**24:14:04:04.05.  Use of private insurance -- Parental consent required.** The department may not use the private insurance of a parent of an infant or toddler with a disability to pay for Part C services unless the parent provides parental consent, consistent with this article including the use of private insurance when such use is a prerequisite for the use of public benefits or insurance.

Parental consent must be obtained:

(1)  If Part C seeks to use the parent's private insurance or benefits to pay for the initial provision of an early intervention service in the individualized family service plan (IFSP); and

(2)  Each time consent for services is required due to an increase in frequency, length, duration, or intensity in the provision of services in the child's IFSP.

**Source:** 39 SDR 109, effective December 17, 2012; 49 SDR 7, effective July 31, 2022.

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

**Law Implemented:** SDCL 13-1-23, 13-14-1, 13-37-1.1.