



Overview of Early Steps Policy and Guidance Documents For Implementation 7/2010

Conference Call Etiquette



- We have muted your phone until the end of the call
- Do not put phone on hold
- Be aware that noises are heard by everyone on the call
- If your phone line is making noises, please hang up and redial



About the Q & A period



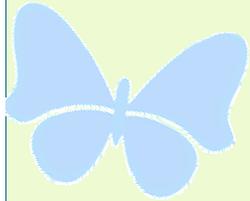
- Brief Q&A period at end, *if time allows*
- Write down questions during presentation



Purpose of Today's Call



- Introduce revised policy documents (*not a training session*)
- Highlight *major* changes, additions, deletions from interim policy documents
- Focus on what field is expected to do differently, change or cease
- Point out what was previously unclear, misinterpreted, etc.



Policy Review/Revision Process



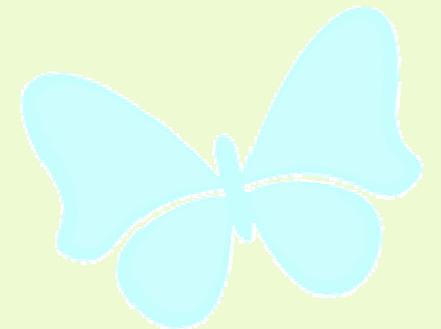
- **March 2008** – interim policies in effect
 - **March thru April 2009** – public participation re: proposed policies
 - **May 2009** – ESSO submits proposed policies to OSEP
 - **June 2009** – OSEP's 1st response/required revisions
 - **July 2009** – ESSO resubmits to OSEP
 - **August 2009** – OSEP's 2nd response/required revisions
 - **September 2009** – ESSO resubmits to OSEP
 - **October 2009** – OSEP's 3rd response/required revisions
 - **December 2009** – ESSO resubmits to OSEP
 - **February 2010** – OSEP's 4th response/required revisions
ESSO resubmits to OSEP
 - **March 2010** – OSEP sends final approval
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early steps

Today's Presenters



- Renee Jenkins
- Carol Burch
- Catherine Duncan
- Dawn Lynch
- Carole West
- Kelly Purvis



Resource Documents



- **Early Steps Website**



<http://www.cms-kids.com/home/resources/policies.html>



Policy Handbook



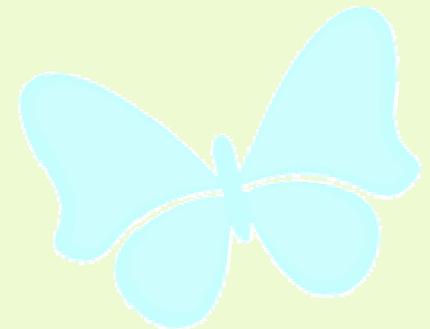
- Symbols continue to differentiate federal  and state  policies
- Formatted for electronic use
 - Links to:
 - Federal Statute & Regulations
 - State Statutes
 - Operations Guide
 - Other Policy
 - Other Relevant Documents



Operations Guide



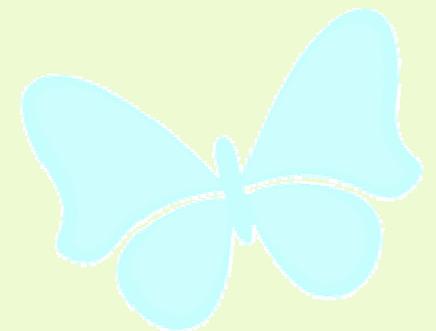
- Refers to related policy number
- Formatted for electronic use
 - Links to:
 - Attachments
 - Forms
 - Instructions
 - Websites
- Not guidance for every policy



General Rules re: Policies



- Definitions linked
- Other agency/program policies (e.g., Medicaid, DOE, provider management) not included/repeated, but linked





Component 1 – General Supervision and Administration

Financial Policies and Procedures



- 
- Moved guidance related to use of public and private insurance from *1.4.4 Guide* to *1.4.2 Guide*
 - Added language requiring that the Medicaid service exception procedure be followed as appropriate whenever service needs exceed Medicaid limitations (*1.4.4 Guide*)
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Financial Policies and Procedures

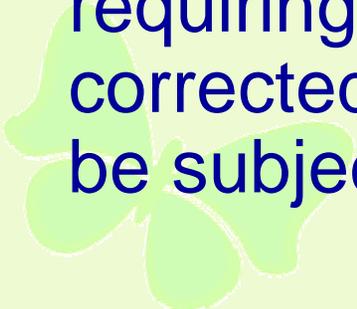


- Removed language to clarify that Part C funds can be used to pay co-payments and deductibles to Medicaid providers serving Medicaid eligible children (*1.4.10 Policy*)
- 



