

1 AN ACT in relation to children.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Early Intervention Services System Act is
5 amended by changing Section 3 as follows:

6 (325 ILCS 20/3) (from Ch. 23, par. 4153)

7 Sec. 3. Definitions. As used in this Act:

8 (a) "Eligible infants and toddlers" means infants and
9 toddlers under 36 months of age with any of the following
10 conditions:

11 (1) Developmental delays ~~as---defined---by--the~~
12 ~~Department-by-rule.~~

13 (2) A physical or mental condition which typically
14 results in developmental delay.

15 (3) Being at risk of having substantial
16 developmental delays based on informed clinical judgment.

17 (4) Either (A) having entered the program under any
18 of the circumstances listed in paragraphs (1) through (3)
19 of this subsection but no longer meeting the current
20 eligibility criteria under those paragraphs, and
21 continuing to have any measurable delay, or (B) not
22 having attained a level of development in each area,
23 including (i) cognitive, (ii) physical (including vision
24 and hearing), (iii) language, speech, and communication,
25 (iv) psycho-social, or (v) self-help skills, that is at
26 least at the mean of the child's age equivalent peers;
27 and, in addition to either item (A) or item (B), (C)
28 having been determined by the multidisciplinary
29 individualized family service plan team to require the
30 continuation of early intervention services in order to
31 support continuing developmental progress, pursuant to

1 the child's needs and provided in an appropriate
2 developmental manner. The type, frequency, and intensity
3 of services shall differ from the initial individualized
4 family services plan because of the child's developmental
5 progress, and may consist of only service coordination,
6 evaluation, and assessments.

7 (b) "Developmental delay" means a delay in one or more
8 of the following areas of childhood development as measured
9 by appropriate diagnostic instruments and standard
10 procedures: cognitive; physical, including vision and
11 hearing; language, speech and communication; psycho-social;
12 or self-help skills. From July 1, 2003 through June 30, 2004,
13 the term means a delay of 30% or more below the mean in
14 function in one or more of those areas. From July 1, 2004
15 through June 30, 2005, the term means a delay of 20% or more
16 below the mean in function in one or more of those areas. On
17 and after July 1, 2005, the term means a delay of 10% or more
18 below the mean in function in one or more of those areas.

19 (c) "Physical or mental condition which typically
20 results in developmental delay" means:

21 (1) a diagnosed medical disorder bearing a
22 relatively well known expectancy for developmental
23 outcomes within varying ranges of developmental
24 disabilities; or

25 (2) a history of prenatal, perinatal, neonatal or
26 early developmental events suggestive of biological
27 insults to the developing central nervous system and
28 which either singly or collectively increase the
29 probability of developing a disability or delay based on
30 a medical history.

31 (d) "Informed clinical judgment" means both clinical
32 observations and parental participation to determine
33 eligibility by a consensus of a multidisciplinary team of 2
34 or more members based on their professional experience and

1 expertise.

2 (e) "Early intervention services" means services which:

3 (1) are designed to meet the developmental needs of
4 each child eligible under this Act and the needs of his
5 or her family;

6 (2) are selected in collaboration with the child's
7 family;

8 (3) are provided under public supervision;

9 (4) are provided at no cost except where a schedule
10 of sliding scale fees or other system of payments by
11 families has been adopted in accordance with State and
12 federal law;

13 (5) are designed to meet an infant's or toddler's
14 developmental needs in any of the following areas:

15 (A) physical development, including vision and
16 hearing,

17 (B) cognitive development,

18 (C) communication development,

19 (D) social or emotional development, or

20 (E) adaptive development;

21 (6) meet the standards of the State, including the
22 requirements of this Act;

23 (7) include one or more of the following:

24 (A) family training,

25 (B) social work services, including
26 counseling, and home visits,

27 (C) special instruction,

28 (D) speech, language pathology and audiology,

29 (E) occupational therapy,

30 (F) physical therapy,

31 (G) psychological services,

32 (H) service coordination services,

33 (I) medical services only for diagnostic or
34 evaluation purposes,

1 (J) early identification, screening, and
2 assessment services,

3 (K) health services specified by the lead
4 agency as necessary to enable the infant or toddler
5 to benefit from the other early intervention
6 services,

7 (L) vision services,

8 (M) transportation, and

9 (N) assistive technology devices and services;

10 (8) are provided by qualified personnel, including
11 but not limited to:

12 (A) child development specialists or special
13 educators,

14 (B) speech and language pathologists and
15 audiologists,

16 (C) occupational therapists,

17 (D) physical therapists,

18 (E) social workers,

19 (F) nurses,

20 (G) nutritionists,

21 (H) optometrists,

22 (I) psychologists, and

23 (J) physicians;

24 (9) are provided in conformity with an
25 Individualized Family Service Plan;

26 (10) are provided throughout the year; and

27 (11) are provided in natural environments,
28 including the home and community settings in which
29 infants and toddlers without disabilities would
30 participate to the extent determined by the
31 multidisciplinary Individualized Family Service Plan.

32 (f) "Individualized Family Service Plan" or "Plan" means
33 a written plan for providing early intervention services to a
34 child eligible under this Act and the child's family, as set

1 forth in Section 11.

2 (g) "Local interagency agreement" means an agreement
3 entered into by local community and State and regional
4 agencies receiving early intervention funds directly from the
5 State and made in accordance with State interagency
6 agreements providing for the delivery of early intervention
7 services within a local community area.

8 (h) "Council" means the Illinois Interagency Council on
9 Early Intervention established under Section 4.

10 (i) "Lead agency" means the State agency responsible for
11 administering this Act and receiving and disbursing public
12 funds received in accordance with State and federal law and
13 rules.

14 (i-5) "Central billing office" means the central billing
15 office created by the lead agency under Section 13.

16 (j) "Child find" means a service which identifies
17 eligible infants and toddlers.

18 (k) "Regional intake entity" means the lead agency's
19 designated entity responsible for implementation of the Early
20 Intervention Services System within its designated geographic
21 area.

22 (l) "Early intervention provider" means an individual
23 who is qualified, as defined by the lead agency, to provide
24 one or more types of early intervention services, and who has
25 enrolled as a provider in the early intervention program.

26 (m) "Fully credentialed early intervention provider"
27 means an individual who has met the standards in the State
28 applicable to the relevant profession, and has met such other
29 qualifications as the lead agency has determined are suitable
30 for personnel providing early intervention services,
31 including pediatric experience, education, and continuing
32 education. The lead agency shall establish these
33 qualifications by rule filed no later than 180 days after the
34 effective date of this amendatory Act of the 92nd General

1 Assembly.

2 (Source: P.A. 91-538, eff. 8-13-99; 92-307, eff. 8-9-01.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.