**Section 108.70 Medically-limited educational program**

a) The medically-limited educational program shall consist of appropriate special education services in accordance with the individual treatment or habilitation plan which are provided by the facility to a recipient who is unable, due to either a mental or physical medical condition, to participate in a full special education program.

b) The medically-limited educational program shall be provided to any recipient who has a health, physical or psychiatric impairment which, in the opinion of a physician, will cause an absence from his or her regularly prescribed educational program for more than two consecutive weeks.

c) Medically-limited educational services shall begin as soon as eligibility has been established and the recipient's physical and mental health permit.

d) The amount of instructional service time provided shall be determined in relation to each recipient's educational needs, as well as physical and mental health.

1) A recipient who requires a medically-limited educational program on a temporary basis shall be provided with instructional services sufficient to enable the recipient to return to the regular program with a minimum of difficulty. Instructional time shall not be less than five hours per week, unless the physician orders a more restricted program.

2) A recipient who requires the medically-limited educational program for an extended time shall be provided with instructional services sufficient to appropriately advance his or her basic educational development, as determined by the multi-disciplinary team every 30 days.

e) The facility shall not use the medically-limited educational program to avoid responsibilities to maintain a more normalized program nor to eliminate recipients from any educational program.

(Source: Amended at 15 Ill. Reg. 6122, effective April 15, 1991)