



## Arizona State Senate

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DISTRICT 16

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Attorney General Mark Brnovich  
Office of the Attorney General  
2005 N. Central Ave.  
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Dear General Brnovich,

Please consider the following concern and issue an opinion regarding a recent concern among parents and their child's medical record and access.

Federal law allows for minors to have privacy for limited procedures which they can keep private from their parents. However, A.R.S.1-602 says the following:

A. All parental rights are reserved to a parent of a minor child without obstruction or interference from this state, any political subdivision of this state, any other governmental entity, or any other institution, including:

1. The right to direct the education of the minor child.
2. All rights of parents identified in title 15, including the right to access and review all records relating to the minor child.
3. The right to direct the upbringing of the minor child.
4. The right to direct the moral or religious training of the minor child.
5. The right to make health care decisions for the minor child, including rights pursuant to sections 15-873, 36-2271 and 36-2272, unless otherwise prohibited by law.

Multiple constituents have approached my office requesting help regarding medical establishments restricting access to their minor child's medical record. Most recently, it was reported that Honor Health has communicated with their employees that a minor child, ages 12-17, may create a health portal and restrict parent access.

Therefore, the question is:

What procedures are considered confidential for a minor that may not be disclosed to their parent or guardian? In light of A.R.S. 1-602, and considering the reach of Federal law on the rights of minors to conceal certain procedures from their parents, does a medical institution, medical practice, private practice or education system have the legal right to restrict parental access to their minor child's full medical record, or is it limited to those procedures allowed by Federal law?

Signed,

  
Sen. Kelly Townsend

Sen. Sine Kerr

Sen. Thomas J. Shope

Sen. Nancy Barto

Thank you,

Sen. Kelly Townsend

Member, Arizona Senate

District 7

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