



SHARS Matters Webinar Series

April 2025 – Parental Consent

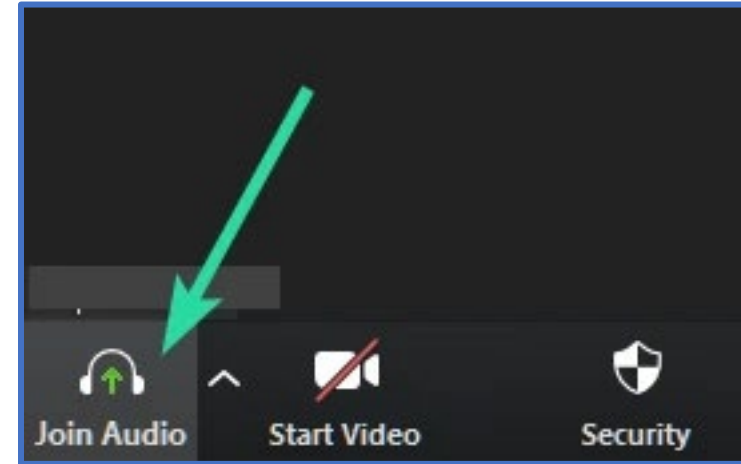
Presented by Dario Avila, TASB School Medicaid Services

Housekeeping Items

SHARS Matters Webinar Series – April 2025

Housekeeping Items

- Audio options
 - Phone Audio
 - Computer Audio
- Got questions?
 - Submit questions through the Zoom Chat window or by email to shars@tasb.org.



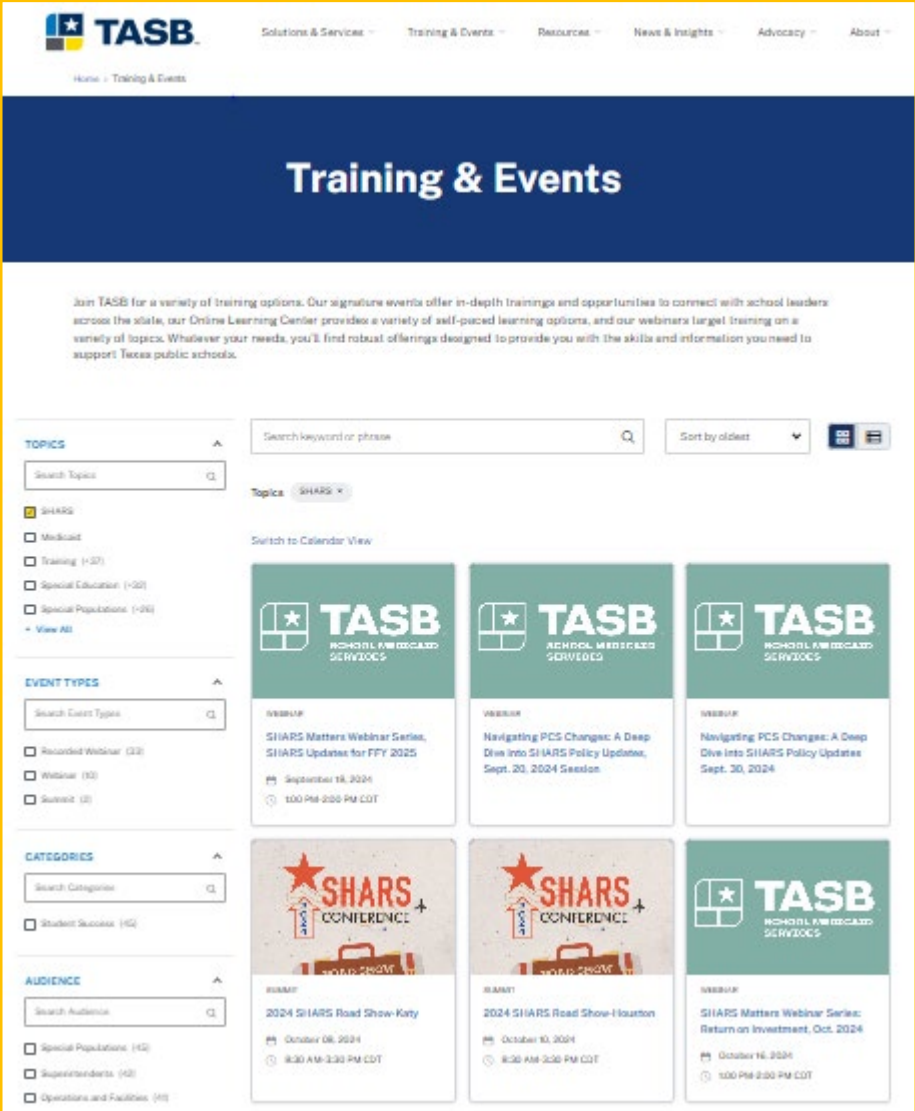
Housekeeping Items

- Need SBEC Credit?
 - Download certificate from the Chat window.
 - *Certificate only awarded to attendees of live session*
- Download today's presentation from the Chat window



Housekeeping Items

- Session being recorded
- Please remain muted unless asked to unmute
- All *SHARS Matters* webinars are available for download from the [TASB Training & Events webpage](https://tasb.org/training-events).



