

Early Intervention Steps

A PARENT'S BASIC GUIDE TO THE EARLY INTERVENTION PROGRAM



**Early Intervention
Program**

A Program of the Department of Health

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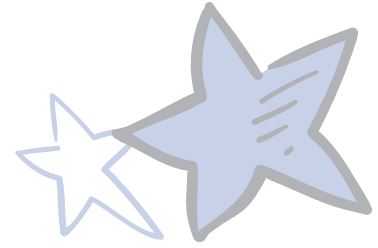
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Common Acronyms Used in This Parent Guide

EI	Early Intervention
EIO	Early Intervention Official
EIP	Early Intervention Program
IFSP	Individualized Family Service Plan
ISC	Initial Service Coordinator
MDE	Multidisciplinary Evaluation
NYS	New York State
OSC	Ongoing Service Coordinator

Early Intervention Steps: A Parent’s Basic Guide to the Early Intervention Program is an online publication that provides more detailed information about the Early Intervention Program. Resources available in this booklet include tips for being an effective parent advocate, a checklist of important evaluation information, and sample letters to help parents exercise their due process rights. The booklet is available at: www.nyhealth.gov/publications/0532/index.htm.

Welcome to the Early Intervention Program



The New York State Early Intervention Program (EIP) is part of the nationwide EIP. It is for infants and toddlers under three years of age who may not be making progress like other children because of a developmental delay or disability. A disability means that a child has a diagnosed physical or mental condition that may lead to developmental problems. These include, but are not limited to, autism, Down syndrome, motor disorders, or vision and hearing problems. A developmental delay means a child is behind in some area of development, such as growth, learning and thinking, or communicating.

The first step is your child's referral to the EIP in the county where you live. All counties in New York State (NYS) and New York City have an EIP. Children who may need services must first be referred to the EIP. Parents can refer their own child to the EIP if they have a concern about their child's development. In NYS, certain professionals are required to refer children to the EIP if a developmental problem is suspected. After referral, your child will be evaluated by qualified professionals. Your county EIP or the New York City EIP will help you get services if your child is found to be eligible. Health insurance, including private insurance and Medicaid, may be used to pay for early intervention services. EIP services must be provided at no cost to you and will not affect your insurance coverage.

Early Intervention (EI) services can help you and your family:

- Learn the best ways to care for your child;
- Support and promote your child's development; and
- Include your child in family and community activities.



Early Intervention services can be provided anywhere in the community where your child typically spends their day, including:

- Your home;
- Child care center or family day care home that your child attends;
- Community/recreational centers, play groups, playgrounds, libraries, or any place parents and young children go for fun and support; and
- Early childhood programs and centers, such as Early Head Start.



Referral: The First Step

Professionals such as doctors can refer your infant or toddler to the EIP, unless you object, when there is a concern about your child's development. If you have a concern, you can also refer your child to the EIP in the county where you live. County contacts can be found online at: www.health.ny.gov/community/infants_children/early_intervention/county_eip.htm

Or, you can call the "Growing Up Healthy" 24-hour Hotline at **1-800-522-5006**; in New York City dial **311**. You may talk with your doctor or someone you trust and ask him/her to help you with the referral. The referral process helps you learn about the EIP. You must decide if the EIP makes sense for you and your child. Before your child is evaluated for the program and receives services, you must give your written permission.





Your Initial Service Coordinator

One of the first persons you will meet in the EIP is your Initial Service Coordinator (ISC). Your ISC will talk with you about your concerns for your child's development. She or he will answer any questions you have about the EIP.

The ISC will also:

- Review your family's rights and make sure you understand them;
- Talk with you about your child's evaluation for the EIP, and how this evaluation will determine if your child is eligible to receive services through the EIP;
- Give you the list of evaluators in your county and help you pick one that will meet your child's and family's needs;



- With your permission, help arrange for your child's evaluation;
- Help you arrange for transportation to your child's evaluation, if you need it;
- Attend your child's evaluation if you wish;
- Inform you that, in NYS, EI services must be provided at no cost to your family. However, NYS's system of payment for the EIP includes the use of public insurance (such as Medicaid and Child Health Plus) and private insurance (such as United Healthcare and others) for reimbursement of EI services;
- Collect information and documentation about your child's insurance coverage, including public and private insurance. This information includes: the type of insurance policy or health benefits plan, the name of the insurer or plan administrator, the policy or plan identification number, the type of coverage in the policy and any other information needed to bill your insurance; and
- Explain your rights and responsibilities regarding your family's health insurance, and answer your questions about the protections the law provides for family insurance benefits.