Monitoring, Technical Assistance and Enforcement



- 
- Added a policy requiring each LES to monitor local service providers using, at a minimum, the quantifiable and qualitative local performance standards specified in the LES contract *(1.8.8 Policy)*
 - Added language from LES contract to policy requiring that any noncompliance not corrected within one year of notification will be subject to sanctions *(1.8.9 Policy)*
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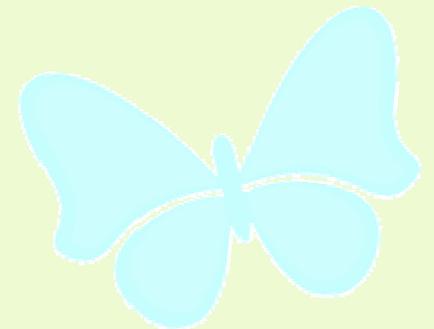


Component 2 – Public Awareness

Child Find



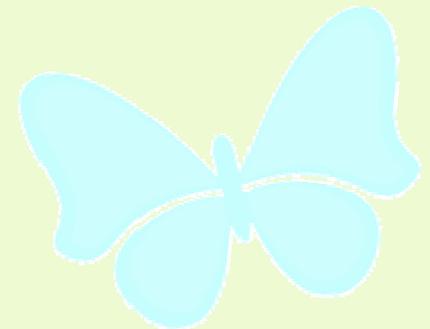
- Added agencies or programs that the LES should coordinate with in child find activities *(2.1.5 Policy)*
- Added policy that requires a notice be published before any major identification, location, or evaluation activity *(2.1.5 Policy)*



Public Awareness Materials



- Use of the *Request for Approval of Public Awareness Materials* form is now optional (2.1.7 Policy)
- All requests must include the following information on proposed materials:
 - Purpose
 - Target audience
 - If materials are a revision of ones currently being used
 - Reason materials are being revised
 - Required sponsorship statement



Referral to Early Steps



- Added requirement to disseminate public awareness materials to specific primary referral sources *(2.3.1 Policy)*
- Removed conflicting statement to be consistent with DOH/DCF interagency agreement *(2.3.3 Guide)*



Referral to Early Steps



- Changed referral date from the date the referral is made to the date it is received at the LES *(2.3.4 Policy)*
- Clarifies that when the LES has adequate information to contact the parent/guardian, it is considered a referral *(2.3.4 Guide)*





Component 3 – First Contacts/Evaluation/ Assessment

Eligibility/Established Conditions



- New Established Condition - Infants who weigh less than 1,200 grams at birth (*3.1.2 Policy*)



- All children who weighed less than 1,200 grams at birth are eligible for Part C, even if not referred until months after their birth (*3.1.2 Guide*)

- Significant Sensory Impairment

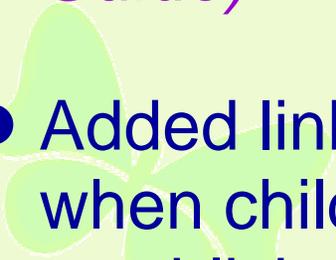


- New attachment – *Part C Criteria for Determining Significant Hearing Loss*



Eligibility/Established Conditions



- *List of Conditions Likely to Lead to Developmental Delay* is now entitled *Established Conditions List* (*Attachments, Component 3*)
 - A child with a condition shown on the *Established Conditions List* will be eligible for Part C. An evaluation is not required (*3.1.3 Guide*)
 - Added link to a diagnostic resource for families when child needs written confirmation of an established condition (*3.1.3 Guide*)
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Eligibility/Developmental Delay



- Change to Part C Eligibility Criteria (*3.1.4 Policy*). Developmental Delay now meets or exceeds:
 - 1.5 standard deviations below the mean in two or more developmental domains, or
 - 2.0 standard deviations below the mean in one or more developmental domains as measured by appropriate diagnostic instruments and procedures
 - Children enrolled under previous criteria who do not meet the new criteria will not be terminated from services (*3.1.4 Guide*)
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Developmental Screening



- Moved language regarding screening tools from *3.3.2 Policy* to *3.3.1 Guide*
- New *3.3.2 Policy* clarifies that Early Steps does not conduct universal screening



Autism Spectrum Disorder



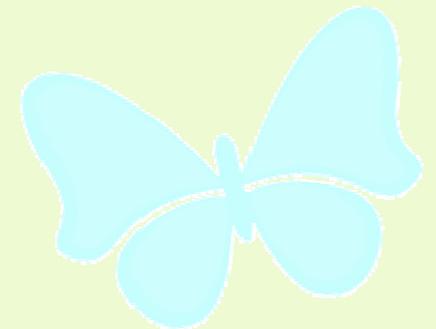
- Added guidelines for screening children suspected of having Autism Spectrum Disorder (*3.3.1 Guide*)
 - LESs will obtain screening results from the child's medical home or other community screening initiatives
 - LESs will provide an initial screening for those children who do not have access to screening



Autism Spectrum Disorder



- Guidelines for screening (*3.3.1 Guide*) (cont.)
 - The *Modified Checklist for Autism in Toddlers (M-CHAT)* or the *Communication and Symbolic Behavior Scales Developmental Profile (CSBS DP)* should be considered first
 - If child suspected of having ASD fails the initial screening, the LES will conduct a secondary screening. The *M-CHAT Interview* should be considered first



Autism Spectrum Disorder



- Added guidelines for evaluating a child suspected of having Autism Spectrum Disorder (*3.5.1 G Guide*)