The screenshot shows the TASB Training & Events webpage. The header includes the TASB logo and navigation links: Solutions & Services, Training & Events, Resources, News & Insights, Advocacy, and About. Below the header is a dark blue banner with the text "Training & Events". A paragraph below the banner states: "Join TASB for a variety of training options. Our signature events offer in-depth trainings and opportunities to connect with school leaders across the state, our Online Learning Center provides a variety of self-paced learning options, and our webinars target training on a variety of topics. Whatever your needs, you'll find robust offerings designed to provide you with the skills and information you need to support Texas public schools." The main content area features a sidebar with filters for Topics, Event Types, Categories, and Audience. The Topics filter is expanded, showing options like SHARS, Medicaid, Training, Special Education, and Special Populations. The Event Types filter shows Recorded Webinar, Webinar, and Summit. The Categories filter shows Student Success. The Audience filter shows Special Populations, Superintendents, and Operations and Facilities. The main content area displays a grid of event cards. The first row shows three TASB School Medicaid Services webinar cards. The second row shows two SHARS Conference cards and one TASB School Medicaid Services webinar card. Each card includes the event title, date, and time.

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SHARS Matters Webinar Series

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Next Session: End of Year Review

Date/Time: May 21, 2025 @ 1:00 PM CT





TASB School Medicaid Services Team



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TASB School Medicaid Services Offerings

SHARS Medicaid Billing | Medicaid Administrative Claiming

- **SMART Solutions software access**
- **Staff training, webinar access, and networking opportunities**
- **Personalized guidance and expert support including:**
 - Cost reporting
 - Audit support
 - Random Moment Time Study requirements
 - Claims processing and tracking



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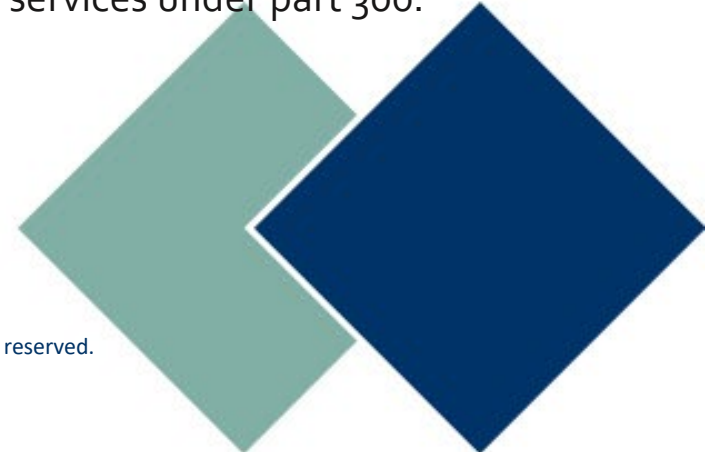
April 2025 – Parental Consent

Presented by Dario Avila, TASB School Medicaid Services

What is Parental Consent?

Per [34 CFR 300.154\(d\)\(2\)\(I\)-\(iv\)](#), prior to accessing a child's or parent's public benefits or insurance for the first time, and after providing notification to the child's parents consistent with paragraph (d)(2)(v) of this section, must obtain written, parental consent that:

- A. Meets the requirements of §99.30 of this title and §300.622, which consent must specify the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a particular child), the purpose of the disclosure (e.g., billing for services under part 300), and the agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid)); and
- B. Specifies that the parent understands and agrees that the public agency may access the parent's or child's public benefits or insurance to pay for services under part 300.



Parental Consent (Texas) Origins

- An advisory letter issued by the Department of Education in 1997 clarified that FERPA regulations on PII include the student's Medicaid information, creating the requirement for parental consent to access public health insurance information.
- Until 2013, local education agencies (LEAs) obtained parental consent annually with each IEP. New regulations that realigned the Individuals with Disabilities Education Act (IDEA) with FERPA requirements allowed for one-time parental consent collection and annual notice thereafter.
- In 2020, the Texas Education Agency indicated that parental consent must only be obtained after a district has confirmed the family has Medicaid. This practice is known as targeted consent.

Parental Consent (Texas) Origins

- In 2021, Texas Health and Human Services Commission clarified that if an LEA does not have written parental consent on file for a Medicaid enrolled student with an IEP that prescribes SHARS services, the district may not submit any interim claims (to Texas Medicaid for reimbursement) for the student, nor is the LEA permitted to include the student in its SHARS cost report ratios.
- Parental consent requirement written into [Texas Administrative Code](#) in 2022, making it a formal state rule.