If your child's evaluation shows that she or he is eligible for the EIP, your ISC will:

- Answer your questions about the EIP;
- Set up a meeting to work on your Individualized Family Service Plan (IFSP);
- Help you understand what this meeting will be like, who else must be there, and who can be invited;
- Explain how your health insurance can be used and that early intervention services will be at no cost to you;
- If your child is uninsured, the ISC is responsible for assisting you in identifying and applying for benefit programs for which your family may



be eligible, including Medicaid, Child Health Plus, and Social Security Disability Income, however, you are not required to enroll in order for EIP services to be provided;

- Obtain information about the status of your family’s private insurance coverage and Medicaid status;
- Help you resolve any problems that might come up – including disagreements about the service(s) you and your child might need;
- Give you information on other programs and services which can help your family, including, the NYS Office for People with Developmental Disabilities (OPWDD) eligibility and available programs and services;

- Discuss with you and your child’s evaluators whether your child is potentially eligible for programs and services under the OPWDD; and
- With your consent, notify the appropriate OPWDD contact person of the potential eligibility of your child for OPWDD programs and services. If you are interested, your service coordinator will help you make a referral to OPWDD.

If the evaluation shows that your child is not eligible for the EIP, your ISC will tell you about other services that may help. If you disagree with the evaluation findings, you can appeal the decision. You may review the section on “Your Rights as a Parent in the Early Intervention Program” to see the options you have, if you disagree with the evaluation findings.





Your Child's Evaluation

If you decide that the EIP can help your child and family, the next step is to have your child evaluated. This evaluation is called a Multidisciplinary Evaluation (MDE). "Multidisciplinary" means that a team of qualified professionals from different disciplines or professions will take part in your child's evaluation. Children with certain diagnosed conditions are automatically eligible for the EIP. For these children, the purpose of the MDE is to assess your child's strengths, needs, and current level of functioning in all areas of development. The five areas of development that will be looked at to assist in developing the IFSP are: cognitive (learning and thinking), physical (growth, vision and hearing, gross and fine motor abilities), communication (understanding and using words), social-emotional (relating to others), and adaptive (self-help skills, such as feeding). If suspected of having a developmental delay, your child will be evaluated to determine if he or she is eligible for EI services and supports.

Your ISC is responsible for discussing all options for evaluation with you from a list of New York State Department of Health approved evaluators. This includes helping you decide which evaluator would be best, based on your child's needs, the location of the evaluator, types of evaluations performed, and setting for the evaluation (home or evaluation agency).

Once you pick an evaluator, either you or your ISC, with your permission, will call the evaluator and make an appointment for your child's evaluation. You must provide your written consent before the evaluation may take place. The evaluation process must be responsive to your child and family's cultural background, including the languages spoken at home.

Your child's MDE will include:

- A health assessment, including vision and hearing screening. Your child's health assessment should be done by your child's health care provider whenever possible. If your child has had a recent checkup, a new one may not be needed;
- With your consent, a review of any of your child's previous records that may be helpful;
- An assessment of your child's strengths and needs in each area of development (physical, cognitive, communication, social-emotional, and adaptive);
- An interview with you about your concerns related to your child's development, and what your child is like; and
- A discussion about your child's transportation needs if EI services will take place outside the home.

The results of the MDE will be used to determine your child's eligibility for the EIP. You and the evaluation team will meet and review all of the information about your child's developmental progress. The evaluation team will talk with you about whether your child meets the EIP criteria for having a developmental delay, or a diagnosed physical or mental condition, and is eligible for the EIP.





The Family Assessment

As part of your child's MDE, you will be given the chance to take part in a voluntary family assessment; it is not required. The family assessment is family-directed and used to help you in determining the resources, priorities, and concerns of your family related to caring for and enhancing your child's development; it is *not* a test of your parenting skills. The family assessment is based on information provided by you and your family in a personal

one-to-one discussion with a member of your child's evaluation team. The family assessment can help you to think about what you need most from EI services and other community services or supports. It can also help you prepare for your IFSP meeting. All of the information that you share is kept private. You decide what information from the assessment should be included in the evaluation report, and discussed at your IFSP meeting.



Your Individualized Family Service Plan



The Individualized Family Service Plan, or IFSP, is a written plan that will be specially designed for you, your child, and your family that outlines and explains the EI services your child and family will receive. If the MDE shows that your child is eligible for the EIP, your ISC will set up an IFSP meeting to sit down and write your IFSP. The IFSP is a very important document and you are an important member of the team that develops it. If you need extra time to think about the plan, ask for it. You may want to discuss the plan with other family members or review it to make sure it meets the needs of your child and family. You will be asked to sign your IFSP when the plan is finished. When you sign the IFSP, you show that you were at the IFSP meeting and that you agree to the services in the plan. You are also giving your consent to start EI services.

