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SENATE BILL NO. 846

Offered January 8, 2025

Prefiled January 2, 2025

A *BILL to amend and reenact § 20-124.6 of the Code of Virginia, relating to access to minor's records; records contained in or made available through secure website.*

Patron—Craig

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-124.6 of the Code of Virginia is amended and reenacted as follows:

§ 20-124.6. Access to minor's records.

A. Notwithstanding any other provision of law, neither parent, regardless of whether such parent has custody, shall be denied access to the academic or health records or records of a child day center or family day home of that parent's minor child unless otherwise ordered by the court for good cause shown or pursuant to subsection B. *For the purposes of this section, access to any such records shall include access to a secure website where such records are contained or made available.*

B. In the case of health records, access may also be denied if the minor's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor has made a part of the minor's record a written statement that, in the exercise of his professional judgment, the furnishing to or review by the requesting parent of such health records would be reasonably likely to cause substantial harm to the minor or another person. If a health care entity denies a parental request for access to, or copies of, a minor's health record, the health care entity denying the request shall comply with the provisions of subsection F of § 32.1-127.1:03. The minor or his parent, either or both, shall have the right to have the denial reviewed as specified in subsection F of § 32.1-127.1:03 to determine whether to make the minor's health record available to the requesting parent.

C. For the purposes of this section, the terms "health record" or the plural thereof and "health care entity" mean the same as those terms are defined in subsection B of § 32.1-127.1:03- ~~The~~ *and the* terms "child day center" and "family day home" mean the same as those terms are defined in § 63.2-100.

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