



2025 South Dakota Legislature

House Bill 1061

ENROLLED

AN ACT

ENTITLED An Act to prohibit a health care provider from restricting or denying a parent or guardian's access to certain medical records and other health information of a minor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That a NEW SECTION be added to chapter 36-2:

A health care provider may not restrict or deny, to a parent or guardian who has authority to make health care decisions on behalf of a minor, access to the minor's:

- (1) Electronic health information;
- (2) Medical record; or
- (3) Patient portal.

Any agreement between a health care provider and a parent or guardian that restricts or denies access to the parent or guardian in violation of this section is void and unenforceable.

This section does not apply to a minor who has lawfully obtained a health care service without the consent or notification of a parent or guardian, or as provided in 45 C.F.R. § 164.502(g)(5) (January 1, 2025).

An Act to prohibit a health care provider from restricting or denying a parent or guardian's access to certain medical records and other health information of a minor.

I certify that the attached Act originated in the:

House as Bill No. 1061

Received at this Executive Office
this ____ day of _____,

2025 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2025

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2025
at _____ o'clock ____ M.

Secretary of the Senate

Secretary of State

House Bill No. 1061
File No. ____
Chapter No. ____

By _____
Asst. Secretary of State