Written Notification Requirements

LEAs and Shared Service Arrangements (SSAs) must provide written parental notification prior to requesting consent and accessing benefits for the first time and annually thereafter. Minimally, the notification must include all of the following: [§34 CFR300.154\(d\)\(2\)](#)

1. A statement of the parental consent to access public benefits
2. A statement of “no cost” provisions.
3. A statement that parents have the right to withdraw their consent at any time.
4. A statement that the withdrawal of consent or refusal to provide consent does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.

Written Consent Requirements

LEAs and SSAs must obtain parental consent before releasing a child's personally identifiable information for billing purposes to a public benefits or insurance program for the first time. Minimally, it must include the following: [§34 CFR300.154\(d\)\(2\)](#)

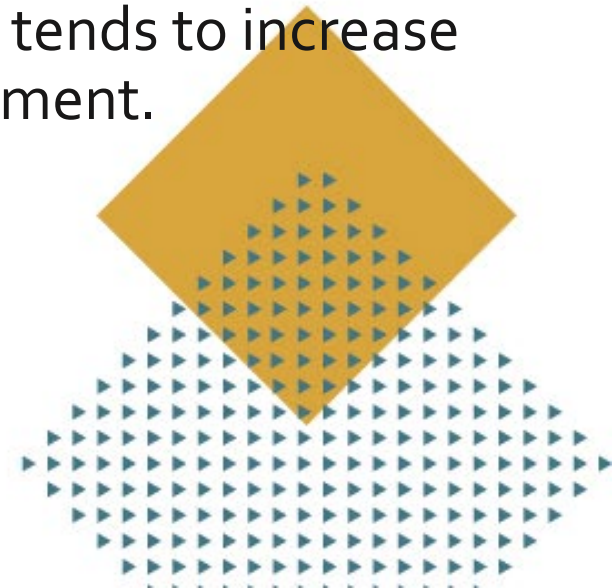
1. A statement of the parental consent to access public benefits:
 - specifies the personally identifiable information that may be disclosed (e.g., information about the services),
 - describes the purpose of the disclosure (e.g., billing for specific IEP services), and
 - identifies the agency to which the disclosure may be made (e.g., Medicaid).
2. A statement indicating that the parent understands and agrees that the public agency may access the child's or parent's public benefits or insurance to pay for specific services identified in the child's IEP.



Parental Consent – Reimbursement Impact



- Parental consent is needed to bill for SHARS services.
- The more you can bill, the more interim dollars your district can receive.
- [The more students you bill for, the higher your cost report ratios will be.](#)
- Having higher cost report ratios tends to increase your potential cost report settlement.



Parental Consent Reminders

- LEAs and SSAs must provide written parental notification prior to requesting consent and accessing benefits for the first time and annually thereafter.
- LEAs and SSAs must obtain parental consent before releasing a child's personally identifiable information for billing purposes to a public benefits or insurance program for the first time.
- Parental consent can be withdrawn at any time.
- Parental notice and consent documents (along with all SHARS records) are a part of the educational record. If a parent or adult student requests copies of documents disclosed to Medicaid, the district must provide it.
- The notification must be written in language understandable to the general public. It must be in the native language or other mode of communication used by the parent, unless it is clearly not feasible to do so.
- Parental consent is required to bill for SHARS services and also to be permitted to include students in SHARS cost report ratio calculations.
- There has been movement to remove parental consent from IDEA, but this will have no immediate impact on Texas as the requirement has been written into the TAC.
- GET PARENTAL CONSENTS!!

