

# STATE OF NEW HAMPSHIRE

## CIRCUIT COURT Probate Division

### ADMINISTRATIVE ORDER 13

#### Obtaining a Decedent's Medical Records

In some cases, a review of a decedent's medical records is sought where there are no assets currently requiring probate. Under RSA 560:22, a surviving spouse may obtain this information directly from the health care providers without any type of probate administration. In cases, where the surviving spouse is not the person requesting the records, the following procedure shall apply:

1. To seek such records, a Petition for Temporary Administration – Assets and Medical Records (NHJB-2768-Pe) will be electronically filed. In addition, the petitioner will include:
  - A copy of the decedent's death certificate, if petitioner's possession.
  - An explanation as to why the petitioner feels that they have standing to request these records and a brief explanation as to why the records are being sought.
  - Identification of hospitals and/or physicians from which the medical records are requested.
2. No filing fee will be charged.
3. The petitioner will only be appointed for the purpose of obtaining the decedent's medical records and will not be given any additional authority to receive or to administer estate assets. This appointment will expire sixty (60) days from the date of the judge's order.
4. The Court shall close the file immediately after the 60 days expires.
5. If petitioner files a motion for extension of time within the initial sixty (60) day timeframe, a new certificate shall be issued without the necessity of reopening the file.

David D. King

Administrative Judge of Circuit Court

#### History

Revised November 13, 2018

Revised January 1, 2011

Revised August 1, 2007

Effective March 7, 2005

#### See also

AO 7 relative to Estates Opened Solely to Pursue a Cause of Action

PB 7 relative to The Appointment of Temporary Administrators Pursuant to RSA 553:20-a