

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill Number

By Delegate Burkhammer, Horst, Thorne and Kimble

[Introduced January 10, 2024 ; Referred
to the Committee on Health and Human Resources
then Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article
2 designated §16-5EE-1, relating to clarifying parent and legal guardian access to a minor
3 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.

1 Notwithstanding any other provision of law to the contrary, and absent a court order
2 pursuant to Chapter 48 of this code that prohibits parental access, no parent or legal guardian of
3 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.