parenthood but health care providers in Ohio and elsewhere."

Vorys has offices in Columbus, Cleveland, Cincinnati and Akron, Ohio, Houston, Texas, as well as in Washington, D.C. and Alexandria, VA. With nearly 400 attorneys, Vorys currently ranks as one of the 200 largest laws firms in the United States according to American Lawyer magazine. For more information visit www.vorys.com.

This client alert is for general information purposes and should not be regarded as legal advice.