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5 Attorneys for Defendants
6 COUNTY OF ALAMEDA; GREGORY J. AHERN
in his official capacity as Sheriff of the Alameda
7 County Sheriff s Office; KARYN TRIBBLE in her
official capacity as Director of the Alameda County
8 Behavioral Health Care Services Agency

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA/SAN JOSE DIVISION

11
12 ASHOK BABU, ROBERT BELL,
IBRAHIM KEEGAN-HORNSBY,
13 DEMAREA JOHNSON, BRANDON
JONES, STEPHANIE NAVARRO,
14 ROBERTO SERRANO, and ALEXANDER
WASHINGTON on behalf of themselves
15 and all others similarly situated,

Case No. 5:18-cv-07677

**NOTICE RE POINTS OF CONTACT FOR
MEDICAL RECORDS AND CUSTODY
CONCERNS FOR CRIMINAL DEFENSE
LAWYERS DURING PANDEMIC**

16 Plaintiffs,
17 v.

18 COUNTY OF ALAMEDA; GREGORY J.
AHERN in his official capacity as Sheriff of
the Alameda County Sheriff s Office;
19 KARYN TRIBBLE in her official capacity
as Director of the Alameda County
20 Behavioral Health Care Services Agency;
and DOES 1 to 20, inclusive,

21
22 Defendants.

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24 Defendants County of Alameda, Gregory J. Ahern, and Karyn Tribble (“Defendants”)
25 submit the following notice regarding points of contact regarding medical records and custody
26 concerns for criminal defense lawyers with clients in Santa Rita Jail as a result of the suspension
27 of contact visitation during the current COVID-19 pandemic in response to the Court’s Order at
28 ECF 105.

NOTICE

Medical Records

Non-party Wellpath provides comprehensive medical services for inmates at Santa Rita Jail. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) regulations prohibit the release of patient medical information without a signed authorization from the patient or evidence of an exception identified in the regulations.

In order to obtain a copy of a patient's medical record from the Santa Rita Jail, criminal defense attorneys with clients in Santa Rita Jail may submit a request via fax [925-551-6746] or email [Alamedacountymedicalrecordsroi@wellpath.us] to Santa Rita Jail's medical department.

The quickest way to obtain a copy of a patient's medical record is to include with your request a signed Wellpath release of records form (attached as **Exhibit A**) or documentation supporting the release of records absent a signed patient authorization (*e.g.*, a judicial order, grand jury subpoena, etc.). California Health & Safety Code section 123110 specifically provides that any patient or patient's representative is entitled to copies of all or any portion of his or her records that he or she has a right to inspect, upon written request, and the records must be provided within 15 days of the receipt of the request. Wellpath will do its best to respond to your request in a timely manner. Patient care is a priority, especially during this unprecedented pandemic, and we greatly appreciate your patience and cooperation during this time.

For medical records requests related to the COVID-19 pandemic, Wellpath will approach patients to obtain the appropriate signatures no later than 48 hours after receiving the request, and sooner if possible. If the patient agrees to sign the ROI, Wellpath will send a copy of the medical records to the requestor within 48 hours of obtaining the signature. If the patient agrees to sign the ROI and the patient's representative has already submitted a request for records, Wellpath will process the medical records request without the need for a further request for records.

If there is something urgent or the above process is not working, please contact:

1. Natalyn Bergman, RN,
Assistant Health Services Administrator

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Natalyn.Bergman@Wellpath.us

2. Rachel Eckhardt
Paralegal, Wellpath Legal
rachel.eckhardt@wellpath.us

Custody Issues

Criminal Defense attorneys who have questions with regard to pandemic-specific custody policies, practice and procedures are directed to the comprehensive COVID-19 information on the Alameda County Sheriff’s Department Website:

https://www.alamedacountysheriff.org/admin_covid19.php

If after review of the comprehensive information posted on the aforementioned website, criminal defense attorneys with clients at Santa Rita have case-specific questions and concerns, please submit a detailed written request to counsel of record for defendants in this case: Temitayo Peters, Esq. at tpeters@bwslaw.com. Counsel for defendants will make every effort to respond within 48 hours of receiving the request.

Dated: April 20, 2020

BURKE, WILLIAMS & SORENSEN, LLP

By: /s/ Gregory B. Thomas
Gregory B. Thomas
Temitayo O. Peters
Attorneys for Defendants
County Of Alameda; Gregory J. Ahern in
his official capacity as Sheriff of the
Alameda County Sheriff s Office; CAROL
BURTON in her official capacity as
Interim Director of the Alameda County
Behavioral Health Care Services Agency