

HB 1378 - AS INTRODUCED

2026 SESSION

26-3040

05/08

HOUSE BILL **1378**

AN ACT relative to parental access to a minor child's electronic medical records.

SPONSORS: Rep. Litchfield, Rock. 32; Rep. Love, Rock. 13; Rep. McFarlane, Graf. 18; Rep. Giasson, Hills. 29; Rep. Peternel, Carr. 6; Rep. L. Miner, Rock. 7; Rep. Korzen, Coos 7; Rep. DeVito, Rock. 8; Rep. Polozov, Merr. 10; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18

COMMITTEE: Children and Family Law

ANALYSIS

This bill provides parents of minor children full access to their minor children's medical record except under certain circumstances.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to parental access to a minor child's electronic medical records.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Statement of Purpose. The general court finds and recognizes that parents are responsible for
2 providing and coordinating medical care for their minor children and are presumed to act in their
3 child's best interest. In order to make informed decisions about a minor child's health care needs,
4 parents must be granted access to their children's medical records.

5 2 New Section; Parental Access to a Minor Child's Medical Records. Amend RSA 332-I by
6 inserting after section 1 the following new section:

7 332-I:1-a Parental Access to a Minor Child's Medical Records.

8 I. For the purposes of this section, "medical records" means physical medical records and
9 electronic medical records, including records available via online patient portals.

10 II. A parent or legal guardian of a minor child shall be entitled to have full access to the
11 medical records of their minor child or ward, except:

12 (a) When the records are records of treatment that a minor may consent to pursuant to a
13 specific statute under state or federal law without parental consent or the consent of a legal
14 guardian;

15 (b) When the parent or legal guardian is the subject of a protective order involving the
16 minor child or one of the minor child's siblings issued pursuant to RSA 173-B, RSA 461-A, or RSA
17 633:3-a, or when a court of competent jurisdiction has determined that the release of the records to a
18 parent or legal guardian is not in the child's best interest; or

19 (c) When a health care provider has determined by evidence based upon articulable facts
20 that disclosure of the records to a parent or legal guardian of a minor child is likely to result in abuse
21 or neglect. A health care provider who makes this determination shall document in the medical
22 record of the minor child all facts upon which he or she relied in making the determination.

23 3 Effective Date. This act shall take effect 60 days after its passage.