If you and the IFSP team do not agree on the IFSP you do not have to sign the IFSP. You can give your written consent to start the services that you agree with, and exercise your due process rights to resolve the disagreement.

Your ISC will tell you about what happens at the IFSP meeting and help you prepare. Some important things you need to know about your IFSP meeting include:

- The IFSP meeting must be held at a time and place that is good for you and your family;
- You, your ISC, the Early Intervention Official (EIO) in your county, and evaluation team, or selected member of the team must take part in the meeting;
- You can invite others to attend the IFSP meeting, such as family, friends, your babysitter, or child care providers;
- Your ISC can invite others to take part in the meeting, with your consent;
- You can ask an advocate to take part in the meeting;
- You, your ISC, your child's evaluators, and your EIO will review the information that has been collected about your child's development and



will decide together how the EIP will help your child and family;

- Your family's resources, priorities and concerns related to your child's development will be discussed;
- You will help to identify outcomes (improvements you would like to see in your child's development) for your child and family;
- Strategies, activities, and services that will lead to the outcomes you hope to reach will be developed and written on the plan;
- Your need for respite services will be discussed, as appropriate, and determined based on the individual needs of your child and family. Respite services can be used for temporary relief of caregiving responsibilities that may be necessary for your child. Respite may be provided in the home or another appropriate location;
- To include a service in your IFSP, you and all members of the IFSP team must agree to the service; and

- You may accept or decline any EI service without jeopardizing your child’s right to receive any of the other EI services identified in the IFSP.

Your family’s IFSP will include the following information:

- A statement of your child’s current level of functioning;
- With your permission, a statement of your family’s resources, priorities, and concerns related to your child’s development;
- A statement of the major outcomes expected from EI services. IFSP outcomes must be meaningful and based on your child and family’s needs and priorities;
- A statement of the EI services, including transportation, needed to meet your child’s and family’s needs;
- A plan for when your child is in day care, and when needed, for EI service providers to train the day care staff to meet the needs of your child;
- A physician’s, physician’s assistant’s or nurse practitioner’s order or prescription for EI services that require an order/prescription from specific medical professionals;
- A statement about other services, including medical services that are needed by your child and family that are not provided or paid for by the EIP;

- The dates that services are expected to begin as soon as possible after the IFSP meeting, once you have signed the plan and given your permission;
- The name of the ongoing service coordinator who will help you to put the plan into action;
- The steps to help your child and family change to other services, including preschool special education services. In the EIP, this is called transition planning; and
- A statement of the natural environments where EI services will be provided. “Natural environment” means settings where infants and toddlers are typically found in the community. This can be your home or another community location, such as day care or at a playground.

Services should begin as soon as possible after you have given your consent for the EI services listed in the IFSP. Your EIO must convene a meeting at least annually to evaluate and, as necessary, revise the IFSP for your child and family. The EIO is also responsible for making sure the IFSP is reviewed every six months or more frequently if you request a review.





Natural Environments

The federal law that created the EIP says that EI services must be provided in natural environments as much as possible. Natural environments are settings where infants and toddlers, with and without special needs, and their families participate in everyday routines and activities that are important to them, and serve as important learning opportunities. Natural environments can include your home, places where child care is provided, playgrounds, restaurants, public transportation, libraries, supermarkets, places of worship, and other community settings. Natural environments are not just about places or locations.

They are also about family routines and activities including family meals, bathing, bed time, family celebrations, household chores, and visiting family and friends. There may be some services that are provided at an agency or a school that specializes in EI services if this is the setting that is best for your child. Since natural environments are where children with or without special needs live, learn, play, and participate in community/neighborhood activities and events, this gives all children the chance to learn from one another.





Your Ongoing Service Coordinator

At your first IFSP meeting you will be asked to select an Ongoing Service Coordinator (OSC) who may be different from your ISC. Choosing your OSC is an important decision. This service coordinator will be responsible for putting your IFSP into action.

