

The Post Rock Connection
Post Rock Extension District #1 Family and Consumer Sciences Column
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By Jamie Rathbun, Family and Community Wellness Agent

Don't Leave Your "Adult" Child in a Bind

My oldest child is about to turn 18, and while I am feeling all the feelings about this milestone, I am also very much aware that while I still see her as my little girl, that is not what the rest of the world sees.

Once your child becomes an adult (age 18) in the eyes of the law, not in the eyes of us parents, there are changes that instantly occur. You are no longer legally able to make decisions for them or have access to documents with their personal information...unless you have their written permission.

So now you're thinking "In what situations might this happen?" "How will I be able to help them when it matters most?" and most importantly, "What documentation do I need to have in place?"

Privacy laws are in place for a reason, but they can interfere when young adult children still need assistance from their parents.

One situation is related to medical decision making. Parents no longer possess the authority to make medical decisions on behalf of their child once they reach adulthood. As a parent of a young adult, you may be surprised to learn that doctors and medical professionals don't just prefer to talk directly to your child; they are legally obligated to **ONLY** talk to your child about their medical treatment. HIPPA forms are necessary in these situations. If you want access to your adult child's medical records, be sure you are listed on their HIPPA form at each medical provider's office/facility. This includes doctors, hospitals, dentists, pharmacies, etc. Any HIPPA releases you may have signed at individual provider's offices to not extend beyond that individual location.

Medical privacy is not exclusive to medical providers. Insurance companies are also bound by HIPPA laws.

These laws prevent insurance companies from discussing a child's account details with parents once they turn 18, even if you are the one that carries the health insurance for your family members. Again, any HIPPA releases you may have signed at a medical provider will not extend beyond that location.

In either case, you will need to have a signed release that was provided by the specific medical provider or insurance company. You can also access a general [HIPPA release](#) form. (It's a good idea to have this form for other adults in your life as well, spouse, aging parents, etc.) (The link also includes other important forms in the event that you (or your loved ones) are unable to make decisions for yourself.)

Privacy is protected in relation to financial matters as well. At the age of 18, parents are also no longer empowered to assist their adult children in managing financial matters. Is your child late making a tuition payment? Do they have questions about student loans? Have they signed up for a credit card and now need some help paying off the balance? In any of these situations, if you don't have a financial power of attorney form completed for your adult child, you will NOT be authorized to discuss their financial situation with the school, bank, or lender. In regard to banking, consult your local financial institution in regard to how savings and checking accounts are set up and what your privileges are for each account.

Finally, but just as important, are matters relating to your child's education. FERPA, or the Family Educational Rights and Privacy Act, is a federal law that protects the privacy of student education records by giving parents and eligible students access to their records and restricting the disclosure of their personally identifiable information. But again, once your child turns 18, their records are their own and the law limits the release of their records without consent. Without a signed-by-your-student FERPA release, you cannot be granted access to their grades, transcripts, financial aid, tuition, or other relevant records. This applies to students away at college, those living at home while taking classes, and those still in high school but taking classes for college credit.

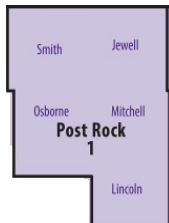
Here are the important documents that need to be filled out in my household soon:

- HIPPA release form
- Financial Power of Attorney documents

- FERPA release form

Now, please excuse me, I have some paperwork to complete.

The Post Rock District of K-State Research and Extension serves Jewell, Lincoln, Mitchell, Osborne, and Smith Counties. Contact Jamie Rathbun at jrathbun@ksu.edu or by calling 785-524-4432. Stay connected with “Post Rock Extension” on Facebook, Twitter, Instagram, and YouTube. Our website is www.postrock.ksu.edu.



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