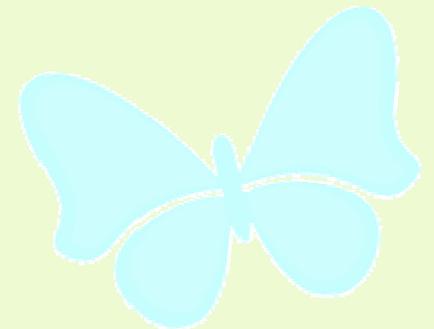
- For a child who fails the secondary screening, the LES should make a referral to the child's medical home or other community resource for a diagnostic evaluation
- If no other resource is available for a child who has failed the secondary screening, the LES should evaluate the child for Autism Spectrum Disorder. *The Autism Diagnostic Observation Schedule (ADOS)* should be considered first



Eligibility Evaluation



- Moved language regarding evaluation instruments from **3.5.3 Policy** to **3.5.1 Guide**



Eligibility/Developmental Delay



- 
- There will no longer be age adjustment for prematurity when determining eligibility for children under 24 months of age (*previously 3.5.4 Policy*)
 - For all children, chronological age will be used to determine eligibility
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Annual Evaluation of the IFSP

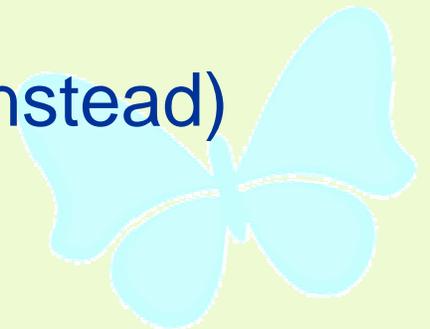


- Clarifies that at the annual evaluation of the IFSP the IFSP team reviews collateral information to determine current levels of development *(3.6.1 D Guide)*
 - If insufficient information exists after review, team must determine how to obtain sufficient information
 - This may include a discipline specific assessment using one of the recommended instruments *(3.6.1 A, B Guide)*
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Assessment



- Moved language regarding assessment instruments from *3.6.2 Policy* to *3.6.1 Guide*
- Deleted *3.6.4 Policy* because it contained language on the use of specific assessment instruments when a child presents with new developmental concerns (refer to *3.6.1 D Guide* instead)





Component 4 – Service Coordination

Responsibilities and Activities



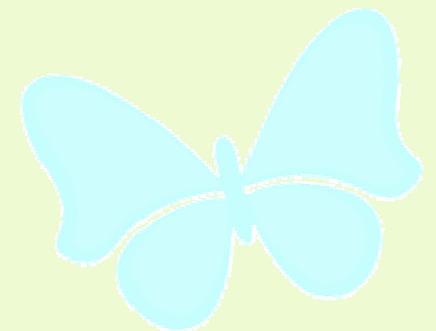
- Deleted language re: PSP model and replaced with language from **previous 4.2.10** re: role of service coordinator (*4.2.9 Guide*)
- Added language requiring service coordinators to inform families about advocacy services (*4.2.13 Policy*)



Enrollment



- Deleted *4.5.0 Enrollment Policy* section, and moved relevant information to *Component 10: Personnel Development and Standards*



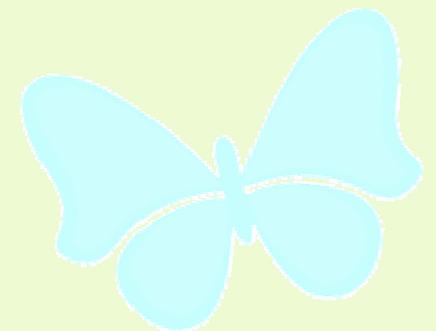


Component 5 – Individualized Family Support Plan (IFSP)

General Authority



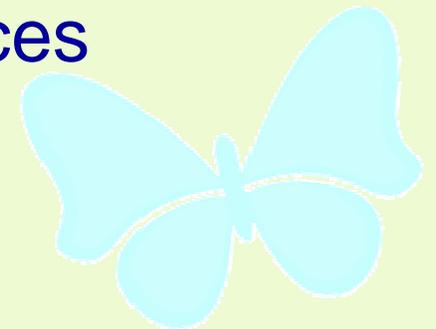
- Added guidance describing that it is *best practice to provide a copy of the IFSP immediately following a meeting (5.1.5 Guide)*



Periodic Review of the IFSP



- No longer specify the number of days that an annual review can be conducted prior to its scheduled date *(5.6.1 B Guide)*
- Clarifies that a periodic review may be held in conjunction with the Transition Conference in certain circumstances *(5.6.1 C Guide)*



Periodic Review of the IFSP



- Clarifies that it is best practice for periodic reviews to be conducted face-to-face
(5.6.3 Guide)
- Clarifies that periodic reviews may not be conducted via e-mail, although information may be shared with the service coordinator prior to the periodic review via email, fax, or *postal service*
(5.6.3 Guide)



