
 <b>OSPITAL NG PARAÑAQUE</b> 		<b>Document Code:</b> <b>OSPAR-ADM-HIM-0008</b>
		<b>Issue Date:</b>
<b>ADMINISTRATIVE DIVISION APPROVAL MATRIX</b>		<b>Section / Department</b> <b>HEALTH INFORMATION MANAGEMENT SECTION</b>
<b>Policy Title:</b> <b>POLICY ON ATTENDANCE TO COURT ORDERED BY SUBPOENA DUCES TECUM</b>		<b>Page No 1 of 1</b>
<b>Prepared By:</b>  <b>Frederick C. Dacanay</b> <b>OIC, Health Information Management</b>	<b>Reviewed By:</b>  <b>Arnaldo S. Cortes, RN</b> <b>Supervising Administrative Officer</b>  <b>Darius J. Sebastian, MD, MPH, PHSAE</b> <b>Hospital Administrator</b>	<b>Approved by:</b>  <b>Jefferson R. Pagsisihan, MD, MHM</b> <b>Hospital Director</b>

**COVERAGE:** This section and the medical department

**OBJECTIVE:** For proper presentation of medical records to court.

**RESPONSIBILITIES:**

- I. It shall be the responsibility of the medical records officers or his representative to receive the summon/Subpoena Duces Tecum.
- II. The medical records section clerk shall release the corresponding patient's chart to the COC.
- III. It shall be the responsibility of the doctors, be it resident or consultant, to attend court hearings once summoned by the court for their expert opinion. A manifestation shall be submitted in case doctors are not available to appear.
- IV. It shall be the responsibility of the attending physician to bring the patient's records when ordered or summoned by the court.
- V. In the absence of the attending physician, the records custodian may present the patient's records and the medico-legal certificate if any unless, otherwise, the court specifically summoned the attending physician.

**POLICY:** This policy shall ensure authorized representatives for testifying in court and presenting, patient's medical record.

**PROCEDURES:**

- I. Subpoena Duces Tecum is delivered by registered mail or hand carried.
- II. Subpoenas shall be delivered at least a week before the hearing. The records custodian or the attending physician may refuse to attend when subpoenas are delivered only a day before the hearing.
- III. HIM officer/Medical records clerk receives the Subpoena Duces Tecum issued by the court.
- IV. HIM/Medical records clerk notifies the attending physician and retrieves the patient's records; releases the same to the attending physician when needed.
- V. Patient's records shall not be left in the court. A photocopy may be issued upon request of the court.
- VI. The attending and the records custodian shall submit a certificate of appearance to the administrative office to validate the appearance and for reimbursement purposes.

**Implementantion:** 1980

**Reviewed:** 2003, July 2018, August 2022