



Rancho Los Amigos National Rehabilitation Center

ADMINISTRATIVE POLICY AND PROCEDURE

**SUBJECT: SUBPOENAS, WARRANTS, AND OTHER
LEGAL DOCUMENTS**

Policy No.: A113
Supersedes: Nov. 26, 2019
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PURPOSE:

To state Rancho Los Amigos National Rehabilitation Center's ("Rancho") position regarding receipt of legal papers.

POLICY:

Rancho and its workforce members shall respond to presentation of legal documents in a responsible fashion. Legal documents brought to the facility may include but not limited to: Subpoenas, Warrants, and Legal Pleadings.

For non-County or non-Rancho related legal documents (i.e. patient's last will/testament or personal legal documents), Rancho workforce members are **NOT** to participate and/or **NOT** to sign as a witness to such documents.

GUIDELINES:

1. All persons who come to serve legal documents will be directed to Health Information Management.
2. The process server will be asked to identify the person to whom he/she wishes to serve the subpoena or other legal papers, or the nature of the documents. The server will then be directed to the appropriate office as described below:

A. Custodian of Records

- a. Patient Records - The Director of Health Information Management is the Custodian of Records of all patient records.
 - i. Health Information Management Department will accept subpoenas for patient records.
- b. Billing Records—Consolidated Business Office (CBO) handles all requests for billing records. CBO requests are sent to:
5555 Ferguson Drive
Ste. 310-40
Commerce, CA 90022

EFFECTIVE DATE: January 1, 1987

COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES

APPROVED BY:

- c. Employee Records - The Director of Human Resources is the Custodian of Records for all employee records and handles Rancho/ County Worker's Compensation related subpoenas or legal documents.
 - i. The process server shall be directed to the Human Resources Office at Rancho.

B. Employees

1. Work-Related Subpoena:

- a. Employee subpoena of cases involving Rancho/County or subpoena testimony of care provided at Rancho on non-Rancho/County cases shall be directed to Risk Management (RM) or contact extension 57900.
- b. Risk Management staff shall coordinate deposition of staff with defense counsel on cases involving Rancho/County.
- c. For subpoena testimony of care provided at Rancho on non-Rancho/County cases:
 - RM shall contact the employee to obtain authorization to accept the subpoena.
 - Once authorization is obtained, RM staff shall coordinate the employee's deposition with the issuing party.
 - Under California Government Code section 68096.1, the issuing party shall reimburse Rancho for the full cost incurred in paying the employee his/her salary for the time pursuant to the subpoena.

2. Non-Work Related Subpoena and Workers Compensation Subpoenas

- a. The process servers shall be directed to Human Resources Office at Rancho.
- b. Human Resources personnel will verify that the subpoena or other legal paper is for a current workforce member, is for personal and not work related issues, and will request the workforce member to go to Human Resource Office to accept service.
- c. If the employee is not on the grounds, the process server will be informed of the next date the employee is expected. The work location of the employee shall NOT be given to a process server.
- d. During afterhours and holidays, the process server shall be directed to the JPI Perry Station Security Station. The security officer will contact the Administrative Nursing Supervisor (ANS - Hospital Charge Nurse) at extension 56211 or through the Telephone Operator. The ANS will come to the JPI Perry Station, verify that the subpoena is for an employee, verify if the employee is on duty, and will request the employee to come to the Nursing Resource Office to accept service. If the employee is not on duty, the ANS will inform the server of the next day on which the employee is scheduled to work.

- e. If the employee refuses to accept service, direct the process server to leave the facility with the legal document or subpoena. Leaving the document or subpoena with another Rancho personnel or "dropping the subpoena" within the facility is improper service. Notify campus security if indicated. Provide copy of improperly served subpoena to Risk Manager.
- f. **Do Not Accept service for any employee without employee's authorization.**

C. Patients

- a. The process server shall check in with JPI security. Security personnel shall contact the unit and request information from nursing if patient is willing to accept the subpoena or legal documents.
- b. If the patient is willing to accept the subpoena or legal documents, the process server shall be provided a visitor's pass and be informed of the patient's location to serve the legal document to the patient directly.

