



House Committee On Education
Chair Doherty and members of the committee

RE: HB 4132 student mental health survey

WE ARE A STRONG NO

This bill constitutes a clear violation of HIPPA and FERPA. It calls into question the privacy of students and overreach from the state. This type of survey process would be better suited between doctors and their patients as an opt-in process, and should not be collected through the schools. In sidestepping the patient-doctor relationship it places the State in a position to access private privileged medical information on children. There is no clear mechanism for allowing parents or guardians to review the survey prior to administration, or translation offered to non-English speakers for opt-out purposes.

The bill is clearly government overreach and violates the protected health information of students. Regardless of the survey being anonymous, it is already clear from other testimony that stakeholders want sexual oriented questions on the survey. This may be necessary to determine the state of mind of a student, but it is sensitive information that has no credibility in a survey. When it comes to sensitive information, a child is more likely to lie, so what good is false information.

The intent of the bill is to target particular demographics with drag-net surveillance, in an effort to find out where and how future legislation can be written to mitigate mental health issues. The State has no right to engage in this type of data collection, which has the potential to expose personal data and influence adolescent behavior.

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FAST Legacy