



DIOCESE OF MANCHESTER
Secretariat for Administration and Community Affairs

January 19, 2010

David E. Cote, Chair
House Judiciary Committee
Legislative Office Building, Room 208
Concord, NH 03301

Re: HB 1454 (Parental Consent for Medical Procedures and Medications Provided to Minors)

Dear Chairman Cote:

As Director of Respect Life for the Diocese of Manchester and on behalf of Bishop John B. McCormack, I am writing to express our support of House Bill 1454, which recognizes the fundamental role of parents in caring for their children.

The Catholic Church vigorously promotes the dignity and sanctity of both human life and the family as essential elements of human society. Minors benefit from parental involvement as they face decisions that could impact another life as well as their own physical and emotional well-being. Parents have an equally fundamental interest in the welfare of their children as well as a right and responsibility to care for them.

The Supreme Court of New Hampshire has made it quite clear that the family, and the rights of parents over it, are “natural, essential and inherent rights” within the meaning of Part I, Article 2 of the New Hampshire Constitution. *State v. Robert H*, 118 N.H. 713, 716 (1978). This Article encompasses the fundamental right of parents to raise and care for their children. *In re Bill F*, 145 N.H. 267, 272 (2000); see also *Petition of Kerry D.*, 144 N.H. 146 (1999); *Provencal v. Provencal*, 122 N.H. 793 (1982). Consistent with that provision, the State of New Hampshire has long recognized the fundamental role of parents in caring for their children by requiring parental consent to a long list of health care and non-health care matters.¹ Parents are the natural guardians of their children’s health and best interests. A parent is in the best position to ensure that a child’s health and family history are considered, that the child is receiving the best medical advice, and that the child obtains appropriate follow-up medical care.

For the foregoing reasons, we urge your committee to support House Bill 1454.

Thank you for your service to the people of the State of New Hampshire.

Very truly yours,

/s/ Peter J. Cataldo, Ph.D.

¹ See , e.g., RSA 314-A:8 (prohibiting body piercing of a person under the age of 18 without the consent of a parent or guardian); RSA 313-A:31 (prohibiting the use of a tanning device at a tanning facility without the consent of a parent or guardian); RSA 276-A:4 (requiring parental consent for the

employment of a person under the age of 18); RSA 485-A:25-f (requiring parental consent for the possession of and use of an asthma inhaler by a minor); RSA 200:42 (requiring parental consent for the possession and use of epinephrine auto-injectors by a minor); RSA 461-A:2 (“children do best when both parents have a stable and meaningful involvement in their lives . . .”). See also *In the Matter of Nelson*, 149 N.H. 545 (2003) (acknowledging that the Due Process Clause of the Fourteenth Amendment protects the “fundamental rights of parents to make decisions concerning the care, custody, and control of their children”).