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## Memorandum

**To:** Behavior rehabilitation service (BRS) program providers and those who request BRS authorization

**From:** Rusha Grinstead, Children and Family Policy manager

**Date:** May 22, 2026

**Subject:** Legal authority for signing BRS Consent to Care and release of information (ROI) forms

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All BRS prior authorization requests must include a completed and signed ROI. The ROI provides consent for sharing protected health information (PHI). BRS programs must also get a completed and signed BRS Consent for Care Form at intake.

**When the member can legally sign for themselves, the member must complete and sign both forms.** This includes when the member is:

- Age 18 or over, or
- A legally emancipated or legally married minor (under age 18).

**When the member cannot legally sign for themselves, the legal parent(s) or guardian(s) must complete and sign both forms.** This includes when:

- Oregon Department of Human Services (ODHS) or Oregon Youth Authority (OYA) is the legal guardian because the member is in ODHS or OYA custody.

- The member is under age 18 and not legally married or emancipated.

## Why is this happening?

Under the [Health Insurance Portability and Accountability Act](#), consent to sharing PHI must come from the person who can consent to care.

State law ([Oregon Revised Statute 109.675](#)) describes the types of behavioral health care minors can consent to. The law does not include BRS. This means the minor's legal parent(s) or guardian(s) must consent to both BRS care and sharing PHI.

## What should you do?

For all BRS requests submitted to Oregon Health Authority (OHA), ensure the BRS request form:

- Lists the current legal guardian(s). This includes ODHS or OYA.
- Clearly states the relationship between the member and the guardian(s).
- Includes the printed, legible name of the person who signed the form.
- Is accompanied by a completed, signed ROI. Legally sufficient ROI forms are the responsibility of the requesting agency or organization.

For all members entering BRS care, BRS programs must:

- Complete the Consent to Care form.
- Obtain appropriate signatures on the Consent to Care form.
- Maintain the Consent to Care form in the member's file.

The Consent to Care Form is on [OHA's BRS web page](#).

## Questions?

If you have any questions about this announcement, please contact [BHMC@oha.oregon.gov](mailto:BHMC@oha.oregon.gov) or call (503) 979-8354.

Thank you for your continued support of Oregon's continuum of care for children and the services you provide.