

Hanford Elementary School District
Office of Special Services
Parent Consent to access Public Benefits or Insurance
WRITTEN NOTIFICATION

Hanford Elementary School District ("HESD"), in cooperation with the California Medicaid Program, participates in a program that allows the District to be reimbursed with federal Medi-Cal dollars for selected services provided to students already receiving services under the Individuals with Disability Education Act ("IDEA") and those students being assessed to determine special education eligibility. These services are being provided to students whether or not the parent/guardian agrees to allow the District to seek reimbursement. Your child's current Medi-Cal or insurance coverage, if applicable, will not be affected by this program, nor will the services your child receives at school.

The District is required to provide you with your rights and protections prior to seeking benefit reimbursement when a public agency seeks to access your child's public benefits or insurance.

34 CFR 300.154 (d) Children with disabilities who are covered by public benefits or insurance. (1) A public agency may use the Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under this part, as permitted under the public benefits or insurance program, except as provided in paragraph (d)(2) of this section.

34 CFR 300.154 (d)(2) With regard to services required to provide a Free Appropriate Public Education ("FAPE") to an eligible child under this part, the public agency

- (i) May not require parents to sign up for or enroll in public benefits or insurance programs in order for their child to receive FAPE under Part B of the Act;
- (ii) May not require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided pursuant to this part, but pursuant to paragraph (g)(2) of this section, may pay the cost that the parents otherwise would be required to pay;
- (iii) May not use a child's benefits under a public benefits or insurance program if that use would –
 - (A) Decrease available lifetime coverage or any other insured benefit.
 - (B) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school;
 - (C) Increase premiums or lead to the discontinuation of benefits or insurance; or
 - (D) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures;and

34 CFR 300.154 (d)(2)(v) The public agency will notify parents in writing, annually, and will obtain a one-time written consent before accessing the child's or parent's public benefits or insurance to pay for services under the Individual Disability Education Act. Without your consent, the District cannot bill your, or your child's, public benefits or insurance program to pay for special education and related services that it is required to provide your child under IDEA at no charge to you or your child.

34 CFR 300.154 (e) (ii) Inform the parents that their refusal to permit the public agency to access their private insurance does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.

Parents/Guardians have the right to withdraw consent for the District to disclose their child's personal identifiable information for Medi-Cal purposes at any time. Should you choose to withdraw consent, you must submit your request in writing. Your child will still be provided all required special education and related services at no cost to you.

If you have any questions regarding your rights and protections, you may ask your child's special education teacher or service provider or call the Hanford Elementary School District, Office of Special Services at 559-585-3617.