

Representative **Michael J. Petersen** proposes the following amendments:

1. *Line 8 through 14:*

- 8 This Bill:  
9 →defines terms;  
10 →requires a health care facility to ensure that a minor's parent or legal guardian has access  
11 to the minor's electronic {health} medical record record unless certain circumstances are met;  
12 →requires an electronic medical record system vendor to ensure a health care facility can  
13 provide access to parents and legal guardians;  
14 →authorizes the attorney general's office to bring enforcement actions; and

2. *Line 26 through 30:*

- 26 Section **26B-2-244**. is enacted to read:  
27 **26B-2-244** Electronic {health record} medical record access for minors.  
28 (1) As used in this section:  
29 (a) "Electronic medical record system" means an electronic system for maintaining  
30 medical records in a clinical setting.

3. *Line 36 through 52:*

- 36 (e) "Personal representative" means an individual described in 45 C.F.R. Sec.  
37 164.502(g)(1).  
38 (2) (a) Except as provided in Subsection (2)(b), a health care facility shall ensure that any  
39 electronic {health record} medical record system used by the health care facility to store  
40 electronic  
41 health records of a minor allows a minor's parent or legal guardian full and complete  
42 unrestricted access to the minor's electronic health record without obtaining another  
43 person's consent to access the electronic health record.  
44 (b) A health care facility may restrict a parent or legal guardian's access to a minor's  
45 electronic {health record} medical record if:  
46 (i) the parent or legal guardian consent to not having access to the electronic {health }  
47 {record} medical record;  
48 (ii) in accordance with 45 C.F.R. Sec. 164.502(g)(3)(i), the child consented to the  
49 health care under Section 26B-7-214 or Subsection 78B-3-406(6) that generated  
the electronic {health record} medical record;

- 50 (iii) required by a court order;
- 51 (iv) the health care facility restricts access in accordance with 45 C.F.R. Sec.
- 52 164.502(g)(5); or

4. *Line 53 through 61:*

- 53 (v) the minor's parent or legal guardian would not be considered a personal
- 54 representative under state or federal law.
- 55 (c) A health care facility may not condition services on a parent or legal guardian
- 56 consenting to restricted access to a minor's electronic {health record} **medical record**.
- 57 (d) Beginning on September 1, 2026, a health care facility may only restrict access to the
- 58 part of the electronic {health record} **medical record** that is restricted under Subsection (2)(b).
- 59 (3) An EMRS vendor providing an electronic medical record system for a health care
- 60 facility shall ensure the electronic medical record system provided to the health care
- 61 facility complies with Subsection (2).

5. *Line 78:*

- 78 guardian access; and
- 79 (b) the parent or legal guardian is otherwise authorized to access the records under
- 80 HIPAA.
- (7) This section does not apply to the Utah State Hospital or to an electronic medical record**
- system used by the Utah State Hospital.**