Your Ongoing Service Coordinator will also be responsible for:

- Talking with you about any scheduling or other needs that your family may have that will impact the assignment of providers;
- Reviewing your IFSP to identify your child's and family's early intervention service needs;
- Contacting you to confirm scheduling, services, and other needs;
- Assigning and arranging for providers to deliver services in the IFSP who are approved by and under agreement with the New York State Department of Health;
- Arranging contact between you and your assigned provider(s);
- Coordinating EI services with other services your family is getting, such as day care services;
- Making sure your child and family get all the services in your IFSP;
- Following-up with you and your assigned provider(s) to make sure the scheduling and first day of service occurs within the required timeframe;
- Informing you about advocacy services;
- Making sure six-month reviews and annual evaluations of your IFSP are completed;
- Helping you make any changes to your IFSP that may be needed between six-month reviews and annual evaluations;
- Updating your family's insurance information as the need arises. You should let your OSC know if there are any changes in the family's insurance policy, including Medicaid and Child Health Plus;
- Notifying school districts of the potential transition of your child from the EIP to preschool special education services; and
- Meeting with you to develop a transition plan that will include the steps needed to help you and your child leave the EIP and begin new services.



Health Insurance Information



It is very important for your service coordinator to obtain your family's most recent and accurate health insurance information. Your service coordinator will explore with you the type of health insurance plan your family has and help identify if your plan operates under New York State Insurance Law ("regulated"), or is not regulated by New York State Insurance Law ("non-regulated"). Your service coordinator also will obtain information on the extent of benefits available to your child under your family's insurance policy. If your family's health insurance plan is not regulated by New York State Insurance Law, the plan will not be billed unless you give informed written consent.

Types of Health Insurance Coverage

Medicaid and Medicaid Managed Care plans are managed by a number of health plans throughout the state. Services are billed directly to Medicaid.

Child Health Plus (CHP) is managed by a number of health care plans throughout the state. CHP is subject to NYS Insurance Law with regard to the EIP.

Health Insurance plans that are issued/written outside of New York State are not regulated (e.g., Blue Cross/Blue Shield plans that are issued in another state are not regulated).

Health Spending Accounts/Health Savings Accounts (HSAs) are medical savings accounts and are not considered insurance; information about these accounts should not be collected by your service coordinator.

Your ISC will also discuss with you the requirements in New York State Public Health and Insurance Law, including:

- Under New York State Public Health Law, EI services must be provided at no cost to parents;
- Private insurance and Medicaid are part of NYS' system of payments for EI services. These private payors are important resources for the EIP;

- Health insurance will only be used for payment of EI services if your child's/ family's policy is regulated, or with your consent, if the policy is non-regulated; and
- All EIP services in your child's IFSP, including service coordination and evaluations, must be provided if you decline to provide insurance information, or if your child is uninsured.

Protections for Use of Regulated Insurance

Parents do not pay any out-of-pocket costs, such as deductibles or co-payments for EI services.

Insurers are not allowed to charge any benefits paid for EI services against any maximum annual or lifetime policy limits.

EI visits reimbursed by the insurer cannot reduce the number of visits otherwise available to the child and family for health care.

Insurers cannot discontinue or fail to renew a family's insurance coverage solely because a child is receiving EI services.

Insurers cannot increase health insurance premiums solely because a child is receiving EI services.





Use of Non-Regulated Insurance

If a family's insurance plan is not regulated by NYS Insurance Law, the plan will not be billed unless you give informed written consent. If you give written consent to use non-regulated insurance for payment of EIP services, this consent will need to be signed again at every IFSP meeting.

If your family's insurance is not regulated by NYS Insurance Law, your insurance benefits may not be protected if billed for EIP services. In this case, the insurance can only be used if you are fully informed and choose to give written consent.

Parent Responsibilities

If there are any changes in your family's insurance policy, including Medicaid and Child Health Plus, you should let your service coordinator know as soon as possible.

If your health insurance company sends you a check for payment of EI services, that payment was sent to you in error. The payment should have been sent directly to your child's EI provider or the provider

agency that your child's provider works for or contracts with. You should not cash the check. Immediately notify your insurance company of the error, and contact your service coordinator for assistance with returning the check to the insurance company.

If your NYS regulated health insurance company applies payment for EI services to the annual and lifetime limits specified in your insurance policy, you should immediately notify the insurance company of the error, and contact your service coordinator for assistance.

If your Health Spending Account (HSA) funds were incorrectly sent to your child's EI service provider by your health insurance company for payment of EI services, you should immediately notify your service coordinator. These payments are not allowed under the EI program and must be refunded to your HSA by the insurer immediately. Your EI provider is responsible for contacting your health insurance company to ask for direction to return the payment which will be returned to your available benefits.





