

## **Medicaid School Program: Parental Consent**

At the Medicaid School Program meeting held on April, 16, with the Ohio Department of Education, Ohio Department of Jobs and Family Services, Ohio Legal Rights Service, and various other therapy and school representatives, MSP authorities released its recommendation regarding Parental Consent. Proper MSP Parental Consent will allow school districts to share protected educational and health related information with a Medicaid billing agent, ODJFS, ODE, and other consultants. Adherence to procedures for obtaining parental consent to share protected student information is essential because HIPAA, FERPA, IDEA, and MSP are very specific regarding the privacy of protected student information.

The Ohio Medicaid School Program has advised school districts to obtain signed parental permission on an annual basis for all students whenever protected confidential information will be disseminated. This is not a Medicaid billing issue, but a broader issue of sharing of protected confidential student information. ODE has developed a form (attached) entitled "Parent/Guardian Consent to Share Information and to Bill Medicaid". This type of consent form is being used by virtually every State School Medicaid Program in the country. There is very specific information required on the consent form, and the forms used are very consistent from state to state.

HBS has developed a simple method of obtaining parental consent (or non-consent), and has an automated method for tracking consent that ensures compliance with the various rules governing confidential student records. TCESC will distribute the consent form to Medicaid providers serving children in the TCESC Medicaid Consortium, and will not submit service documentation forms to generate MSP claims until parental consent has been obtained and documented.

There is a misunderstanding that requiring parental consent will result in a reduction of Medicaid dollars to a district. A parental decision to elect not to permit their child's educational and health related information to be shared would not impact upon a district's total Medicaid reimbursement under the Ohio Medicaid School Program. A parental decision to not provide consent will only affect a district's interim reimbursement, and will have no bearing on a district's final reimbursement.