



On June 3, 2020, the Ohio Supreme Court heard oral argument in the case of Menorah Park v. Rolston. Brian F. Lange of Bonezzi Switzer Polito Hupp Co. LPA argued the case on behalf of the Appellant Menorah Park. This Case involves a Small Claims Complaint that was filed by Menorah Park to collect on unpaid bills associated with the services received by Ms. Rolston at Menorah Park. Menorah Park attached to their Small Claims Complaint two account statements for medical bills, each of which contained 2-3 word descriptions of the services rendered. Ms. Rolston has argued that this disclosure is wrongful and gives rise to a claim for the “unauthorized and unprivileged” disclosure of protected health information under *Biddle v. Warren Gen. Hospital* (1999). It is Menorah Park’s position that the Health Insurance Portability & Accountability Act (HIPAA) specifically provides for the disclosure of protected health information for purposes of seeking payment, which is what Menorah Park attempted to do in this action. In deciding this Appeal, the Ohio Supreme Court will consider whether HIPAA preempts State Law (*Biddle*), thereby precluding the claim asserted by Ms. Rolston.

Here is a link to the Video Archive of the Oral Argument:

<https://ohiochannel.org/video/supreme-court-of-ohio-case-no-2019-0939-menorah-park-ctr-for-senior-living-v-rolston>

