

**PROPOSED AMENDMENT TO  
MASSACHUSETTS SUPERIOR COURT  
RULE 13- HOSPITAL RECORDS**

**Propose to add new second paragraph (in bold):**

Any party, or his attorney, in any action for personal injuries, may file an application for an order for a copy of any hospital records of a party, together with a copy of the proposed order and an affidavit that he has notified the other party, or his attorney, of his intention to file said application seven days at least prior to said filing and that he has not received any objections in writing thereto. The order shall issue as of course upon the receipt of such application.

**In the event of an objection, no order shall issue unless the parties comply with Superior Court Rule 9A.**

When a hospital record, or any part thereof, is received in evidence, the record shall be returned to the hospital upon the conclusion of the trial unless the court otherwise orders.

If the court orders the retention of the hospital record, it shall remain in the custody of the clerk, who shall give a receipt therefor. The record shall be released to the hospital, upon the giving of a receipt to the clerk.