Transition: Your Child's Next Steps

A transition plan must be developed for all children leaving the EIP, including going to Preschool Special Education or other services, on or close to their third birthday. The transition plan should include any help, support, and services that you and your child might need to adjust to the change in services and make a smooth transition. Discussions of the transition plan should start with your child's first IFSP. Some children will no longer need any services. Other children and families may go on to early childhood programs or to other services in their community. If you or someone else thinks that your child is eligible for preschool special education services, your service coordinator will notify the Committee on Preschool Special Education (CPSE) in your school district. You will have the opportunity to “opt-out” of the CPSE notification. The OSC cannot take this step if you object.

Additional steps to transition include:

- Your OSC must offer you a chance to have a transition conference. A transition conference is a meeting that is held with the chairperson of the CPSE (or his/her designee) to decide whether your child should be referred for preschool special education services. This meeting is called a transition conference. You may decide if you would like to have a transition conference or not have one. You will be asked to give your consent to your OSC for this conference to take place;
- If you decline to have a transition conference, your OSC will provide you with written transition information;
- If you consent to the transition conference, your OSC will arrange for the transition conference with you, the CPSE chairperson/designee, and other members of the IFSP team as invited. The transition conference should be held at least 90 days before your child is first eligible for services through the CPSE. Your OSC will provide you with information on when your child is first eligible for services through the CPSE;
- Whether or not you choose to have a transition conference, you can decide to refer your child to the school district CPSE. Your OSC can help you to make this referral. You will need to refer your child in enough time for your child to be evaluated by the CPSE, and for the CPSE to make a decision about your child's eligibility for preschool special education before your child's third birthday. Otherwise, eligibility for EI services will end on the day before your child's third birthday;





- Once your child is referred, the CPSE will contact you to tell you about how to get your child evaluated. The CPSE will ask for your written consent to evaluate your child;
- Your child's EIP records can be used by the CPSE to decide how to evaluate your child. Your service coordinator will work with you to identify evaluation reports and other records from the EIP that may be helpful. Your OSC will need your written consent to provide the CPSE with EIP evaluation reports and records that may be helpful;
- The CPSE must have a meeting to make a decision on your child's eligibility and services, and must provide a recommendation to the Board of Education within the school district, within 60 calendar days of getting your written consent to evaluate your child. You can ask the CPSE chairperson to invite your OSC to this meeting;
- If your child is eligible for preschool special education, an Individual Education Plan (IEP) will be developed for your child. You can choose to begin preschool special education programs and services when your child is first eligible or choose to stay in the EIP until your child ages out. If you decide you want to have your child leave the EIP and start preschool special education services, you should contact the CPSE chairperson in your school district; and
- If your child is *not* eligible for preschool special education, EIP services will end the day before your child turns three years old. A transition plan for your child will be made with your input. If your child and family need other services, the plan will include these services, and steps to help you get these services.





Your Rights as a Parent

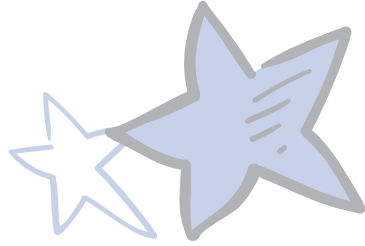
As a parent, you have rights under the EIP. It is the responsibility of your service coordinator and service providers to explain your rights to you and make sure you understand them, and help you carry them out. For example, you have the right to prior written notice. Prior written notice must be given by the EIO to you within 10 working days before the EIO intends to or refuses to start or change the identification, evaluation, service setting, or the provision of appropriate EI services to your child and family.

You also have the right to use due process procedures to settle disagreements or complaints about your child's eligibility for the EIP, or complaints about your child's EI services. Your right to use due process procedures to settle disagreements or complaints includes your right to access mediation, impartial hearing, and systems complaint procedures, as follows:

Mediation is a voluntary and confidential way to work out disagreements and complaints you may have about your child's early intervention services. Mediation is used to help you and your EIO reach an agreement as easily and quickly as possible. This is done through a mediator. Mediators are trained, certified, and assigned by the Community Dispute Resolution Center in your county. They are skilled in listening to all sides of a problem and in being fair. Mediators are not experts in early intervention. They are expert mediators who know about and understand the EIP.

Your mediator will meet with you and your EIO to discuss the issues involved and help you find answers. Both of you will have the chance to share your concerns about the early intervention services that need to be settled. The mediation process must be finished in 30 days of the time the Community





Dispute Center receives the written request for mediation. Once mediation is finished, a written agreement is prepared describing what was agreed to and any outstanding issues. Your service coordinator will make sure this agreement is added to your IFSP. If the disagreement cannot be settled, your EIO should discuss with you another right you have, an impartial hearing.

