



April 25, 2023

Honorable Chairman Mark Pearson
House Children and Family Law
Legislate Office Building Room 206
North State St., Concord, NH 03301

RE: NAMI NH Opposition to SB 253

Dear Chairman Pearson and Committee Members:

Thank you for the opportunity to testify today. My name is Holly Stevens, and I am the Director of Public Policy at NAMI New Hampshire, 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 SB 253, relative to parental access to a minor child's medical records.

NAMI New Hampshire strongly believes in the system of care that has been set up to address children's mental health needs in our state. We also recognize the importance of the role of the family within that system. However, in looking at the adverse childhood experience statistics in our state, it is evident that there are many cases where children could greatly benefit from a private therapeutic relationship with a therapist. Those already vulnerable children would be even more vulnerable if this bill were to pass. Many adverse childhood experiences happen at the hands of a parent or guardian.

In NAMI NH's 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. Knowing this, SB 253 does not do enough to protect children whose therapist believes that releasing the information would be harmful to or endanger the child.

House Bill 406, which was considered by House Health and Human Services and Elderly Affairs this session and retained in committee, is similar to SB 253 as amended by the Senate except that it does not include a "clear and convincing evidence" standard. The language in HB 406 with one minor change is preferable to the language of SB 253. For your reference I have attached NAMI NH's testimony regarding HB 406 since that bill was heard in a different committee. As laid out in that testimony, we encouraged an amendment that would change "and" on line 9 to an "or," and go on further to state if this change is made that NAMI NH would not oppose the bill. NAMI NH encourages this committee to consider amending SB 253 to include the more protective language of HB 406 with the suggested amendment above.

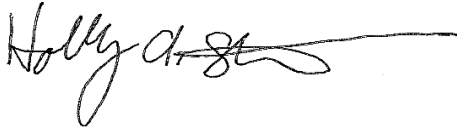
Reflecting on 40 Years: Continuing Our Journey to Hope, Help, and Health

NAMI New Hampshire • 85 North State Street • Concord, NH 03301

InfoLine: 800-242-6264 • Tel. 603-225-5359 • Fax 603-228-8848 • info@naminh.org / www.NAMINH.org

Currently, the youth in NH are experiencing a mental health crisis, and need access to all services available, including private therapy sessions. If youngsters know their parents will have full access to their therapy notes, it will impact the therapeutic relationship and have a chilling effect on children's willingness to be open and honest in therapy. Therefore, NAMI NH urges the committee to vote inexpedient to legislate on SB 253 or amend it to include appropriate protections for children. I am happy to answer any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly A. Stevens", with a long horizontal flourish extending to the right.

Holly A. Stevens, Esq.