

OASIS · AT A GLANCE

Healthcare Decisions and Rights at Age 18

The day your child turns eighteen, the law reassigns every healthcare authority you have spent eighteen years building. Here is the punch-list to run before that birthday, and the one to run the day after.

BY JIM PALASTY · OASIS FOR AUTISM · 9 MIN READ

18

THE BIRTHDAY

Every parental authority in healthcare resets to zero at midnight. Plan accordingly. Birthdays are scheduled.

How it works

THREE STEPS

Begin documentation

Capacity assessment, school transition planning, document collection. Two-year runway before legal reset.



File the paperwork

HIPAA release. Healthcare proxy or POA. Education records release. SDM agreement or guardianship petition.



Run the new system

All consent moves to the adult or designated agent. Walk the paperwork into every office. Update annually.

What changes at the stroke of midnight

HIPAA	Doctors stop sharing info with parents without a signed release
Education records	FERPA rights transfer from parent to the student
IEP authority	Special-ed decisions transfer to the adult unless documented
Medical consent	Adult is presumed competent to consent to or refuse care
Prescriptions	Pharmacies require the adult's signature for controlled meds
Insurance	Adult may stay on parent plan to age 26, but consent rules change
SSI	Re-evaluated under adult criteria at the age-18 redetermination

WHAT IT LOOKS LIKE

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I called the pediatrician three days after the birthday to refill a prescription. The nurse said she could not talk to me. My son had been her patient for eighteen years. I had not signed a HIPAA release because nobody told me I had to. We sat on hold for an hour, then drove the form to the office. We had been ambushed by a calendar.

MARCUS, GRAND RAPIDS

What matters, at a glance

The school stops calling

Special education rights transfer to the adult at 18 unless documented otherwise. Many parents learn this the day after the IEP meeting they were not invited to.

HIPAA release

The simplest form on the list. Without it, the doctor stops returning your calls and the pharmacy stops talking to you about prescriptions.

Healthcare proxy / POA

Pre-arranged authority to make medical decisions if needed. Names a person. Names a backup. Recognized in every state, executed differently in each.

Guardianship court timeline

If guardianship is the right tool, courts run on their own clock. Filing the day before the birthday is filing too late. Plan ninety days out, minimum.

Supported Decision Making

A documented agreement that names trusted people. Less restrictive than guardianship. Recognized in many states. Always recognized by a willing provider.

Match the tool to the task

Tools should match the adult's actual decision capacity, not the parent's anxiety. Medical, financial, and housing decisions are separate domains.

BRING THESE · CHECK AS YOU GO

- | | |
|--|---|
| ☐ HIPAA release on file with PCP | ☐ HIPAA release on file with each specialist |
| ☐ Healthcare proxy or POA executed | ☐ FERPA release on file with school |
| ☐ IEP rights transfer addressed in writing | ☐ SDM agreement signed and shared |
| ☐ Guardianship petition filed (if applicable) | |

YOUR MOVE

When the birthday happens before the paperwork

- 1 Walk a HIPAA release into every provider office in person, same day.
- 2 Schedule a healthcare proxy / POA appointment with an attorney within two weeks.
- 3 File an education records release with the school district and the IEP team.
- 4 If capacity warrants, file Supported Decision Making documentation with key providers.
- 5 If full guardianship is the right tool, file the petition. Court calendars are their own beast.

The age-18 reset is a deadline, not a surprise. Birthdays are scheduled.

RESOURCES NAMED IN THIS POST

oasisforautism.com · <https://oasisforautism.com>

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ABOUT THE AUTHOR

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