Instructions for Completing the IFSP

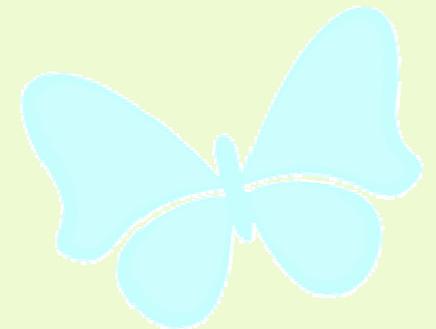
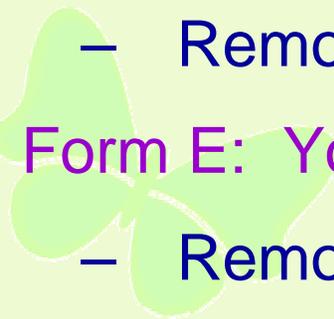


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- Streamlined the IFSP instructions and made minor revisions to IFSP forms
(Component 5 Attachments)
 - Language found in policy documents has been removed
 - Specific instructions simplified
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IFSP Forms



- Form A: Your Family's Information
 - Added Child's Race, with 6 options
- Form B: Planning for Your Child's Evaluation/Assessment
 - Removed "*Corrected Age*"
- Form D: Your Child's Eligibility Evaluation Information
 - Removed "*Corrected Age*"
- Form E: Your Child's Assessment
 - Removed "*Corrected Age*"



IFSP Forms



- Form G: Your Family's Supports and Services
 - Added ***“(Summary of Family Rights)”*** to follow ***“procedural safeguards”***
 - Form H: Your Child's Eligibility Evaluation Information
 - Added ***“*Indicates a LHCP providing direction and support to ITDS, if applicable”***
 - Added ***“whenever an ITDS is providing services, the ITDS and the LHCP must sign and date Form H indicating the IFSP/Plan of Care has been collaborated upon and face-to-face direction and support has been provided to the ITDS.”***
This statement also added to Form J Periodic Review
 - Added ***“(Summary of Family Rights)”***
 - Removed ***“Explanation of Early Steps Complaint Procedures”***
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IFSP Forms



- Form I: Your Family's Transition Plan

- Added check boxes for each step listed through the process
- Added section on Notification
- Added space for comment regarding transition conference participation by school district





Component 6 – Early Intervention Services and Supports

General Requirements



- Added guidance regarding situations when the IFSP Team is challenged with reaching a decision regarding services on the IFSP *(6.1.2 Guide)*



Missed Services



- Added guidance regarding how to proceed when it is not possible to provide the services as specified in the IFSP *(6.1.3 Guide)*



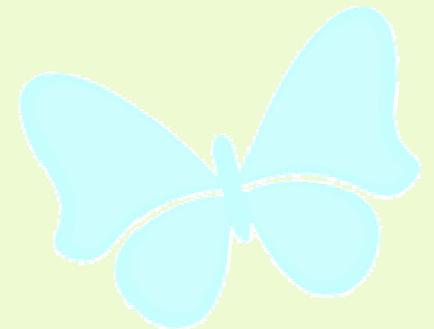


Component 7 – Early Childhood Transitions

Transition Planning



- Added language to service coordinator responsibilities for children leaving Florida (*7.1.1 C Guide*)



Notification



- For a child made Part C eligible after 27 months of age – the requirement for notification to the local school district “ASAP” has been changed and is replaced with “within 30 calendar days of the initial IFSP meeting” *(7.2.1 Policy)*
- Clarifies that parental consent is not required for notification to the LEA *(7.2.1 Policy)*



Notification



- 
- Added language that families will indicate **orally** if they choose to opt out of notification to the LEA as stated in policy and the *Understanding Notification* brochure
 - Must occur no later than the initial IFSP meeting for children referred after age two
 - or
 - the IFSP periodic review closest to the child's 2nd birthday for all other children (*7.2.5 Policy*)
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Transition Conference



- Clarifies that at the request of the family a transition conference may be postponed and rescheduled to accommodate the LEA's participation *(7.3.2 D Guide)*



Closure to Early Steps



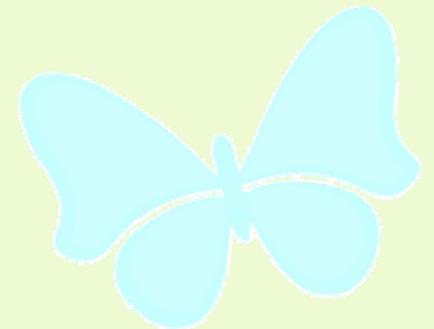
- Removed timeframe for administration of exit evaluation since specified in written guidance for the child outcome measurement system (*7.8.1 B Policy*)
- *Flowchart and Decision Rules for Entry and Exit for Child Outcomes Assessments* available at www.tats.ucf.edu/ (*7.8.1 Guide*)



Closure to Early Steps



- Clarifies a child cannot receive services authorized by an IFSP under Part C and by an IEP under Part B at the same time *(7.8.3 Guide)*
- When an IEP is developed, the child must be closed to Part C before receiving services from Part B *(7.8.3 Guide)*





