



February 11, 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 560

Chairman Pearson and Committee Members:

Thank you for the opportunity to submit written testimony. 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 writing in regards to HB 560, relative to parental access to a minor child's medical records.

Though NAMI NH does not take a position on HB 560, we do have a concern relating to the standard of evidence which a provider must meet in order to withhold access to medical records. As introduced, HB 560 requires a provider to determine by "clear and convincing" evidence that disclosure is likely to result in abuse and neglect. NAMI NH has concerns that this is an unreasonable standard to meet and may lead to instances where a provider reasonably believes that abuse and neglect may occur, but are unable to withhold those records. Under the Child Protection Act, the standard requiring reporting of instances of abuse and neglect is "having reason to suspect," and the standard for a finding of abuse or neglect is the preponderance of the evidence, making the "clear and convincing" standard within this bill well above the standards within the state's child protective statutes. In order to balance the priorities of parental access and safety of the child, should this bill go forward, we recommend the committee amend the bill to align the standards with those of the Child Protection Act.

Sincerely,

A handwritten signature in black ink that reads "Samuel C. Hawkins". The signature is written in a cursive, flowing style.

Samuel C. Hawkins

Find Help, Find Hope.

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