NOTE: No information about the patient, including the patient's presence in the hospital, should be provided to the process server until nursing has verified patient's willingness to accept the subpoena or legal document.

- c. If the patient declines, the server should be directed to leave the facility with the legal document or subpoena.
- d. If the patient is a minor or an adult without mental or medical capacity, the legal surrogate or legal guardian must decide for the patient. If the legal surrogate/guardian is not at bedside, do not provide information to the process server regarding the patient's location and do not allow the server into the patient's room.
- e. Do Not Accept a subpoena or other legal papers for any patient.

D. Security Camera Video or Surveillance

The function of the campus cameras is to assist in protecting the safety of patients, staff, and visitors at Rancho.

- Monitoring for security purposes will be conducted in a professional, ethical, and legal manner. Profiling or monitoring individuals based on race, gender, sexual orientation, disability, or other protected classification is prohibited.
- Campus Sheriff and security staff have access to all surveillance camera data for law enforcement purposes.

- Operational or County-related request to review or download footage requires approval from Hospital Administrator, or Safety Officer, or EVS/FM Administrator or Risk Manager.

Note: It is the responsibility of the requesting department or entity to provide a USB flash drive in order to copy or download the footage.

- Subpoena or Court Order or legal hold for copy of campus video or surveillance is processed through HIM department.
 - 1) Downloading or copying of footage from cameras in the JPI Building, and Parking Structure is handled by Bio-Med Department or by campus Sheriff.
 - 2) Downloading or copying of footage from the cameras in the Outpatient Building, and JPI Extension is handled by Rancho IT or by campus security.
 - 3) Risk Management or Safety Officer or Privacy Officer must be consulted prior to release of video footage to outside entities.

E. Criminal Matters

- a. The law enforcement officer or process server shall be directed to the Campus Sheriff's Station (Ext. 57042) if the subpoena or other legal papers pertain to a criminal matter.
- b. Warrants for the arrest of persons must personally be served on the individual by the law enforcement officer. Campus Security Officer will accompany the law enforcement officer or process server to the patient. If the warrant is for an employee, a Campus Security Officer shall escort the employee to the Campus Sheriff's Station where he/she will be served.

Note: According to Sheriff's Department, it is the obligation and duty of Public Defenders Office to acquire discovery. Sheriff's Department is available to answer questions and will assist in downloading discovery.

F. Search Warrants

Rancho Los Amigos National Rehabilitation Center will comply with properly served search warrants.

- a. A person(s) who wishes to serve a search warrant will be directed first to the Campus Sheriff's Station (Ext. 7042).
- b. The Campus Sheriff will verify that the person has a valid search warrant

- c. The Campus Sheriff will notify the appropriate Administrator that a search warrant is being served.
- d. The hospital administrator may notify County Counsel for consultation, advice, or direction.
- e. The Campus Sheriff will then accompany the person(s) who are serving the search warrant to the location of the search.
- f. The Campus Sheriff and the Administrator or designee will be present at the location of the search until the search is completed.

G. Lawsuits or Intent to Sue Documents against Rancho/Los Angeles County

- a. **Do Not Accept** lawsuits or intent to sue documents against Rancho or the Los Angeles County. Rancho Los Amigos National Rehabilitation Center is not authorized to accept lawsuits or Notices of Intent to commence legal action against Rancho Los Amigos National Rehabilitation nor its employees. Contact QRM or RM Office at X7900 for questions or consultation.
- b. Direct the process server carrying lawsuits or "Intent to Sue" documents against Rancho/County to the following address:

***County of Los Angeles
c/o Executive Officer, Board of Supervisors
Attn: Claims
Kenneth Hahn Hall of Administration
500 West Temple Street – Room 383
Los Angeles, CA 90012***

- 3. For records requests citing **California Public Records Act (PRA)**, forward the request to the Office of Public & Media Relations via email at media@dhs.lacounty.gov

REFERENCE: Department of Health Services, Policy #170
Department of Health Services, Policy # 365

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May 9, 2006 SY:SH:mm
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