Component 8 – Procedural Safeguards

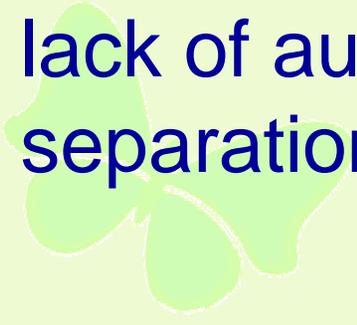
Opportunity to Examine Records



- Clarifies timeline for inspection and review of records (*8.2.3 Policy*)
- Added language that a parent should submit a *written* request to change a statement in the record (*8.2.6 Policy*)
- Added rationale for requesting change: *they feel it violates the privacy or other rights of the child* (*8.2.6 Policy*)
- Requires LESs to advise parents of their *right to a hearing* if the request is refused (*8.2.6 Policy*)

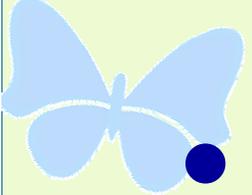
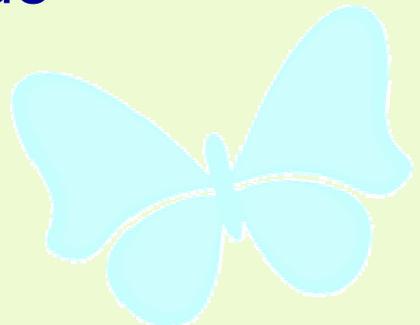
Opportunity to Examine Records



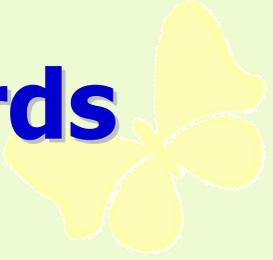
- Added requirement that parents have the right for a representative to inspect and review the Early Steps record *(8.2.7 Policy)*
- Added policy preventing parents from record review when there is documented lack of authority due to guardianship, separation or divorce *(8.2.8 Policy)*

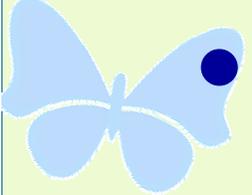
Opportunity to Examine Records



- Added policy that if a record has information on more than one child, the parents may only review information related to their child *(8.2.9 Policy)*
 - Added five policies related to personally identifiable information *(8.2.10 – 8.2.14 Policy)*
 - Added policy requiring the LES to provide opportunity for a hearing to challenge information in the record *(8.2.15 Policy)*
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Opportunity to Examine Records

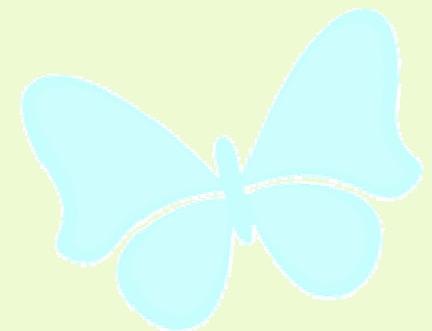


- Added policy addressing the requirements for amending a record if it is determined that information is inaccurate, as a result of a hearing *(8.2.16 Policy)*
 - Added policy regarding the rights of parents to add a statement in the record that they believe information in the record is inaccurate *(8.2.17 Policy)*
 - Added policy requiring that statements in the record from 8.2.16 and 8.2.17 be maintained in the record and disclosed to any party receiving the record *(8.2.18 Policy)*
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Opportunity to Examine Records



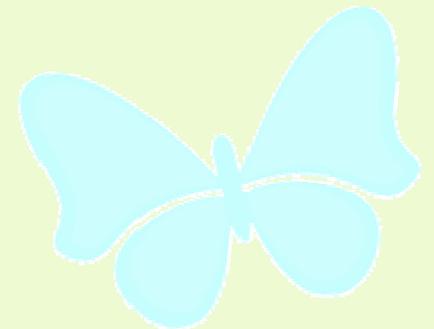
- Added policy that test materials should not be reproduced without permission (*8.2.19 Policy*)
- Added guidance that a test protocol or question booklet which is separate from the sheet in which responses are recorded and excludes personally identifiable information would not be part of the record (*8.2.19 Guide*)



Written Prior Notice



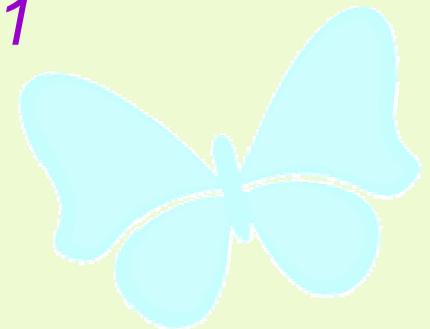
- Revised *Summary of Procedural Safeguards* (*Component 8 Attachments*)
- Revised *Written Prior Notice* form (*Component 8 Attachments*)



Parental Consent



- Definition of parent includes “foster parent of a child (unless a foster parent is prohibited by State law from serving as a parent)”
- Added guidance that the LES obtain a copy of the court order regarding consent when the child is in foster care (8.5.1 *Guide*)



