

By: Hughes

S.B. No. 1161

A BILL TO BE ENTITLED

AN ACT

relating to notice regarding access by a parent, guardian, or managing conservator to a child's health records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 181.102, Health and Safety Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) Subject to Subsection (e), a covered entity that restricts a parent's, guardian's, or managing conservator's access to an online patient portal or health software application containing the electronic health records of a child who is 17 years of age or younger shall notify each parent, guardian, or managing conservator that the parent, guardian, or managing conservator may access the child's records by contacting the covered entity. The covered entity shall:

(1) provide the notification by e-mail every six months using the most recent e-mail address on file for the parent, guardian, or managing conservator; and

(2) include in the notification the telephone number, e-mail address, and mailing address of the division of the covered entity that maintains the records.

(e) A covered entity:

(1) is only required to provide notification under Subsection (d) if the covered entity electronically maintains health records for a child who received care or treatment from the

1 covered entity within the preceding 48 months; and

2 (2) is not required to ensure the parent, guardian, or  
3 managing conservator received the provided notification.

4 SECTION 2. This Act takes effect September 1, 2025.