WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2956

By Delegates Burkhammer, Crouse, Steele, Butler, Kimble, and Keaton

[Introduced January 24, 2023; Referred to the Committee on Health and Human Resources then the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §16-5EE-1, relating to clarifying parent and legal guardian access to a minor child's medical records.

Be it enacted by the Legislature of West Virginia:

Article 5EE. Parent and legal guardian access to minor child's medical records.

§16-5EE-1. Parent and Legal Guardian Access to Minor Child's Medical Records.

Notwithstanding any other provision of law to the contrary, and absent a court order pursuant to Chapter 48 of this code that prohibits parental access, no parent or legal guardian of an unemancipated minor child shall be denied access to medical records of his or her minor child.

NOTE: The purpose of this bill is to clarify that neither a parent nor legal guardian of a minor child shall be denied access to the minor child's medical records.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.