

Electronically Submitted on 06/18/2024 09:59 AM

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ELECTRONICALLY
FILED
BY SUPERIOR COURT OF CALIFORNIA,
COUNTY OF KING'S COUNTY
06/18/2024
NOCONA SOBOLESKI, CLERK OF THE COURT
KAYA GODINEZ, DEPUTY

[EXEMPT FROM FILING FEES
PURSUANT TO GOVERNMENT
CODE SECTION 6103]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

ADVENTIST HEALTH HANFORD; AND DOES 1 THROUGH 25,

Defendant.

Case No. 24CL0659

COMPLAINT FOR INJUNCTIVE RELIEF, CIVIL PENALTIES, AND OTHER EQUITABLE RELIEF

(Cal. Const., art. I, § 1; Health & Saf. Code, §§ 1280.15, 1280.18; Civil Code, § 56 et seq.; Bus. & Prof. Code, § 17200 et seq.)

VERIFIED ANSWER REQUIRED PURSUANT TO CODE OF CIVIL PROCEDURE § 446

Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA (“Plaintiff” or “the People”), by and through Rob Bonta, Attorney General of the State of California, brings this action against Defendant Adventist Health Hanford (“Adventist” or “Defendant”) for violations of the Unfair Competition Law, Business and Professions Code section 17200 et seq. (“UCL”); the Confidentiality of Medical Information Act, Civil Code section 56.10 et seq. (“CMIA”); Sections 1280.15 and 1280.18 of the Health and Safety Code; the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936, as amended by the Health Information Technology for the Economic and Clinical Health Act, Pub. L. No. 111-5, 123 Stat.

1 226 (“HIPAA”); and Article I, Section 1 of the California Constitution. Plaintiff alleges the
2 following on information and belief.

3 **PARTIES**

4 1. Plaintiff is the People of the State of California. The People bring this action by and
5 through Rob Bonta, Attorney General.

6 2. Defendant Hanford Community Hospital dba Adventist Health Hanford is a
7 California nonprofit corporation and hospital located in Hanford, California.

8 3. In this Complaint, when reference is made to any act or omission of “Defendant,”
9 such allegations shall include the acts and omissions of owners, officers, directors, agents,
10 employees, contractors, vendors, affiliates, and/or representatives of Defendant while acting
11 within the course and scope of their employment or agency on behalf of the above referenced
12 entity.

13 **JURISDICTION AND VENUE**

14 4. This Court has jurisdiction over Defendant, as it is a California nonprofit corporation
15 that transacts business in Kings County and throughout the State of California and did so at all
16 times relevant to this action.

17 5. Venue is proper, as the violations of law alleged in this Complaint occurred in Kings
18 County.

19 **BACKGROUND**

20 6. The California Constitution guarantees the right of every person to “pursu[e] and
21 obtain[] safety, happiness, and privacy.” (Cal. Const., art. I, § 1.) The California Supreme Court
22 has held that the right to privacy includes the right to reproductive privacy and autonomy (*Am.*
23 *Acad. of Pediatrics v. Lungren* (1997) 16 Cal.4th 307, 313) and that “fundamental to our privacy
24 is the ability to control circulation of personal information.” (*White v. Davis* (1975) 13 Cal.3d
25 757, 773-74.)

26 7. The medical and personal identifying information of healthcare patients (protected
27 health information (“PHI”)) are protected by various state and federal statutes and the regulations
28 promulgated thereunder. These include:

1 unlawful access, use, or disclosure, as required by Health and Safety Code section 1280.18,
2 subdivision (a).

3 13. Following Defendant's failure to prevent the unauthorized and unlawful disclosure of
4 patient1's PHI, patient1 was arrested, charged with murder, and incarcerated for over four years
5 in prison following her labor and delivery resulting in a stillbirth at Defendant's hospital.

6 14. Defendant failed to prevent unauthorized or unlawful access to, and use or disclosure
7 of, patient2's medical information, as required by Health and Safety Code section 1280.15, and
8 failed to reasonably safeguard confidential medical information from any unauthorized or
9 unlawful access, use, or disclosure, as required by Health and Safety Code section 1280.18,
10 subdivision (a).

11 15. Following Defendant's failure to prevent the unauthorized and unlawful disclosure of
12 patient2's PHI, patient2 was arrested, charged with murder, and incarcerated for over 16 months
13 in jail following her labor and delivery resulting in a stillbirth at Defendant's hospital.

14 **FIRST CAUSE OF ACTION**
15 **(Violations of Confidentiality of Medical Information Act)**
16 **(Civil Code, § 56 et seq.)**

17 16. The People reallege and incorporate by reference each of the paragraphs above as
18 though fully set forth herein.

19 17. Civil Code section 56 et seq. prohibits the disclosure of patient medical information
20 without patient authorization, unless a specified exception applies. (Civ. Code, § 56.10.)

21 18. As a "provider of health care" (Civ. Code, § 56.05, subd. (f)), Defendant is obligated
22 to preserve the confidentiality of medical information it creates, maintains, preserves, stores,
23 abandons, disposes of, or destroys.

24 19. Defendant disclosed information that constitutes medical information and records of
25 patient1 without patient1's consent and without applicability of a specified exception, thereby
26 violating Civil Code section 56.10.

27 20. Defendant disclosed information that constitutes medical information and records of
28 patient2 without patient2's consent and without applicability of a specified exception, thereby
violating Civil Code section 56.10.

