



Sen. Celina Villanueva

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10200HB4999sam001

LRB102 23769 KTG 37740 a

1 AMENDMENT TO HOUSE BILL 4999

2 AMENDMENT NO. _____. Amend House Bill 4999 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Early Intervention Services System Act is
5 amended by changing Section 11 as follows:

6 (325 ILCS 20/11) (from Ch. 23, par. 4161)

7 Sec. 11. Individualized Family Service Plans.

8 (a) Each eligible infant or toddler and that infant's or
9 toddler's family shall receive:

10 (1) timely, comprehensive, multidisciplinary
11 assessment of the unique strengths and needs of each
12 eligible infant and toddler, and assessment of the
13 concerns and priorities of the families to appropriately
14 assist them in meeting their needs and identify supports
15 and services to meet those needs; and

16 (2) a written Individualized Family Service Plan

1 developed by a multidisciplinary team which includes the
2 parent or guardian. The individualized family service plan
3 shall be based on the multidisciplinary team's assessment
4 of the resources, priorities, and concerns of the family
5 and its identification of the supports and services
6 necessary to enhance the family's capacity to meet the
7 developmental needs of the infant or toddler, and shall
8 include the identification of services appropriate to meet
9 those needs, including the frequency, intensity, and
10 method of delivering services. During and as part of the
11 initial development of the individualized family services
12 plan, and any periodic reviews of the plan, the
13 multidisciplinary team may seek consultation from the lead
14 agency's designated experts, if any, to help determine
15 appropriate services and the frequency and intensity of
16 those services. All services in the individualized family
17 services plan must be justified by the multidisciplinary
18 assessment of the unique strengths and needs of the infant
19 or toddler and must be appropriate to meet those needs. At
20 the periodic reviews, the team shall determine whether
21 modification or revision of the outcomes or services is
22 necessary.

23 (b) The Individualized Family Service Plan shall be
24 evaluated once a year and the family shall be provided a review
25 of the Plan at 6-month ~~6-month~~ intervals or more often where
26 appropriate based on infant or toddler and family needs. The

1 lead agency shall create a quality review process regarding
2 Individualized Family Service Plan development and changes
3 thereto, to monitor and help ensure ~~assure~~ that resources are
4 being used to provide appropriate early intervention services.

5 (c) The initial evaluation and initial assessment and
6 initial Plan meeting must be held within 45 days after the
7 initial contact with the early intervention services system.
8 The 45-day timeline does not apply for any period when the
9 child or parent is unavailable to complete the initial
10 evaluation, the initial assessments of the child and family,
11 or the initial Plan meeting, due to exceptional family
12 circumstances that are documented in the child's early
13 intervention records, or when the parent has not provided
14 consent for the initial evaluation or the initial assessment
15 of the child despite documented, repeated attempts to obtain
16 parental consent. As soon as exceptional family circumstances
17 no longer exist or parental consent has been obtained, the
18 initial evaluation, the initial assessment, and the initial
19 Plan meeting must be completed as soon as possible. With
20 parental consent, early intervention services may commence
21 before the completion of the comprehensive assessment and
22 development of the Plan. All early intervention services shall
23 be initiated as soon as possible but not later than 30 calendar
24 days after the consent of the parent or guardian has been
25 obtained for the individualized family service plan, in
26 accordance with rules adopted by the Department of Human

1 Services.

2 (d) Parents must be informed that early intervention
3 services shall be provided to each eligible infant and
4 toddler, to the maximum extent appropriate, in the natural
5 environment, which may include the home or other community
6 settings. Parents must also be informed of the availability of
7 early intervention services provided through telehealth
8 services. Parents shall make the final decision to accept or
9 decline early intervention services, including whether
10 accepted services are delivered in person or via telehealth
11 services. A decision to decline such services shall not be a
12 basis for administrative determination of parental fitness, or
13 other findings or sanctions against the parents. Parameters of
14 the Plan shall be set forth in rules.

15 (e) The regional intake offices shall explain to each
16 family, orally and in writing, all of the following:

17 (1) That the early intervention program will pay for
18 all early intervention services set forth in the
19 individualized family service plan that are not covered or
20 paid under the family's public or private insurance plan
21 or policy and not eligible for payment through any other
22 third party payor.

23 (2) That services will not be delayed due to any rules
24 or restrictions under the family's insurance plan or
25 policy.

26 (3) That the family may request, with appropriate

1 documentation supporting the request, a determination of
2 an exemption from private insurance use under Section
3 13.25.

4 (4) That responsibility for co-payments or
5 co-insurance under a family's private insurance plan or
6 policy will be transferred to the lead agency's central
7 billing office.

8 (5) That families will be responsible for payments of
9 family fees, which will be based on a sliding scale
10 according to the State's definition of ability to pay
11 which is comparing household size and income to the
12 sliding scale and considering out-of-pocket medical or
13 disaster expenses, and that these fees are payable to the
14 central billing office. Families who fail to provide
15 income information shall be charged the maximum amount on
16 the sliding scale.

17 (f) The individualized family service plan must state
18 whether the family has private insurance coverage and, if the
19 family has such coverage, must have attached to it a copy of
20 the family's insurance identification card or otherwise
21 include all of the following information:

22 (1) The name, address, and telephone number of the
23 insurance carrier.

24 (2) The contract number and policy number of the
25 insurance plan.

26 (3) The name, address, and social security number of

1 the primary insured.

2 (4) The beginning date of the insurance benefit year.

3 (g) A copy of the individualized family service plan must
4 be provided to each enrolled provider who is providing early
5 intervention services to the child who is the subject of that
6 plan.

7 (h) Children receiving services under this Act shall
8 receive a smooth and effective transition by their third
9 birthday consistent with federal regulations adopted pursuant
10 to Sections 1431 through 1444 of Title 20 of the United States
11 Code. Beginning January 1, 2022, children who receive early
12 intervention services prior to their third birthday and are
13 found eligible for an individualized education program under
14 the Individuals with Disabilities Education Act, 20 U.S.C.
15 1414(d)(1)(A), and under Section 14-8.02 of the School Code
16 and whose birthday falls between May 1 and August 31 may
17 continue to receive early intervention services until the
18 beginning of the school year following their third birthday in
19 order to minimize gaps in services, ensure better continuity
20 of care, and align practices for the enrollment of preschool
21 children with special needs to the enrollment practices of
22 typically developing preschool children.

23 (Source: P.A. 101-654, eff. 3-8-21; 102-104, eff. 7-22-21;
24 102-209, eff. 11-30-21 (See Section 5 of P.A. 102-671 for
25 effective date of P.A. 102-209); revised 12-1-21.)

1 Section 99. Effective date. This Act takes effect July 1,
2 2022.".