Parental Consent



- Added language that written prior notice, in addition to parental consent, must be provided in order to release personally identifiable information, except to those listed in Policy 8.5.6 *(8.5.2 Policy)*
- Clarifies acceptable parties to whom information may be released to without consent. Clarification was added to G. Letters M and N are new *(8.5.6 Policy)*



Parental Consent



- Added policy preventing LESs from sharing personally identifiable information without parental consent
(*8.5.9 Policy*)



Confidentiality



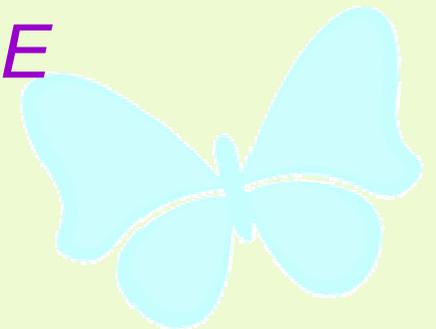
- Added language that LESs keep a record of parties obtaining or requesting access to records, *except by parents and authorized employees of the LES (8.6.4 Policy)*
- Added guidance that LESs do not have to log requests for personally identifiable information from parents, LES, or ESSO officials *(8.6.4 Guide)*



Surrogate Parent



- Deleted requirement that a surrogate parent be assigned whenever the parent or guardian cannot be reached
(previously 8.8.1 C Policy)
- Added requirement that surrogate parents are not employees of ESSO solely because they are paid by the ESSO to serve as a surrogate parent *(8.8.4 E Policy)*



Surrogate Parent



- Deleted policy that the LES will not require the foster parent to take any action related to ensuring early intervention services that is not in accordance with the court order
(previously *8.8.8 Policy*)



Mediation



- Added language that discussions during mediation are confidential, not used in a due process hearing or civil proceeding, and parties will sign a confidentiality pledge (*8.9.3 B Policy*)
- Provided guidance on the intent of mediation (*8.9.8 Guide*)



Due Process Hearing



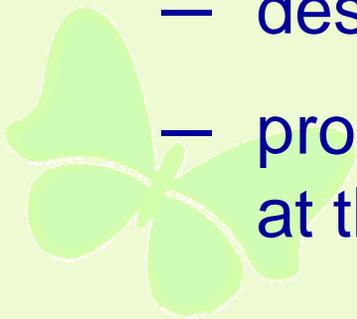
- Added language that parents may request a due process hearing to challenge information in the record they believe is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child *(8.10.1 Policy)*



Due Process Hearing



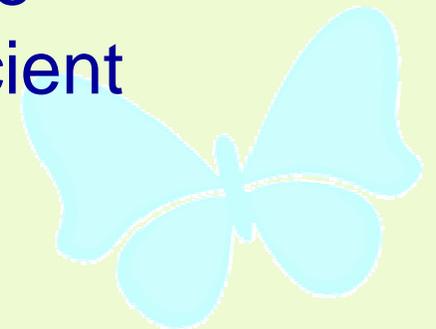
- Clarifies that a due process hearing request must be submitted in writing (*8.10.5 Policy*)
- Added guidance that the hearing request should contain:
 - child's name and address (or contact information if homeless),
 - description of problem, and
 - proposed resolution available to the party at the time (*8.10.5 Guide*)



Due Process Hearing



- Added language that the hearing officer will not have a direct interest in the hearing and will conduct hearings in a fair and impartial manner *(8.10.4 Policy)*
- Added language that after receiving the written hearing request, ESSO will notify parents in writing whether or not the hearing request was deemed sufficient *(8.10.7 Policy)*



Due Process Hearing



- Clarifies that parents have the right to:
 - Be accompanied and advised by counsel and/or by individuals with special knowledge or training...*at their own expense*
 - Obtain one written or electronic verbatim transcription at no cost *(8.10.11 Policy)*
- Added policy requiring notice of date, time, and place of hearing be given to the parent reasonably in advance *(8.10.14 Policy)*

Due Process Hearing



- Added language that the written decision be based solely on the evidence and include a summary of evidence and reasons for the decision
(8.10.15 Policy)





Component 9 – Family Involvement

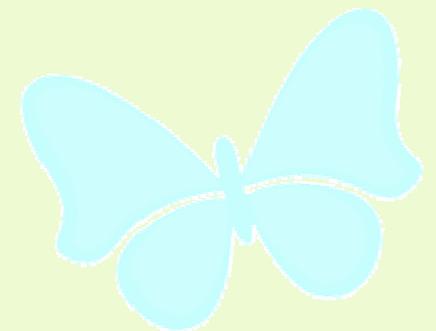
FRS Roles and Responsibilities

- Added language that family-to-family support includes information on specific disabilities (*9.2.2 A Guide*)

FRS Plan of Action



- Revised language that due dates for initial submission and updates to the FRS Plan of Action are specified in the contract rather than policy (*9.3.2 and 9.3.3 Policy*)



Family Involvement Plans



- Revised section to eliminate duplication between LES contract and policy documents (9.4.0)





