

SWMBH Operating Policy 11.17

Subject: Substance Abuse Services for Minors		Accountability: SAPT	Effective Date: 7/28/14	Pages: 2	
REQUIRED BY: BBA Section _____ PIHP Contract Section _____ NCQA/URAC Standard _____ SA SARF _____ Other 42 CFR, PA368			Last Reviewed Date: 8/26/16	Past Reviewed Dates: 7/28/14	
LINE OF BUSINESS: <input type="checkbox"/> Specialty Waiver (B/C) <input type="checkbox"/> I Waiver <input checked="" type="checkbox"/> Healthy Michigan <input checked="" type="checkbox"/> SUD Medicaid <input checked="" type="checkbox"/> SUD CA Block Grant <input type="checkbox"/> OTHER: _____		APPLICATION: <input checked="" type="checkbox"/> SWMBH Staff and Ops <input checked="" type="checkbox"/> Participant CMHSPs <input checked="" type="checkbox"/> SUD Providers <input type="checkbox"/> MH / DD providers <input type="checkbox"/> DD providers <input type="checkbox"/> Other: _____		Last Revised Date: 8/26/16	Past Revised Dates:
Approved : <u><i>Shondie Smith</i></u> Date: <u>9/8/2014</u>			Required Reviewer: Director SAPT Chief Compliance Officer Medical Director		

I. Purpose

Minors who request substance abuse services have the right to consent to the provision of substance related treatment as if they had achieved the age of majority. The consent of any other person, including a parent, guardian, or person in loco parentis, is not necessary to authorize these services.

II. Policy

It shall be the policy of Southwest Michigan Behavioral Health (SWMBH) to provide/assure that Substance Abuse Service to Minors meet the contractual and regulatory requirements of the Michigan Department of Health and Human Services (MDHHS) contract and Center for Medicare and Medicaid Services (CMS) Code of Federal Regulations (CFR) and the Public Health Code and advance the recovery of SWMBH customers.

III. Standards and Guidelines

- A. Minors admitted to the program will sign a consent to receive services. Minors will be encouraged to include their parents/guardians in the knowledge and receipt of treatment services in order to maximize positive outcomes. Should the minor agree with this recommendation, parental/guardian signature will be obtained.
- B. Substance abuse services will not be denied if the minor decides not to include their parent/guardian in the knowledge of services.
- C. Should a referral for substance abuse services (including co-occurring treatment) be received and the consent does not contain the minor's signature, the minor's signature will need to be obtained prior to services beginning.
- D. All treatment information related to the minor will be kept confidential and will not be disclosed to parents/guardians without the minor consenting to authorization unless otherwise permitted by 42 CFR Part 2 (substance abuse confidentiality law).

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IV. Definitions

None

V. References

42 CFR Part 2 (Substance Abuse Confidentiality Laws)

Attorney General Opinion 6682; May 21, 1991

PA 368

VI. Attachments

None