

Policy for Divorced and Separated Parents



MVPediatrics is committed to providing high quality medical and behavioral health care to our patients and their families. Our primary concern is the physical, emotional, and psychological well-being of our patients. We understand that each of our patients has a unique family dynamic, and we are committed to understanding that dynamic and providing care accordingly. While we value the insight and perspective of our patients' parents, and encourage both parents to attend appointments, we recognize that issues may arise. This policy, which is meant to avoid and address such issues, governs the provision of care to patients whose parents are divorced, separated, or in the process of becoming divorced, separated, or were never married.

Our providers and staff are not party to, nor will they become involved in, any legal proceedings involving the families of our patients, including, but not limited to, proceedings regarding divorce, separation, or custody issues.

For the purposes of this policy, the term "parent" includes the term "legal guardian."

Please read this policy so that you are aware of our expectations and limitations:

1. Our providers and staff will treat your child and share information based on Massachusetts law and guidance from their respective professional licensure boards.
2. We request that you provide us with documentation of your court-ordered or court-approved custody arrangement. If you fail to provide us with such documentation, we will assume that you share legal custody.
3. When parents share legal custody, both parents are independently permitted to (i) schedule, attend, and cancel appointments; (ii) give consent to treatment; (iii) authorize other adults to bring the child to a sick or urgent medical appointment; and (iv) access medical records, except psychology, psychotherapy, and social worker records.
4. A parent with sole legal custody is also independently permitted to take all of the actions listed in Paragraph 3 of this policy.
5. Regardless of custody status, we will not release a child's psychotherapy, psychology, or social worker records to a parent absent a court order waiving the child's privilege, even if both parents have signed a release.
6. We will not restrict a parent's involvement in the child's care unless we receive: (i) a court order conferring sole legal custody on a specific parent; or (ii) a court order requiring a specific parent to refrain from involvement in his or her child's medical care.
7. A parent without legal custody does not have the right to any involvement in the child's care, unless the parent who has sole legal custody authorizes, in writing, the other parent's involvement.

8. While we strongly encourage the consent of both parents, we do not require it. However, if we become aware of a dispute between the parents regarding our provision of services to the child, we will encourage an office visit with both parents in attendance to discuss the benefits and/or drawbacks of the contested treatment, and work toward an agreeable course of treatment.
9. It is not our responsibility, nor the responsibility of individual providers, to communicate with each parent separately. Our systems allow one parent to receive telephone reminders and alerts. Both parents are able to receive email notices regarding the patient portal for appointments and messages. Each parent must sign up independently for access to the patient portal, if allowed by the custody agreement. It is the responsibility of the parents to communicate with each other regarding their children's medical and behavioral care, such as office visit dates, treatments, recommendations, and other pertinent information. Our providers will not call the non-attending parent during or following visits. Please make decisions regarding appointments and treatments prior to appointments.
10. Payments, including copays, deductibles, coinsurance, or any additional fees charged by your insurance, are due at the time of service, regardless of which parent is responsible for medical expenses. If the custody arrangement or divorce decree requires the other parent to pay all or part of the treatment costs, it is the attending parent's responsibility to collect from the other parent. Please speak with our billing specialist regarding specific arrangements.
11. If our practice feels any of the above issues are compromising your children's care or our ability to provide care to your children, we will exercise our rights and legal obligations, which may include filing a report with the Department of Children and Families or discharge from the practice.

This signed policy will be attached to the following patient's records: (list children)

Patient Name: _____ Patient DOB: _____

Patient Name: _____ Patient DOB: _____

Patient Name: _____ Patient DOB: _____

Patient Name: _____ Patient DOB: _____

Your signature below indicates your understanding and agreement to honor the above policy.

 Print - Parent/Legal Guardian Signature - Parent/Legal Guardian Date

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Sources: M.G.L. c. 208, § 31; G.L. c. 119, § 51A; Board of Registration of Social Workers, Practice Advisory regarding working with children and families in Massachusetts where parents may be separated, divorced, or never married (Aug. 28, 2012); Board of Registration of Allied Mental Health Professionals, Practice Advisory Regarding Practicing with Children and Families in Massachusetts Where Parents May Be Separated, Divorced, or Never Married (July 20, 2012); Board of Registration of Psychologists, Practice Advisory: Practicing with children and families in Massachusetts where parents may be separated, divorced, or never married (June 15, 2012).