



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