

3701-8-07.1 **Early intervention individualized family service plan and service delivery.**

This rule applies to early intervention service providers serving infants or toddlers who have been determined eligible and in need of early intervention services, and who are participating with parent consent in the help me grow (HMG) early intervention program.

(A) Early intervention service coordination contractors shall ensure every individualized family service plan:

(1) Is completed on form HEA 07-05 (effective July 1, 2012) and includes all of the following information:

(a) A statement about the child's present levels of development in the following areas: physical, including vision, hearing, and nutrition; cognitive; communication; social or emotional; and adaptive; or an attached evaluation or assessment report inclusive of this information;

(b) A statement about the family's resources, priorities, and concerns related to enhancing the development of their child's development; or an attached form HEA 07-03 (effective July 1, 2012), inclusive of this information;

(c) A statement of the measurable, functional outcomes expected to be achieved for the child and family and the criteria, strategies, and time lines used to determine the degree to which progress toward achieving outcomes identified on the IFSP is being made;

(d) The specific early intervention services, as defined in rule 3701-8-01 of the Administrative Code, which are necessary to meet the unique needs of the child and family to achieve the outcomes identified on the IFSP; including the length, duration, frequency, intensity, and method of delivering the early intervention services; a statement that each early intervention service is provided in the natural environment for that child or a justification as to why the service will not be provided in the natural environment; the location of each service; and payment arrangements;

(e) A description of the steps the service coordinator or family will take to assist the child and family in securing any and all services which are identified as needed to achieve outcomes, but are not currently being provided;

(f) The projected and actual start dates for the initiation of each early intervention service and the anticipated duration of each service; and

(g) The name of the service coordinator, who will be responsible for ensuring the implementation of the early intervention services identified on a

child's IFSP and coordination with other agencies and individuals.

(2) Is developed, reviewed, and updated in accordance with the following time lines and requirements:

(a) The initial IFSP is developed within forty-five calendar days of program referral.

(i) Development of the initial IFSP shall occur with, at a minimum, the parent of the child, other family members when requested by the parent, an advocate or person outside of the family when requested by the parent, the child's service coordinator, and one person who conducted the evaluation or assessment of the child.

(ii) If the evaluator or assessor cannot attend the development meeting in person, arrangements shall be made for the person's involvement using the telephone, by having a knowledgeable authorized representative attend in their place, or making pertinent records available at the meeting.

(iii) Any individual who will be providing early intervention services should attend the development meeting when appropriate to the specific and individual needs of the child.

(b) Periodic reviews of the IFSP shall occur every one hundred eighty calendar days from the date the initial IFSP was signed by the parent, or more frequently when the family requests such a review.

(i) A periodic review occurs to determine the degree to which measurable progress toward achieving the outcomes identified in the IFSP is being made and whether modification or revision of the outcomes or services identified in the IFSP is necessary.

(ii) A periodic review shall be carried out by a meeting or another means that is acceptable to the parent.

(iii) The service coordinator shall ensure the revised IFSP is mailed, delivered, emailed or otherwise provided to the parent for the parent's signature; and

(iv) After the parent signs a revised IFSP, one copy of the revised sections of the IFSP shall be provided to the parent.

(c) Meetings to evaluate the IFSP shall occur at least annually from the date the initial IFSP was signed by the parent.

(i) Annual IFSP meetings shall include the current child and family

assessments, re-determination of eligibility when conducted, and other information available from the child and family to determine the early intervention services that are needed and will be provided.

(ii) Annual meetings to evaluate the child's IFSP shall include, at a minimum, the parent of the child, other family members when requested by the parent, an advocate or person outside of the family when requested by the parent, the child's service coordinator, and one person who conducted the most recent evaluation or assessment of the child.

(iii) If the evaluator or assessor cannot attend the meeting in person, arrangements shall be made for the person's involvement using the telephone, by having a knowledgeable authorized representative attend in their place, or making pertinent records available at the meeting.

(iv) Any individual who will be providing early intervention services should attend the meeting when appropriate to the specific and individual needs of the child.

(v) Using form HEA 07-19 (effective July 1, 2012), the child's service coordinator shall mail, deliver, email or otherwise provide written notification of the annual IFSP meeting to meeting participants no less than ten calendar days in advance of the meeting.

(d) All IFSP meetings shall be:

(i) Conducted in settings and at times that are convenient to the family;

(ii) Conducted in the native language of the parent or other mode of communication used by the family, unless it is clearly not feasible to do so; and

(iii) Arranged in enough time to allow potential participants to attend and confirmed with form HEA 07-19, effective July 1, 2012.

(3) Each child's parent shall be informed at the IFSP review meeting closest to their child turning eighteen months of age that contact information will be shared with the local education agency unless the parent opts out on the IFSP signature page.

(4) For children who are at least two years and three months old, the IFSP shall include steps that will be taken and the services that will be provided to support a smooth transition of the child from HMG early intervention to either preschool special education services or other appropriate services.