An impartial hearing is another way for you to settle disagreements with your EIO about your child's services in an IFSP. Like mediation, an impartial hearing must be held at no cost to you. You can also ask for an impartial hearing if your child is found ineligible for services by an evaluator. You have the right to ask for an impartial hearing to settle these problems, even if you take part in mediation first. You do not have to take part in mediation before getting an impartial hearing. Both options are open to you and your family. Impartial hearings are carried out by hearing officers who are fair and unbiased. These hearing officers are administrative law judges assigned by the Commissioner of Health or designee. The hearing officer has the power to decide requests made by either you or the EIO. The hearing officer will make a final decision on the issue or concern in your child's case.

At a hearing, parents and EIOs give testimony and may use witnesses to support their views. Parents may bring a friend, another parent, an advocate, or an attorney to the impartial hearing. The hearing officer must reach a decision in 30 days. The hearing officer's decision is final. You or the EIO have the right to ask for a legal review of the hearing officer's decision.

To request an impartial hearing, you must write to the New York State Department of Health, Director of Bureau of Early Intervention. You can ask for an impartial hearing at any time. If your complaint is about your child's eligibility, however, your request must be made within six months of the date your child was found ineligible for services.

In addition to mediation or an impartial hearing, another option for parents who are having problems

with how the EIP is working is to file a system complaint. Some examples of problems include:

- Not having an IFSP completed within 45 days of a child's referral to the Early Intervention Official;
- Not having services delivered on time;
- Not getting the services listed in your IFSP;
- Providing services to a child when a parent hasn't given permission; and
- Receiving services in places where there are health or safety concerns.

A system complaint can be filed if you believe that your EIO, service coordinator, evaluator or service provider is not doing his or her job under the law. To file a system complaint, you must write to the New York State Department of Health, Director of the Bureau of Early Intervention. You must also forward a copy of your complaint to your service coordinator, county Early Intervention Official, and any early intervention provider(s) who is the subject of the complaint. The Department of Health must investigate your complaint.

If you make a complaint to the Department of Health you will be contacted by Department of Health staff. You will be told how your complaint will be investigated. This may include interviewing you, any person named in the complaint, and others who may have helpful information about the complaint.

The Department of Health must finish its investigation within 60 days from the time it receives the complaint. You will receive a written response to your complaint upon completion of the investigation. This response will provide findings of the investigation, and specify any actions that must be taken. The Department of Health is responsible for making sure that all steps to correct the problem are taken.

Sample letters to help you with these procedures start on page 19.

Early Intervention Program Contact Information



For more information about the Early Intervention Program services, contact:

New York State Department of Health
Bureau of Early Intervention
Corning Tower Building, Room 287
Empire State Plaza
Albany, New York 12237-0660
(518) 473-7016

Fax: **(518) 486-1090**

E-mail: **beipub@health.ny.gov**

Frequently asked questions for parents, EIP regulations, related terms and abbreviations, and telephone numbers for your local EIP is available online at: **www.health.ny.gov/community/infants_children/early_intervention/county_eip.htm**

For more information about early intervention and other child-related services, contact the following:

“Growing Up Healthy” 24-Hour Hotline

1-800-522-5006

In New York City, dial **311**

Early Childhood Direction Centers
New York State Education Department
www.p12.nysed.gov/specialed/techassist/ecdc/
(518) 486-7462

TTY: **(518) 474-5652**

New York Parent and Kid Connection Helpline

1-800-345-KIDS (5437)

(Available Monday-Friday 9am-5pm)

NYS Justice Center for the Protection
of People with Special Needs

www.justicecenter.ny.gov/services-supports/advocacy

1-800-624-4143 Information and Referral (Monday-Friday, 8:30am-4:30pm)

TTY: Dial **7-1-1** for the NYS Relay and give the operator **1-800-624-4143**

Assistive Technology (TRAID) Program

www.justicecenter.ny.gov/services-supports/assistive-technology-traid

Parent to Parent of New York State

www.parenttoparentnys.org

(518) 381-4530 or **1-800-305-8817**

Parent Training and Information Centers

www.parenttip.org

Statewide (Except NYC): **(585) 546-1700**

New York State Only: **1-800-650-4967**

Starbridge

(Statewide except for the 5 boroughs of New York City)

www.starbridgeinc.org

(585) 546-1700 or **1-800-650-4967** (in NYS)

INCLUDEnyc

(Serving the 5 boroughs of New York City)

