

REFERENCE TITLE: **medical records; minors; parent access**

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

# **SB 1015**

Introduced by  
Senator Townsend

**AN ACT**

**AMENDING SECTION 1-602, ARIZONA REVISED STATUTES; RELATING TO THE PARENTS' BILL OF RIGHTS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 1-602, Arizona Revised Statutes, is amended to  
3 read:

4 1-602. Parents' bill of rights; definition

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

9 1. The right to direct the education of the minor child.

10 2. All rights of parents identified in title 15, including the  
11 right to access and review all records relating to the minor child.

12 3. The right to direct the upbringing of the minor child.

13 4. The right to direct the moral or religious training of the minor  
14 child.

15 5. The right to make health care decisions for the minor child,  
16 including rights pursuant to sections 15-873, 36-2271 and 36-2272, unless  
17 otherwise prohibited by law.

18 6. **NOTWITHSTANDING ANY OTHER LAW**, the right to access and review  
19 all medical records of the minor child unless ~~otherwise prohibited by law~~  
20 **THE PARENT IS PROHIBITED FROM HAVING ANY CONTACT WITH THE MINOR CHILD BY**  
21 **AN ORDER OF A COURT** or the parent is the subject of an investigation of a  
22 crime committed against the minor child and a law enforcement official  
23 requests that the information not be released.

24 7. The right to consent in writing before a biometric scan of the  
25 minor child is made pursuant to section 15-109.

26 8. The right to consent in writing before any record of the minor  
27 child's blood or deoxyribonucleic acid is created, stored or shared,  
28 except as required by section 36-694, or before any genetic testing is  
29 conducted on the minor child pursuant to section 12-2803 unless authorized  
30 pursuant to section 13-610 or a court order.

31 9. The right to consent in writing before ~~the~~ **THIS** state or any of  
32 its political subdivisions makes a video or voice recording of the minor  
33 child, unless the video or voice recording is made during or as a part of  
34 a court proceeding, by law enforcement officers during or as part of a law  
35 enforcement investigation, during or as part of an interview in a criminal  
36 or child safety services investigation or to be used solely for any of the  
37 following:

38 (a) Safety demonstrations, including the maintenance of order and  
39 discipline in the common areas of a school or on pupil transportation  
40 vehicles.

41 (b) A purpose related to a legitimate academic or extracurricular  
42 activity.

43 (c) A purpose related to regular classroom instruction.

44 (d) Security or surveillance of buildings or grounds.

45 (e) A photo identification card.

1           10. The right to be notified promptly if an employee of this state,  
2 any political subdivision of this state, any other governmental entity or  
3 any other institution suspects that a criminal offense has been committed  
4 against the minor child by someone other than a parent, unless the  
5 incident has first been reported to law enforcement and ~~notification of~~  
6 **NOTIFYING** the parent would impede a law enforcement or child safety  
7 services investigation. This paragraph does not ~~create~~ **IMPOSE** any new  
8 obligation for school districts and charter schools to report misconduct  
9 between students at school, such as fighting or aggressive play, that is  
10 routinely addressed as a student disciplinary matter by the school.

11           11. The right to obtain information about a child safety services  
12 investigation involving the parent pursuant to section 8-807.

13           B. This section does not authorize or allow a parent to engage in  
14 conduct that is unlawful or to abuse or neglect a child in violation of  
15 the laws of this state. This section does not prohibit courts, law  
16 enforcement officers or employees of a government agency responsible for  
17 child welfare from acting in their official capacity within the scope of  
18 their authority. This section does not prohibit a court from issuing an  
19 order that is otherwise permitted by law.

20           C. Any attempt to encourage or coerce a minor child to withhold  
21 information from the child's parent shall be grounds for discipline of an  
22 employee of this state, any political subdivision of this state or any  
23 other governmental entity, except for law enforcement personnel.

24           D. Unless those rights have been legally waived or legally  
25 terminated, parents have inalienable rights that are more comprehensive  
26 than those listed in this section. This chapter does not prescribe all  
27 rights of parents. Unless otherwise required by law, the rights of  
28 parents of minor children shall not be limited or denied.

29           E. For the purposes of this section, "parent" means the natural or  
30 adoptive parent or legal guardian of a minor child.