

FILED

05/14/2020

Clerk of the
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE

January 22, 2020 Session

**ALYSIA REESE MCCRACKEN HANCOCK v.
BJR ENTERPRISES, LLC, ET AL.**

**Appeal from the Circuit Court for Knox County
No. 3-416-18 Deborah C. Stevens, Judge**

No. E2019-01158-COA-R3-CV

D. MICHAEL SWINEY, C.J., concurring.

I concur in the majority's decision to affirm the Trial Court. I agree the authorization form was so insufficient as not to allow the medical providers to obtain medical records from the other providers. I, however, continue to adhere to the position as stated in my dissent in *Parks v. Walker*, 585 S.W.3d 895, 900 (Tenn. Ct. App. 2018) that if a medical authorization form along with other information provided to the healthcare providers is sufficient to enable them to obtain a plaintiff's records simply by asking, then there is substantial compliance with Tenn. Code Ann. § 29-26-121(a)(2)(E).

D. MICHAEL SWINEY, CHIEF JUDGE