



February 16th, 2023

Honorable Chair Wayne MacDonald
House Health, Human Services and Elderly Affairs Committee
Legislative Office Building 201-203
33 N State St., Concord, NH 03301

RE: NAMI NH Opposition for HB 406

Dear Chair and Committee Members:

Thank you for the opportunity to testify today. My name is Sam Hawkins, and I am the Public Policy Assistant at NAMI NH, the National Alliance on Mental Illness. NAMI NH is a non-profit, grassroots organization whose mission is to improve the lives of all people impacted by mental illness and suicide through support, education, and advocacy. On behalf of NAMI NH, I am here today to speak in opposition to HB 406, relative to parental access to children's medical records.

NAMI New Hampshire recognizes the importance of familial support throughout our system of care for children's mental health. In our experience, counselors and therapists who are proficient in their practice will involve the family, including parents and guardians, in the treatment of an adolescent patient when it is in the best interest of the child.

However, we also acknowledge that many adverse childhood experiences happen at the hands of a parent or guardian, and that there are some situations where a child may be endangered by the disclosure of mental health records. For these children, we believe that access to a private therapeutic relationship is essential.

HB 406 sets prohibitively strict requirements for situations where a provider could withhold access to a child's records, creating situations where children may be harmed. According to this bill, a provider believing that the release of records may endanger a child is not enough to justify confidentiality. Instead, this belief must exist alongside knowledge of actual or potential domestic violence or abuse or neglect, which the provider may not have.

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If this bill's language were changed to allow confidentiality in situations of believed endangerment, NAMI NH's position would be neutral. This would require a change on line 9 of the bill so that it reads, "...the child has been or may be subjected to domestic violence, abuse or neglect, or that the release of the..." As introduced, however, NAMI NH urges the committee to recommend Inexpedient to Legislate for HB 406.

Sincerely,

A handwritten signature in cursive script that reads "Samuel C. Hawkins". The signature is written in black ink and is positioned below the word "Sincerely,".

Samuel C. Hawkins