

88th House District
Seneca and Sandusky County



Committees
Civil Justice
Infrastructure and Rural
Development
Primary and Secondary Education

Columbus Office
Vern Riffe Center
77 S. High Street
12th Floor
Columbus, Ohio 43215-6111
(614) 466-1374
Rep88@ohiohouse.gov

Gary Click
State Representative

Chair Cutrona, Vice-Chair Gross, Ranking Member Somani, and members of the House Health Provider Services Committee, thank you for the opportunity to present testimony on HB 463, the My-Child My-Chart Act.

I have been informed by parents from my district and around the state that their medical service providers have required their children as young as twelve to consent before allowing these parents to access their child's online medical records.

I have been approached by parents who are stunned and even outraged that they are unable to access their children's online medical records without a signature from their child granting them access. Parents are the guardians of their children, the authority in their homes, and the ones who love them the most. They are simply flabbergasted to discover that they need their child's permission to see their medical records online and rightfully so.

It is worth noting that no such requirement is necessary to obtain access to hard copies of their children's medical records.

This disparity is not some sort of nefarious conspiracy but rather the result of a combination of factors influenced by both federal and state laws that are simply complicated by a lack of technological innovation that can be easily resolved if properly motivated. The fix is simple once the problem is understood.

Charting software does not currently segregate the records based on what the patient may see from what an individual with proxy access, such as a parent, may see. Anyone with access has full access to everything available online. This results in an all or nothing outcome for parents.

According to HIPPA law, parents only have access to information related to procedures that require their consent. Ohio law does not require parents to provide consent for eight procedures:

1. Donating blood,
2. Emergency medical care for sexual abuse victims,
3. Testing for HIV,
4. Venereal disease diagnosis and treatment,
5. Drug and alcohol abuse diagnosis and treatment,
6. Medical care for minors prosecuted as adults who are confined to state correctional institutions,
7. Certain outpatient mental health services for minors between the ages of 14-17,
8. Obtaining an abortion without parental notification through a judicial process.

Because parents do not have a right to medical information regarding these eight procedures, they are denied online access to all medical information until their child consents.

House Bill 463 does not change a child's access to any of these eight procedures. Nor does it require parental access to records pertaining to these procedures. This legislation does require the online provider to segregate the child's records so that the proxy access granted to parents will automatically provide all information that parents are entitled to without access to those records for procedures that do not require parental consent. As it stands now, parents have full access or no access.

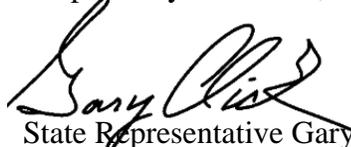
Each year at the child's annual wellness checkup, medical providers will be required to certify to parents which procedures their children may obtain without their consent. At that time, children may or may not grant permission for parents to have full access.

These conversations are already taking place to a lesser degree when parents demand access to their children's records. However, there is no consistent process in place to ensure that parents are aware of the law. This bill intends to inform parents and facilitate conversations. Parents have a right to know what they do not have a right to know. Ideally, this knowledge will spark healthy conversations between parents and their children regarding their healthcare choices.

Should this bill become law, children will still be required to approve access but only for these specific procedures and parents will know why. Parents will be equipped with more complete information. Families will undoubtedly arrive at varying degrees of decision-making, but they will all be informed. Regardless of the choices they make, parents will be granted online access to all records that they are entitled to.

Thank you for your kind attention. I am happy to take your questions.

Respectfully submitted,



State Representative Gary Click
Ohio House District 88

