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Regional Behavioral Health Authorities (RBHAs) and Children's Rehabilitative Services (CRS)
Contractor (UnitedHealthcare Community Plan)

Re: Consent for Behavioral Health Services

The purpose of this memorandum is to clarify the authority of foster caregivers to consent to behavioral health services on behalf of children in their care.

Arizona Revised Statutes A.R.S. § 8-514.05(C)¹ states that a foster parent, group home staff, relative or other person or agency in whose care the child is currently placed may give consent for (a) evaluation and treatment for emergency conditions that are not life threatening and (b) routine medical and dental treatment and procedures, including early periodic screening diagnosis and treatment services, and services by health care providers to relieve pain or treat symptoms of common childhood illnesses or conditions.

The Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit is Medicaid's comprehensive child health service designed to assure the availability and accessibility of health care services. As part of EPSDT, periodic developmental and behavioral health screenings and treatment are required for all children enrolled in Medicaid.

To ensure timely delivery of services, consent for intake and routine behavioral health services may be obtained from either the foster caregiver as specified in A.R.S. § 8-514.05 or the Department of Child Safety Specialist (DCSS) whomever is available to do so immediately upon request.

C. The foster parent, group home staff, foster home staff, relative or other person or agency in whose care the child is currently placed pursuant to this article or article 6 of this chapter:

1. May give consent for the following:

(a) Evaluation and treatment for emergency conditions that are not life threatening.
(b) Routine medical and dental treatment and procedures, including early periodic screening diagnosis and treatment services, and services by health care providers to relieve pain or treat symptoms of common childhood illnesses or conditions.

2. Shall not consent to:

(a) General anesthesia.
(b) Surgery.
(c) Testing for the presence of the human immunodeficiency virus.
(d) Blood transfusions.
(e) Abortions.

Thank you for your cooperation in this matter.

Sincerely,


Thomas J. Petlach
Director


Greg McKay
Director
Arizona Healthcare Cost Containment System Department of Child Safety