

REFERENCE TITLE: **medical records; minors; confidentiality; consent**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **HB 2139**

Introduced by  
Representative Willoughby

**AN ACT**

**AMENDING SECTION 12-2292, ARIZONA REVISED STATUTES; RELATING TO MEDICAL RECORDS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-2292, Arizona Revised Statutes, is amended to  
3 read:

4 12-2292. Confidentiality of medical records and payment  
5 records

6 A. Unless otherwise provided by law, all medical records and  
7 payment records, and the information contained in medical records and  
8 payment records, are privileged and confidential. A health care provider  
9 may only disclose that part or all of a patient's medical records and  
10 payment records as authorized by state or federal law or written  
11 authorization signed by the patient or the patient's health care decision  
12 maker.

13 B. UNLESS OTHERWISE PROVIDED BY LAW AND UNDER THE CIRCUMSTANCES IN  
14 WHICH A MINOR PATIENT MAY CONSENT TO THE MINOR PATIENT'S OWN MEDICAL CARE  
15 AND IN WHICH THE MINOR PATIENT HAS THE MENTAL CAPACITY TO CONSENT, THE  
16 MINOR PATIENT'S MEDICAL RECORDS ARE NOT PRIVILEGED AND CONFIDENTIAL AND  
17 MAY BE DISCLOSED TO THE MINOR PATIENT'S PARENT OR GUARDIAN UNLESS THE  
18 MINOR PATIENT NOTIFIES THE HEALTH CARE PROVIDER, BY WRITTEN AUTHORIZATION  
19 SIGNED BY THE MINOR PATIENT, THAT THE MINOR PATIENT'S MEDICAL RECORDS ARE  
20 PRIVILEGED AND CONFIDENTIAL AND MAY NOT BE DISCLOSED TO THE MINOR  
21 PATIENT'S PARENT OR GUARDIAN. A HEALTH CARE PROVIDER SHALL INFORM A MINOR  
22 PATIENT ABOUT THE MINOR PATIENT'S OPTION TO KEEP THE MINOR PATIENT'S  
23 MEDICAL RECORDS PRIVILEGED AND CONFIDENTIAL. THIS SUBSECTION DOES NOT  
24 APPLY TO THE MEDICAL RECORDS OF A MINOR PATIENT WHO IS EMANCIPATED.

25 ~~B.~~ C. This article does not limit the effect of any other federal  
26 or state law governing the confidentiality of medical records and payment  
27 records.