Component 10 – Personnel Development and Standards

Service Coordinators



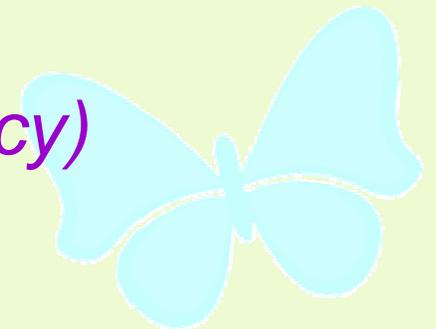
- Added requirement for LESs/service coordinators to send the completed LES *Service Coordinator Attestation Checklist* with the Medicaid application directly to Medicaid Provider Enrollment (*10.4.2 Guide*)



Infant Toddler Developmental Specialist



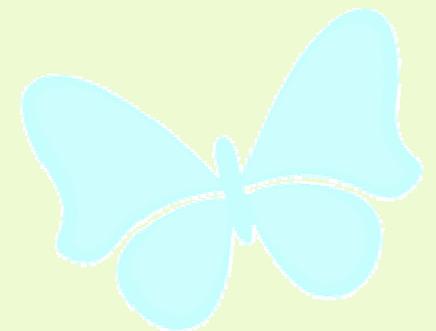
- Clarifies that individual providers may enroll as an early intervention provider in only one of the professions listed in Chapter 1 of the Medicaid Early Intervention Services Coverage and Limitations Handbook, even if they hold licenses in more than one of those professions (*10.5.5 and 10.7.1 Policy*)



Infant Toddler Developmental Specialist



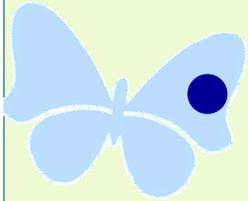
- Updates enrollment process for an ITDS to be consistent with the current enrollment practice *(10.6.0 Policy and Guide)*



Infant Toddler Developmental Specialist



- Defines equivalent degree requirements
(*10.6.3 A.2.b. Guide*)
- Clarifies that when credential/certificate is from another state, it may be considered equivalent to Florida ITDS Certificate if coursework and/or online modules are compatible with that required by Florida (*10.6.3 H Guide*)
- ESSO responsible for determining compatibility
(*10.6.3 H Guide*)



Enrolling as an EI Provider



- Services and commodities information no longer addressed in Early Steps policy (previously *10.3.2 Policy*)
- No longer require **all** LHCPs to enroll as Medicaid EI Providers unless they participate in EI evaluations or EI sessions and expect reimbursement from Medicaid (previously *10.5.3 Policy*)



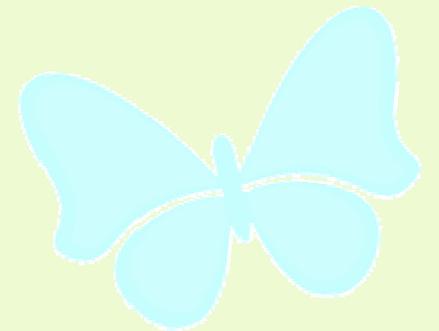


Component 11 – Interagency Agreements

Interagency Agreements



- No significant changes to Component 11



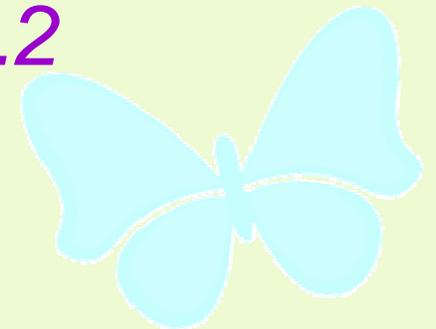


Component 12 – Data Collection/Reporting & Record Keeping

Referral Date



- Clarifies that data for fields denoted with asterisks on *Demographic Form* must be entered in the system within 10 calendar days of when the information is obtained (*12.3.2 Policy*)



Transition Barrier Codes



- Moved Transition Barrier Codes from transition component to data component (*12.3.10 Policy*)



Use of Providers



- Clarifies that the LES will use providers who meet all of the following criteria :



- have active provider records in the electronic data system
- are enrolled in the provider management system
- have contracts or agreements for service provision with the LES (*12.4.2 Policy*)



Exceptions

- Added language that the only acceptable reasons to use providers not enrolled in the provider management system are:
 - the family's insurance policy requires use of a specific provider who is not enrolled,
 - or
 - the IFSP team authorizes a service for which there is no available enrolled provider

(12.4.3 Policy)

Exceptions



- Added language as follows:
 - Use of a provider not enrolled in the provider management system should be the rare exception and not the rule
 - When the LES must use such a provider due to circumstances described in *12.4.3 Policy*, the LES should provide information and assistance to the provider on enrolling in the CMS Provider Management System
 - Requirements of *6.1.4 Policy* regarding natural environment supersede the use of a family's insurance provider (*12.4.3 Guide*)



Early Steps Record



- Moved *8.2.7 Policy*, which stated that the LES should not maintain separate or shadow records, to *12.5.1 A Guide*
- If there is concern for foster parent(s) who have provided consent, names and personally identifiable information can be redacted from copies of the IFSP or other related documents in the records before releasing to natural parent(s) (*12.5.1 F Guide*)



