

CHILDHOOD MEDICAL PRIVACY ACT

(1) Medical Privacy – The State of _____ declares that a child’s medical records, medical history, and medical status shall be deemed private—and accorded the fullest constitutional liberties and safeguards.

(a) No school, of any kind whatsoever, may demand disclosure of a child’s medical records, medical history, or medical status—as a pre-condition to enrollment in any school or any school program.

(b) No school, of any kind whatsoever, may forbid enrollment in any school or any school program—based on a child’s medical records, medical history, or medical status.

(2) Civil Damages – Any person who violates this section shall be liable in a civil action for statutory damages of at least \$5,000—in addition to any actual damages incurred.

(3) Injunctive Relief – Where appropriate, courts may grant injunctive relief to safeguard rights under this chapter.

(4) Costs and Attorney’s Fee – In any civil action, any person who violates this chapter shall be liable for costs and reasonable attorney’s fees.

T. Matthew Phillips
Attorney-at-Law
Calif. Bar Lic. No. 165833