

2001 SESSION

INTRODUCED

007198804

HOUSE BILL NO. 46

Offered January 12, 2000

Prefiled December 21, 1999

A BILL to amend and reenact § 20-124.6 of the Code of Virginia, relating to access to child's records; exception.

Patron—Jones, J.C.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-124.6 of the Code of Virginia is amended and reenacted as follows:

§ 20-124.6. Access to child's records; exception.

A. Notwithstanding any other provision of law, neither parent shall be denied access to the academic, medical, hospital or other health records of that parent's minor child unless otherwise ordered by the court for good cause shown.

B. A mental health professional who is currently or has in the past treated the minor child may deny disclosure if he deems that disclosure would not be in the best interest of the child's course of treatment. In the case of such denial, the parent shall be entitled to file a petition for access to the records in the juvenile and domestic relations district court. The court shall appoint a guardian ad litem for the minor child and thereafter conduct an in camera review of the records to determine whether nondisclosure is in the best interest of the child.

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