**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR CHARLOTTE COUNTY, FLORIDA PROBATE DIVISION**

**In re: The Guardianship of**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Case No.:**

**An alleged incapacitated person. Division: Guardianship**

**ORDER APPOINTING EXAMINING COMMITTEE**

On the petition of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to determine if \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose age is \_\_\_\_\_\_\_, and whose current location is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is an incapacitated person, it is

ADJUDGED as follows:

1. The following three persons shall comprise the committee to examine the alleged incapacitated person:

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| **NAME** | **ADDRESS, E-MAIL & PHONE NUMBER** |
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2. The committee shall examine the alleged incapacitated person in accordance with the standards set forth in Florida Statutes Section 744.331. The examining committee shall determine the ability of the alleged incapacitated person to exercise those rights specified in Section 744.3215, Florida Guardianship Law. Each member of the examining committee shall submit a written report within fifteen (15) days of the date of this order, conforming to the requirements of Florida Statutes Section 744.331(3)(f) & (g). The report must be filed with this Court within fifteen (15) days after the examiner's appointment and at least ten (10) days before the hearing on the petition and a copy of the report must be served on the petitioner and on the alleged incapacitated person by the clerk within three (3) days after the report is filed and at least ten (10) days before the hearing on the petition, unless waived.

3. The examining committee shall have access to, and may consider, previous examinations of the person, including but not limited to, habilitation plans, school records, and psychological and psycho-social reports voluntarily offered for use by the alleged incapacitated person. **All relatives, acquaintances, and caretakers of the AIP are hereby Ordered to cooperate with examining committee members and are strictly prohibited from obstructing, harassing or interfering with their duties under penalty of Contempt of This Court.**​

4. With regard to information governed by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), Publ. Law 104-92, and Federal Regulations at 45 CFR Parts 160-164, any covered health-care provider subject to HIPAA including, but not limited to, any physician, dentist, or other health care professional, health plan, hospital, clinic, laboratory, or pharmacy, shall give, disclose, and release to any examining committee member appointed in this Order, without restriction, all requested individually identifiable health information and medical records regarding the past or present physical or mental health condition of the alleged incapacitated person.

5. The Clerk shall serve a copy of this order on each examiner within three days from the date hereof.

6. Any member who cannot abide by the terms of the Contract by which they are appointed to shall immediately notify the Court by e-mail to [patriciat@ca.cjis20.org](mailto:patriciat@ca.cjis20.org) so that the Court may consider promptly issuing an amended Order replacing that member.

7. The factual allegations in the Petition to Determine Incapacity on which the incapacity belief is based are as follows: