**24:05:14:01.04.  Use of public benefits or insurance -- Annual notification.** A public agency, before accessing a student's or parent's public benefits or insurance for the first time, and annually thereafter, must provide written notification consistent with § 24:05:30:06 to the student's parents that includes a statement:

(1)  Of the parental consent and no cost requirements in § 24:05:14:01.03;

(2)  That parents have the right under FERPA, as defined in § 24:05:29:02(1), and Part B of the IDEA to withdraw their consent to disclosure of their student's personally identifiable information to the state Medicaid agency at any time; and

(3)  That the withdrawal of consent or refusal to provide consent under FERPA and Part B of the IDEA to disclose personally identifiable information to the state Medicaid agency does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.

**Source:** 40 SDR 40, effective September 11, 2013.

**General Authority:** SDCL 13-37-1.1.

**Law Implemented:** SDCL 13-37-1.1.