Natural Environment Travel Log

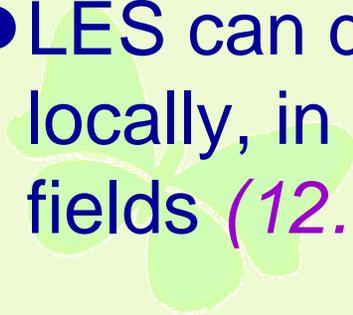


- Added minimum required fields to be completed on *Natural Environment Travel Log: (12.6.2 Policy)*



- Provider Name
- Date
- Departure Time
- Arrival Time
- Provider Signature
- Point of Origin
- Destination

- LES can determine which fields to require locally, in addition to the minimum required fields *(12.6.2 Guide)*





Component 13 – Developmental Evaluation and Intervention (DEI)

Eligibility for DEI

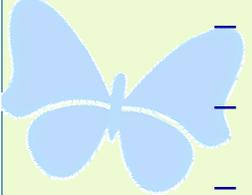


- Clarifies that each LES will decide whether DEI services will be established in its service area (*13.1.2 Guide*)



Eligibility for DEI



- Changes to DEI eligibility - A medical condition associated with later developmental delay now defined as:
 - birth weight of 1,200 to 1,500 grams (*NEW*)
 - neonatal asphyxia
 - intraventricular hemorrhage (*grade II - NEW*)
 - chronic medical conditions such as broncopulmonary dysplasia (BPD) or chronic heart condition
 - significant congenital/neonatal infection such as *toxoplasmosis (NEW)*, meningitis, or cytomegalovirus (CMV)
 - metabolic or genetic disorders identified *through the Newborn Screening Program (NEW)* except those identified as Established Conditions for Part C
- (13.2.2 Guide)*
- 
- 



Component - Definitions

Definitions



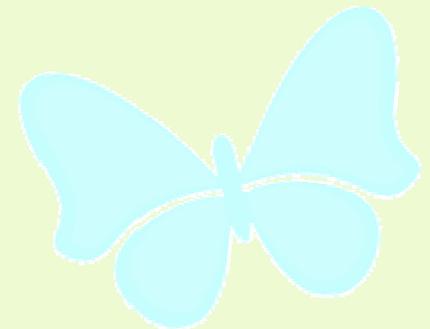
- **New definitions for:**

- **destruction**
- **identification**
- **justification**
- **location**
- **placement**
- **ward of the state**



- **Revised definitions for:**

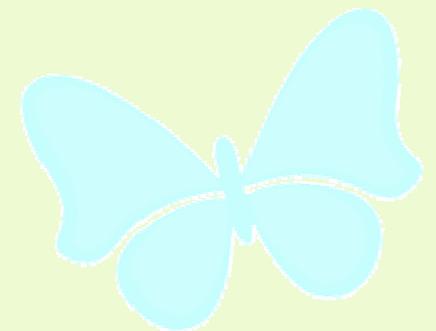
- **frequency**
- **homeless**
- **intensity**
- **natural environment**



ESSO NEXT STEPS



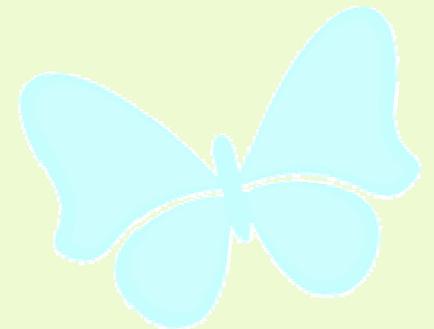
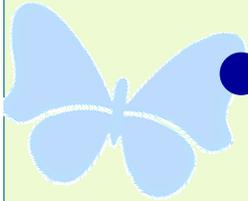
- Ensure implementation July 1, 2010
- Incorporate changes into training materials
- Ensure performance standards are consistent
- Update policies and guidance as an on-going process
- Other



LES NEXT STEPS



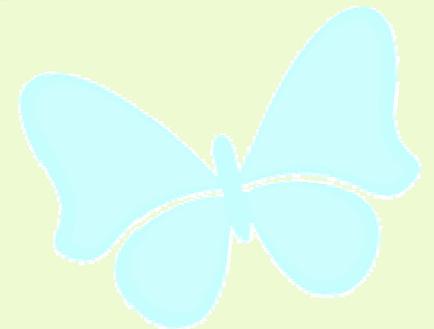
- Review all policy documents
- Orient staff, providers, families, and other stakeholders
- Inform program manager of questions or need for further clarification
- Make changes to local systems as necessary to implement revised policies and forms on July 1, 2010
- Others



Q and A Period (if time allows)



- Questions will now be taken in the order of the policy components
- Do not put your phone on hold !!!
- After call -- follow process outlined to ask implementation questions, report inconsistencies (*via program manager*)





**More Information at
Early Steps website**

www.cms-kids.com/families/early_steps/early_steps.html

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Thank You!

