

**NOTICE TO PARENTS**  
**PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS OR INSURANCE (E.G., MEDICAID)**

This notice informs parents of the Individuals with Disabilities Education Act of 2004 (IDEA) regulations at 34 CRF §300.154 regarding written notification and parent consent to access public benefits or insurance, such as Medicaid. Before the school district accesses the parent's or child's Medicaid or other publicly funded benefits (i.e. AHCCCS) for the first time to seek reimbursement for services provided to an eligible student, and annually thereafter, this written notice is provided to inform parents of the following, effective March 18, 2013:

- A one-time prior written parental consent will be requested in order to release personal information from a child's education records or information about the services that may be provided for the purpose of billing Medicaid or another specific agency for Individualized Education Program (IEP) services.
- The consent form will state the student's personal education records and information that will be disclosed, the purpose of the disclosure (e.g. Medicaid billing) and the agency to which the records will be released. By consenting, parents state they understand and agree that their or their child's public benefits or insurance will be accessed to reimburse the cost of services.
- Parents cannot be required to sign up for or enroll in public benefits or insurance programs for their child to receive free appropriate public education or IEP services.
- Parents are not required to pay out-of-pocket expenses such as a deductible or co-pay amounts resulting from filing a claim, but may pay the cost that otherwise would be paid by parents
- Parents must be informed that their public benefits or insurance (e.g., Medicaid) will not be billed if it would:
  - result in a decrease in lifetime benefits;
  - result in the child's parents paying for services that would otherwise be covered and that are needed for the child outside of the time the child is in school;
  - result in an increase in premiums or discontinuation of public benefits or insurance; or
  - risk loss of eligibility for home and community-based waivers based on the total (aggregated) health-related expenditures for the child or the child's parents
- Parents have the right to withdraw consent to disclose their child's personal information for billing purposes at any time.
- Parents' withdrawal or refusal to provide consent to the release of their child's personal information for purposes of accessing their public benefits or insurance (e.g., for Medicaid billing) does not relieve the school district of its responsibility to ensure that all required IEP services are provided at no cost to parents.