



February 18, 2025

Honorable Chairman Mark Pearson  
House Children and Family Law Committee  
Legislative Office Building Room 206-208  
33 N State St., Concord, NH 03301

RE: NAMI NH Testimony Regarding HB 10

Chairman Pearson and Committee Members:

Thank you for the opportunity to testify today. My name is Sam Hawkins, and I am here today representing 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 testify regarding HB 10, establishing the parental bill of rights.

NAMI NH recognizes the fundamental importance of the parent-child relationship in a child's development and the impact it has on their lifelong mental health and opportunities. Parents not only have the right to direct the upbringing and care of their children, but also the responsibility to do so: to provide the support and resources they need to become healthy, thriving adults. With this in mind, NAMI NH is not taking a position on HB 10 as introduced. However, we do have concerns of unintended consequences with the bill that we would like to share with the committee.

It is our understanding that, unless otherwise prohibited by law, parents do have access to review all medical records relating to their child, as provided in HB 10. However, we believe that this bill does not fully consider all necessary exceptions under which it may be necessary for a provider to temporarily withhold access to records. Specifically, the bill only allows an exception for when such access is otherwise prevented by law, or if the parent is the subject of an investigation of a crime committed against the child and law enforcement agency or official specifically requests it be withheld. NAMI NH believes that there should be some mechanism for withholding records if the provider has a reasonable belief that such disclosure will result in abuse or neglect, and if there is an ongoing investigation into a report of abuse or neglect.

We further believe that there is a broad basis of support for such a provision. Indeed, there have been other bills introduced in New Hampshire addressing parental access to records, and they have often included a standard relating to abuse or neglect for a provider to deny access. However, we

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strongly believe that the standard used should align with the standards in NH's Child Protection Act in order to balance the state priorities of parental rights and child safety.

As an organization, we agree that family relationships are the most impactful within a child's life. But we know that these are not the only relationships that children have, and that it takes a full community of support to ensure their health, wellness, safety, and opportunity. With this in mind, NAMI NH has some concerns relating to 169-I:4, III. While we do not believe it is appropriate for an educator to coerce a student to withhold information from their parents, we are concerned that the language on line 18 ("*attempts to encourage or coerce*") may have a chilling effect on educator/student relationships.

Some children will approach other community members, including educators, with their questions, concerns, or feelings before opening up to their parents. This is not because that relationship is more important than the relationship with the parent, but because it is a lower-stakes relationship and opportunity for them to explore their options. It is crucial that educators are open to having these crucial conversations with students when the student feels they need to happen. We have concerns that the word "attempt" may be broadly interpreted, not necessarily by the courts, but by educators themselves to mean they cannot hear any problem a student is experiencing without immediately sharing that information with the parent. This may result in teachers not being there for students when they need them, or students not being willing to speak to teachers. These conversations are a crucial stepping-stone to building a child's confidence so that they may go to their parents with the issue – and without them, many children may go on facing their personal challenges in silence.

With all of this in mind, NAMI NH asks, should the committee advance such a policy or similar policies, that there be nuanced consideration of the aforementioned concerns to ensure that children and families get the care they need and can have productive lifelong health and outcomes.

Sincerely,

A handwritten signature in black ink that reads "Samuel C. Hawkins". The signature is written in a cursive style with a large, sweeping initial 'S'.

Samuel C. Hawkins