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Regional Office VI
1200 Main Tower Building
Dallas, Texas 75202

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OFFICE OF THE STATE MEDICAID DIRECTOR February 10, 1992

DALLAS REGIONAL MEDICAL SERVICES LETTER NO. 93-05

TO: State Agencies Administering Approved Medical Assistance Plans
SUBJECT: Release of Information to Schools Providing EPSDT Services

We would like to share with you policy clarification concerning the release of information to schools providing EPSDT services. (These questions, in the form of statements, were submitted by one of the States in our region.)

Statement 1:

As we understand it, a school acting solely in the role of a Medicaid provider, can only have the same limited access to eligibility information as do all other providers under 42 CFR 431.306.

Response:

Your interpretation is correct. The schools have the same access to eligibility information as do all other providers. There are no provisions to allow schools easier or greater access to Medicaid data.

Statement 2:

As we understand it, under Section 5350 of the State Medicaid Manual (SMM), an entity with a written interagency or provider agreement to perform administrative EPSDT functions such as outreach, may be furnished, without the consent of the individual, such information as the name, address, and Medicaid identification number when certain safeguards are in place.

Response:

Your interpretation is correct. As stated in Section 5350, "The disclosure of information concerning applicants and recipients is restricted to purposes directly related to the administration of the Title XIX State Plan....Outreach, informing, and assistance with transportation and scheduling

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enrollees directly to a school district performing outreach services.

Any agent of the State can enter into a contract with the State Medicaid agency for the purpose of confirming to providers an individual's Medicaid eligibility. The agent would have to "...agree in writing, not to use the information furnished them for any other purposes other than to give Medicaid providers eligibility information (e.g., a mailing list cannot be sold or used for any reason). The eligibility information..." could only be given "... as a direct result of a provider inquiry on a specific individual." (SMM 2080.18) To the extent that the Department of Education meets these guidelines, it could be an agent of the State.

Statement 4:

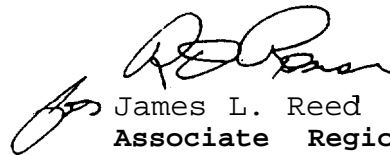
It is our understanding that a written interagency agreement with an individual school district to perform ZPSDT outreach services would be appropriate if such activities were directly related to the administration of the State Plan and the agreement contained the confidentiality requirements stated in Section 5350.8.

Response:

Your understanding is correct.

If you have any questions, please contact Patrick S. **Lawton** at (214) 767-3693.

Sincerely,



James L. Reed
Associate Regional Administrator
Division of Medicaid

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