

Did Trump's Physician Dr. Harold Bornstein Break the Law?



Summary: Are there any legal problems that could surface after Dr. Harold Bornstein's admission that three Trump associates raided his office in 2017?

For more than 30 years, Dr. Harold Bornstein was Donald Trump's personal physician, but in February 2017, he was mysteriously "robbed" by three men claiming to represent the president. That's the story he shared with NBC News and CNN recently, and this claim has some wondering if Trump or Bornstein himself possibly violated any laws.

"Claims by President Donald Trump's former physician that the President's representatives essentially forced him to surrender Trump's medical records to them raise a number of questions about whether the doctor or others violated the law or principles of ethics, legal and medical ethics experts say," CNN said.

Additionally, Bornstein alleged that Trump dictated to him what to write in a 2015 letter regarding the future president's health. This letter was used by Trump during his campaign to show he was healthy and it was released to the public.

The White House has denied Bornstein's claim about the letter and the raid, which the doctor said happened at his New York Office. Bornstein said that Trump's former longtime personal bodyguard, a Trump Organization chief legal officer and a third "large man" entered his office on Trump's behalf and demanded to seize the president's health records.

Experts told CNN that taking the originals and not leaving Bornstein a copy could be a violation of laws and medical ethics, depending on what happened exactly. The three would have needed a signed form from Trump allowing the removal to take place. If not, the three men could be found guilty of violating the Health Insurance Portability and Accountability Act, known as HIPAA. Dr. Bornstein himself could be in violation of HIPAA if Trump did not authorize the raid.

"What Dr. Bornstein described may be a HIPAA violation by the doctor himself," Erin C. Fuse Brown, a Georgia State University associate professor of law, told CNN. "It is his obligation as health care provider to ensure patient records are locked, encrypted and secured, so someone couldn't just walk in off the street and demand them."

Brown went on to say that Bornstein should not have given over the records without a signed authorization from Trump and that Bornstein could get in trouble too. However, the White House said this week that it was "standard operating procedure" for the White House Medical Unit to take hold of a president's prior health records.

Bornstein could still get in trouble because New York law requires doctors to keep patient records for six years, according to Dr. Mark Rothstein. This is because regulatory agencies monitor doctor's habits of writing prescriptions or other acts that could affect patient safety.

Bornstein said that the three men took the originals, and he indicated that he did not have time to make copies.

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What do you think of Dr. Harold Bornstein? Let us know in the comments below.