Formerly Resources for Children with Special Needs)

www.includenyc.org

(212) 677-4650

Advocates for Children of New York

(Serving the 5 boroughs of New York City)

www.advocatesforchildren.org

1-800-427-6033 or **(212) 947-9779**



“Early Intervention Steps” Chart



Family Concern

1. Referral *(Unless parent objects)*

- Referral source or parent suspects child of having developmental delay or disability
- Family informed of benefits of Early Intervention Program (EIP)
- Child referred to Early Intervention Official (EIO) within two days of identification
- EIO assigns Initial Service Coordinator

2. Initial Service Coordinator

- Provides information about EIP
- Informs family of rights
- Reviews list of evaluators
- Obtains insurance/Medicaid information
- Obtains other relevant information

3. Evaluation*

- Determine eligibility
 - Family assessment (optional)
- Gather information for Individualized Family Service Plan (IFSP)
 - Summary and report submitted prior to IFSP

4. The IFSP Meeting*

(If child is eligible)

- Family identifies desired outcomes
- Early Intervention services specified
- Develop written plan
 - Family and EIO agree to IFSP
 - Identify Ongoing Service Coordinator (OSC)
 - EIO obtains social security number(s)

Early Intervention Services*

- Assistive technology devices and services
- Audiology
- Family training, counseling, home visits, and parent support groups
- Medical services only for diagnostic or evaluation purposes
- Nursing services
- Nutrition services
- Occupational therapy
- Physical therapy
- Psychological services
- Respite services
- Service coordination
- Social work services
- Special instruction
- Speech-language pathology
- Vision services
- Health services
- Transportation and related costs

AREAS OF DEVELOPMENT

- Cognitive
- Physical (including vision and hearing)
- Communication
- Social/emotional
- Adaptive development

5. IFSP Review Six Months, Evaluate Annually

- Decision is made to continue, add, modify or delete outcomes, strategies and/or services
- If parent requests, may review sooner (If parent requests an increase in services, EIO may ask for supplemental evaluation)

6. Transition

- Plan for transition included in IFSP
- Transition to:
 - Services under Section 4410 of Education Law (3-5 system)
 - OR
 - Other early childhood services, as needed

**Parent/guardian may access due process procedures.*

Parent/guardian consent is required for evaluation, IFSP, provision of services in IFSP, and transition.

10/15

How to Refer Your Child

(Insert Date)

(Insert Early Intervention Official's Name)
(Street Address)
(City/State/Zip Code)

Dear (insert name of Early Intervention Official):

I would like to refer my child, (child's name), to the Early Intervention Program. My child is (age of child) and appears to have problems in his/her development. I understand that I will be contacted by a service coordinator who will explain the program to me and can help me choose an evaluator from a list that will be provided to me. I also understand that *Early Intervention Steps: A Parent's Basic Guide to the Early Intervention Program* will be provided to me.

The best time to reach me is on (insert days and times).

Sincerely,

(Your Signature)
(Insert Name)
(Street Address)
(City/State/Zip Code)
(County)
(Area Code/Phone Number)

How to Ask to Review Your Child's Records

(Insert Date)

(Insert Name), Early Intervention Official
(Street Address)
(City/State/Zip Code)

Dear (Insert Early Intervention Official/Service Provider/Service Coordinator/Evaluator):

I would like to review the records of my child, (child's name), who is receiving early intervention services from (name/s of service providers).

I understand that if I have any questions I can have information in the record explained to me, and have someone I select review the records for me.

The best time to reach me is on (insert days and times).

Sincerely,

(Your Signature)
(Insert Name)
(Street Address)
(City/State/Zip Code)
(County)
(Area Code/Phone Number)

How to Request Mediation

(Insert Date)

(Insert Name), Early Intervention Official
(Insert Name) County Department
(Street Address)
(City/State/Zip Code)

Dear (insert name of Early Intervention Official):

After sharing my concerns with my service coordinator and the county EIO, we are unable to reach agreement regarding the provision of early intervention services for (insert your child's full name). Therefore, I would like to file a request for **mediation**.

We cannot agree on the following:
(Check all that apply)

- Eligibility of my child for the Early Intervention Program. I understand that the request for mediation must be made within six months of the date my child was found ineligible for services.
- Requested early intervention services or evaluations for my child and family.
- County refused to provide early intervention services or evaluations for my child and family.
- Change in early intervention services or evaluations for my child and family.

(Insert a short description)

1. What early intervention services are currently being provided to your child and family?
2. Explain what cannot be agreed upon for each area where you cannot agree.
3. Provide important facts and/or copies of documents which you feel are important for others to read.
4. Share your proposed solution or solutions.