Questions / Resources/ Contact Information

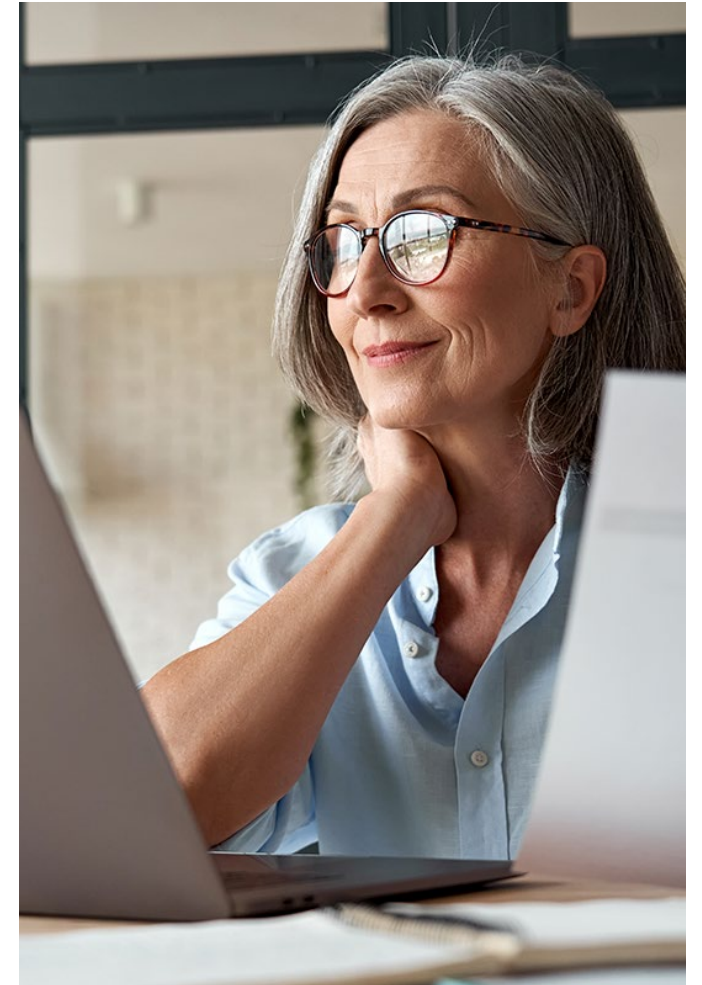
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Resources

TEA SHARS: <https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/school-health-and-related-services>

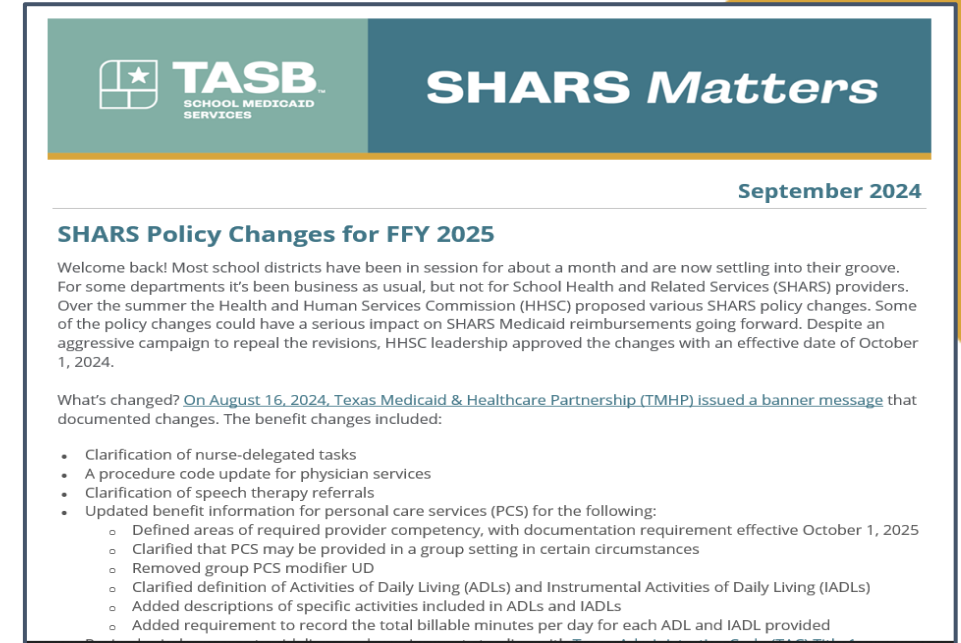
TAC Rule §355.8443: [https://texas-sos.appianportalsgov.com/rules-and-meetings?\\$locale=en_US&interface=VIEW_TAC_SUMMARY&queryAsDate=03%2F20%2F2025&recordId=210272](https://texas-sos.appianportalsgov.com/rules-and-meetings?$locale=en_US&interface=VIEW_TAC_SUMMARY&queryAsDate=03%2F20%2F2025&recordId=210272)

SHARS Handbook: https://www.tmhp.com/sites/default/files/file-library/resources/provider-manuals/tmppm/pdf-chapters/2025/2025-04-april/2_18_shars.pdf

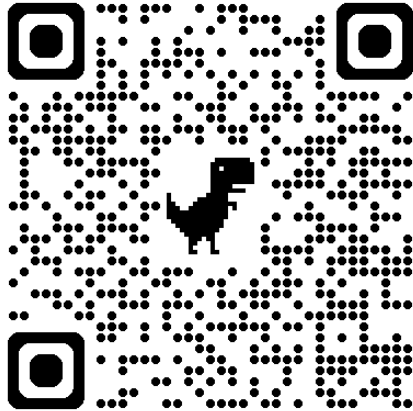


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<https://signup.e2ma.net/signup/1929718/1777735/>



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Contact Information



Website

<https://www.tasb.org/solutions-services/tasb-solutions-services-listing/tasb-smart-solutions>



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