## IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

In th	he Matter of:		C.M.#
			C.IVI.#
AN	ALLEGED DISABLED PEI	RSON	
		PRELIMINARY OF	RDER
	AND NOW, TO WIT, o	on this date	, the Petition for the
App	pointment of a Guardian of (c	heck all that applies): [	the Person and/or the Property of
	alleged disabled person's name	hereinafter called	"alleged disabled person", filed in this
matt	ter having been read and duly	y considered by the Cou	ırt,
I	NOW, THEREFORE, IT IS	S ORDERED THAT:	
1.	A Hearing shall be held a	at the Court of Chancery	/ incounty in which the case will be determined
	County, Delaware on	leave blank	, 20 at leave blank at leave blank a.m. to
			ted the Guardian of the Person and/or
	Property of the alleged di	sabled person.	
2.	leave blank	, Esquire is	appointed attorney ad litem for
	the alleged disabled person	on.	

- 3. The Court shall issue notice to the attorney *ad litem* for the alleged disabled person <u>at</u>

  <u>least ten (10) days before</u> the Hearing date pursuant to Chancery Court Rule 176(c)

  unless the appointed attorney *ad litem* files a Waiver of Service upon notification of the appointment.
- 4. The attorney *ad litem* shall give actual notice of the Petition to the alleged disabled person pursuant to Chancery Court Rule 176(a) unless the Physician's Affidavit says it would be detrimental or meaningless to give notice.

5.	The attorney ad litem shall file a report with the Court <b>before noon</b> on this date
	:
	leave blank

- 6. Pursuant to the preparation of the report referenced in paragraph "5" of this Order:
  - a. All physicians, hospitals and other healthcare providers covered under the Privacy Standards of the Health Insurance Portability and Accountability Act (HIPPA) are authorized to disclose to the attorney *ad litem* and shall provide the attorney *ad litem* unobstructed access to all medical records, treatment providers, clinical information and other healthcare information relating to the current mental and physical health of the Disabled Person [See 45 CFR sec.164.512(e)] that the attorney *ad litem* deems necessary for the proper discharge of his/her duties.
  - b. All said physicians, hospitals and other healthcare providers grant said access described in paragraph "6a" of this Order to the attorney *ad litem* without delay;

- c. The attorney *ad litem* and the said physicians, hospitals and other healthcare providers are prohibited from using or disclosing the disabled person's health information for any purpose other than this Guardianship proceeding.
- d. The attorney *ad litem* shall return to the physician(s), hospital(s), and other healthcare provider(s) or shall destroy all of the health information provided to the attorney *ad litem* by the physician(s), hospital(s), or healthcare provider(s) (including all copies made) at the end of these Guardianship proceedings.
- 7. **At least ten (10) days before** the Hearing date, Petitioner must send notice by **certified mail, return receipt requested**, to **each** next of kin of the alleged disabled person who did **not** file a Waiver of Notice and Consent. Notice must state the time, place and purpose of the Hearing.
- 8. Petitioner must file at the Register in Chancery Office all **certified receipts** from the notice(s) mailed to the next of kin **no later than the Wednesday before** the Hearing date.

(Vice) Chancellor or Master