

HOUSE No. 3726

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna L. O'Connell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect parental access to children’s healthcare information.

PETITION OF:

NAME:

Shaunna L. O'Connell

DISTRICT/ADDRESS:

3rd Bristol

HOUSE No. 3726

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 3726) of Shaunna L. O'Connell relative to access to healthcare information by parents or legal guardians of minors. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to protect parental access to children’s healthcare information.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 12F of chapter 112 of the General Laws, as appearing in the 2016 Official
2 Edition, is hereby amended by adding the following paragraph:-

3 The parent or legal guardian of a minor shall have complete and unrestricted access to all
4 information and records kept in connection with the care of said minor unless: (i) such
5 information or records relate to care given with the minor’s consent pursuant to 1 or more of the
6 specific conditions pursuant to this section permitting minor consent and requiring
7 confidentiality; or (ii) there is a reasonable suspicion of abuse, domestic violence or neglect of
8 the minor pursuant to section 51A of chapter 119. Such information and records shall include,
9 but not be limited to, physical records, electronic records, any online account, portal, or
10 communication platform to which the minor has access, or any other information to which the
11 minor has access. Any physician, dentist, hospital, clinic or infirmary shall provide such
12 information or records that do not explicitly require confidentiality to the parent or guardian of

13 the minor upon request; and shall be liable, civilly and criminally, for withholding such
14 information or records from a parent or guardian unless 1 or more of the conditions above apply
15 and require the information or records to be kept confidential.