

Trump's Medical Records: Any Privacy Law Violated?

President Trump's former physician, Dr. Harold Bornstein, recently revealed that the president's bodyguard and two others came to his office in February 2017 and demanded Trump's medical records. Was there any violation of laws protecting patient privacy? Is Trump's crew in trouble here?

A post on the website of **Androvett Legal Media & Marketing** addressed the issue.

"If the doctor had good reason to believe that this group was authorized by Trump and that the president wanted the records, the doctor is permitted to provide them. He could have refused and demanded an authorization that would meet standards under HIPAA, the law that protects patients' records. He also could have contacted Trump by phone for further confirmation," says **Jeff Drummond**, a Dallas lawyer with **Jackson Walker LLP** who specializes in medical records privacy and HIPAA (Health Insurance Portability and Accountability Act).

A thornier lapse may have been committed by the doctor when he revealed to the *New York Times* that Trump was taking a drug that promotes hair growth.

"That would almost certainly be a violation of Trump's medical privacy rights, and a violation of HIPAA," Drummond said. "With that background, I think it would be fairly easy for Trump to sue the doctor to give up all copies of his records.

"HIPAA rules allow disclosures of medical records to the patient, the patient's personal representative and those who are 'involved in the care' of the patient. It seems unlikely a law was violated by Trump's emissaries taking his records with his permission."

