



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 2/6/2004, by Tom Cross

#### SYNOPSIS AS INTRODUCED:

325 ILCS 20/3

from Ch. 23, par. 4153

Amends the Early Intervention Services System Act. Makes technical changes in a Section concerning "eligible infants and toddlers" and other defined terms.

LRB093 19510 DRJ 45250 b

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.

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

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

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

1 initial individualized family services plan because of the  
2 child's developmental progress, and may consist of only  
3 service coordination, evaluation, and assessments.

4 (b) "Developmental delay" means a delay in one or more of  
5 the following areas of childhood development as measured by  
6 appropriate diagnostic instruments and standard procedures:  
7 cognitive; physical, including vision and hearing; language,  
8 speech and communication; psycho-social; or self-help skills.  
9 The term means a delay of 30% or more below the mean in  
10 function in one or more of those areas.

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

13 (1) a diagnosed medical disorder bearing a relatively  
14 well known expectancy for developmental outcomes within  
15 varying ranges of developmental disabilities; or

16 (2) a history of prenatal, perinatal, neonatal or early  
17 developmental events suggestive of biological insults to  
18 the developing central nervous system and which either  
19 singly or collectively increase the probability of  
20 developing a disability or delay based on a medical  
21 history.

22 (d) "Informed clinical judgment" means both clinical  
23 observations and parental participation to determine  
24 eligibility by a consensus of a multidisciplinary team of 2 or  
25 more members based on their professional experience and  
26 expertise.

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

28 (1) are designed to meet the developmental needs of  
29 each child eligible under this Act and the needs of his or  
30 her family;

31 (2) are selected in collaboration with the child's  
32 family;

33 (3) are provided under public supervision;

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

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

3 (A) physical development, including vision and  
4 hearing,

5 (B) cognitive development,

6 (C) communication development,

7 (D) social or emotional development, or

8 (E) adaptive development;

9 (6) meet the standards of the State, including the  
10 requirements of this Act;

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

12 (A) family training,

13 (B) social work services, including counseling,  
14 and home visits,

15 (C) special instruction,

16 (D) speech, language pathology and audiology,

17 (E) occupational therapy,

18 (F) physical therapy,

19 (G) psychological services,

20 (H) service coordination services,

21 (I) medical services only for diagnostic or  
22 evaluation purposes,

23 (J) early identification, screening, and  
24 assessment services,

25 (K) health services specified by the lead agency as  
26 necessary to enable the infant or toddler to benefit  
27 from the other early intervention services,

28 (L) vision services,

29 (M) transportation, and

30 (N) assistive technology devices and services;

31 (8) are provided by qualified personnel, including but  
32 not limited to:

33 (A) child development specialists or special  
34 educators,

35 (B) speech and language pathologists and  
36 audiologists,

- 1 (C) occupational therapists,  
2 (D) physical therapists,  
3 (E) social workers,  
4 (F) nurses,  
5 (G) nutritionists,  
6 (H) optometrists,  
7 (I) psychologists, and  
8 (J) physicians;

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

11 (10) are provided throughout the year; and

12 (11) are provided in natural environments, including  
13 the home and community settings in which infants and  
14 toddlers without disabilities would participate to the  
15 extent determined by the multidisciplinary Individualized  
16 Family Service Plan.

17 (f) "Individualized Family Service Plan" or "Plan" means a  
18 written plan for providing early intervention services to a  
19 child eligible under this Act and the child's family, as set  
20 forth in Section 11.

21 (g) "Local interagency agreement" means an agreement  
22 entered into by local community and State and regional agencies  
23 receiving early intervention funds directly from the State and  
24 made in accordance with State interagency agreements providing  
25 for the delivery of early intervention services within a local  
26 community area.

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

29 (i) "Lead agency" means the State agency responsible for  
30 administering this Act and receiving and disbursing public  
31 funds received in accordance with State and federal law and  
32 rules.

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

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

1           (k) "Regional intake entity" means the lead agency's  
2 designated entity responsible for implementation of the Early  
3 Intervention Services System within its designated geographic  
4 area.

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

9           (m) "Fully credentialed early intervention provider" means  
10 an individual who has met the standards in the State applicable  
11 to the relevant profession, and has met such other  
12 qualifications as the lead agency has determined are suitable  
13 for personnel providing early intervention services, including  
14 pediatric experience, education, and continuing education. The  
15 lead agency shall establish these qualifications by rule filed  
16 no later than 180 days after the effective date of this  
17 amendatory Act of the 92nd General Assembly.

18           (Source: P.A. 92-307, 8-9-01; 93-124, eff. 7-10-03.)