Early intervention service coordination contractors shall:

- (a) Ensure that every child who is at least two years and three months old has at least one written transition outcome as a part of the child's closest planned periodic IFSP review;
 - (b) The transition outcome shall identify the discussions with, and training of parents regarding future placements, and procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting; and
 - (c) A transition planning conference shall be held no less than ninety calendar days, but not more than nine months prior to the child's third birthday. For a child who is potentially eligible for special education pre-school, the local education agency shall be notified of the child's potential eligibility and a representative shall be invited to the transition planning conference, with parent consent.
- (5) Early intervention service coordination contractors shall ensure that a copy of the IFSP shall be provided either electronically or in paper hard copy at no cost, to every child's parent and each service provider identified on the child's IFSP within ten calendar days of obtaining the parent's signature on the document.
- (B) An interim IFSP may be developed when exceptional family circumstances make it impossible to complete the child assessment before the needed services begin. An interim IFSP is available for a child who is eligible for assessment because of a diagnosed physical or mental condition, in accordance with Appendix 07-A of rule 3701-8-07 of the Administrative Code, as long as:
- (1) Parental consent is obtained;
 - (2) The interim IFSP includes the name of the service coordinator and the early intervention services that are needed immediately by the child and the child's family; and
 - (3) The required child assessment and IFSP are completed within forty-five calendar days of referral.
- (C) Early intervention service coordination contractors shall ensure that each child in early intervention is assigned one service coordinator, who will serve the family as the service coordinator, as soon as possible after program referral, but in enough time to complete service coordination activities in the time lines required, as listed throughout this rule. In addition, early intervention service coordination contractors shall ensure that service coordinators meet the qualifications as required in rule 3701-8-03 of the Administrative Code and:

- (1) Act as the single point of program contact for carrying out the activities of service coordination;
 - (2) Explain activities to the parent before parent consent is sought;
 - (3) Provide the parent with a written copy of early intervention parent's rights in their native language, unless it is clearly not feasible to do so;
 - (4) Assist the parent in gaining access to, and coordinating the provision of, the early intervention services the child and child's family needs, including making referrals to providers for needed services and scheduling appointments;
 - (5) Coordinate evaluations and assessments;
 - (6) Facilitate and participate in the development, implementation, and review of IFSPs;
 - (7) Coordinate, facilitate, and monitor the delivery of early intervention services to ensure that services the child needs start within thirty calendar days of the parent signing the IFSP and are provided in accordance with paragraph (D) of this rule; except when the family has an exceptional family circumstance which keeps the family from being able to receive the service within thirty calendar days of signing the IFSP;
 - (8) Coordinate the funding sources for early intervention services needed; and
 - (9) Facilitate the development of a transition plan from early intervention to special education pre-school, if appropriate, or other services, in accordance with paragraph (A)(4) of this rule.
- (D) Early intervention service providers shall ensure that:
- (1) Early intervention services are provided in the natural environment for the individual child to the maximum extent appropriate, or provide a justification as to why an early intervention service will not be provided in the natural environment;
 - (2) Early intervention services are provided by qualified personnel;
 - (3) Early intervention services are provided within thirty calendar days of being added to a child's IFSP;
 - (4) Service providers participate in the development and review of all IFSPs of a child for whom they are planning or providing services, as required in paragraph (A)(2) of this rule; and

- (5) Service providers provide prior written notice to parents, with a copy provided to the child's service coordinator, of a change in service, in accordance with rule 3701-8-10.2 of the Administrative Code.
- (E) Beginning on January 1, 2013, every child shall have their eligibility for an assessment determined annually. The re-determination of eligibility shall take place no earlier than ninety calendar days before the annual meeting to evaluate the child's IFSP due date and no later than the annual IFSP due date. This requirement is in place for all children in HMG early intervention, except when:
- (1) The child was determined eligible with a developmental delay of at least two standard deviations below the mean in one area;
 - (2) The child was determined eligible with a developmental delay of at least one and one half standard deviations below the mean in two or more areas;
 - (3) The child was determined eligible with a diagnosed condition that is listed in Appendix 07-A of rule 3701-8-07 of Administrative Code; or
 - (4) The child's third birthday is no more than ninety calendar days after the date of the annual IFSP.
 - (5) Every child with an open program referral to HMG early intervention before July 1, 2012 shall be re-determined eligible for an assessment before July 1, 2013.
- (F) A child is no longer eligible for HMG early intervention, and therefore shall be exited from HMG early intervention, when any one of the following is true:
- (1) The child reaches three years of age;
 - (2) The child's IFSP outcomes have been met and the child's IFSP team agrees the child does not need additional outcomes;
 - (3) A child assessment team determines the child no longer needs services or the child does not complete the annual assessment;
 - (4) The child is ineligible at the annual re-determination of eligibility or does not complete annual re-determination of eligibility;
 - (5) The parent terminates program participation; or
 - (6) The child moves out of the state of Ohio.
- (G) Early intervention service coordination contractors shall inform the centralized coordination contractor every time:

- (1) A child or family needs to change early intervention service coordination contractors; or
- (2) A referral for a child is received from the family or another referral source. Contractors shall not serve a family who has not been assigned by the centralized coordination contractor through a program referral.
- (H) When the referral source is a medical or social service professional, early intervention service coordination contractors shall, with parent consent, provide a follow-up to the referral source within forty-five calendar days of receiving the program referral.
- (I) Early intervention service coordination contractors, upon execution of a contract or other agreement with the department to provide services, shall ensure that funds provided by the department, will not supplant other federal, state, or local funds in place to serve the population of infants and toddlers with disabilities or developmental delays. The following HMG early intervention services shall be provided at no cost to families:

 - (1) Screening, developmental evaluation, child assessment, and family-directed assessment;
 - (2) Development and review of any IFSP;
 - (3) Service coordination;
 - (4) Procedural safeguards; and
 - (5) Transition planning.
- (J) Early intervention service coordination contractors shall designate one individual as the contract manager who is responsible for oversight and monitoring of the required activities of the grant, contract or agreement.

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Certification

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