I understand that within two days of receiving my request, the EIO will notify the appropriate community dispute resolution center (CDRC) in writing of my request for mediation. The EIO will simultaneously send the service coordinator and me a copy of the notification. Upon receipt of the request, the CDRC will contact me and the EIO to discuss the mediation process.

The best time to reach me is on (insert days and times).

Sincerely,

(Your Signature)
(Insert Name)
(Street Address/P.O. Box)
(City/State/Zip Code)
(County)
(Area Code/Phone Number)

How to Request an Impartial Hearing

(Insert Date)

Director, Bureau of Early Intervention
NYS Department of Health
Corning Tower Building
Room 287 Empire State Plaza
Albany, New York 12237-0660

Dear Director:

After sharing my concerns with my service coordinator and the county Early Intervention Official, we are unable to reach agreement regarding the provision of early intervention services for my child. Therefore, I would like to file a request for an **impartial hearing** for my child (insert your child's full name) regarding the provision of our early intervention services.

We cannot agree on the following:
(Check all that apply)

- Eligibility of my child for the Early Intervention Program. I understand that the request for an impartial hearing must be made within six months of the date my child was found ineligible for services.
- Requested early intervention services or evaluations for my child and family.
- County refused to provide early intervention services or evaluations for my child and family.
- Change in early intervention services or evaluations for my child and family.

(Insert a short description)

1. What early intervention services are currently being provided to your child and family?
2. Explain what cannot be agreed upon for each area where you cannot agree.
3. Provide important facts and/or copies of documents which you feel are important for others to read. If there are other people who you believe may be a potential witness or may have relevant information, please list who they are and why you believe they may be important.
4. Share your proposed solution or solutions.

I understand that someone from the New York State Department of Health will contact me upon receiving this letter.

The best time to reach me is on (insert days and times).

Sincerely,

(Your Signature)
(Insert Name)
(Street Address/P.O. Box)
(City/State/Zip Code)
(County)
(Area Code/Phone Number)

How to Make a System Complaint

(Insert Date)

Director, Bureau of Early Intervention
NYS Department of Health
Corning Tower Building
Room 287 Empire State Plaza
Albany, New York 12237-0660

Dear Director:

I am aware that I can address my concerns informally with the service coordinator, the early intervention (EI) provider, the county or the state; however, I would like to **file a formal system complaint** because I believe that an EI provider and/or county and/or state violated Part C, Title 34 of the Code of Federal Regulations or 10 New York Codes, Rules and Regulations Subpart 69-4 or Title II-A of Article 25 of the Public Health Law.

State the alleged violation(s) for this EI system complaint:

(Insert a short description of the problem and include facts related to the system complaint.
You may also attach additional documents related to your system complaint.)

If the violation(s) pertains to a specific child:

(Insert the child's name/date of birth/home address/county of residence of child.)

(Insert the name(s) of the EI service provider(s), service coordinator and the name of any EI agency serving the child.)

(Insert a proposed solution(s) or outcomes to the violation.)

I understand that:

- the New York State Department of Health (Department) may only investigate an alleged violation if it occurred within one year prior to the Department receiving this letter;
- if a system complaint is received that is the subject of an impartial hearing or mediation, the Department must set aside any part of the system complaint that is being addressed;
- if an issue is raised that has previously been decided in mediation or impartial hearing involving the same parties, the decision from the mediation or impartial hearing is honored;
- my system complaint will be investigated within 60 days of receipt and that I may be interviewed and will receive a written response;
- the timeline may be extended if there are exceptional circumstances with respect to the system complaint or the parties elect to engage in mediation; and

at the same time I am sending this system complaint to the Department, it is required that:

– I forward a copy of this system complaint to:

- my child's service coordinator, when the system complaint is child specific;
- the county Early Intervention Official or Early Intervention Manager; and
- any EI provider(s) who is the subject of this system complaint; or

– I may request that the Department forward the system complaint to the parties listed above instead of my forwarding the complaint.

The best time to reach me is on (insert days and times).

Sincerely,
(Your Signature)
(Insert Name)
(Street Address/P.O. Box)
(City/State/Zip Code)
(County)
(Area Code/Phone Number)

Notes



Notes





The New York State Early Intervention Program does not discriminate on the basis of handicap in admission or access to, or treatment or employment in its programs and activities.

If you feel you have been discriminated against in admission or access to, or treatment or employment in the New York State Early Intervention Program you may, in addition to all other rights and remedies, contact: Bureau of Early Intervention, New York State Department of Health, Empire State Plaza, Corning Tower, Room 287, Albany, NY 12237-0660.

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