



Rep. Angelo Saviano

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LRB095 03937 DRJ 36814 a

1 AMENDMENT TO HOUSE BILL 119

2 AMENDMENT NO. _____. Amend House Bill 119 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 Sections 3 and 10 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 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

1 the circumstances listed in paragraphs (1) through (3) of
2 this subsection but no longer meeting the current
3 eligibility criteria under those paragraphs, and
4 continuing to have any measurable delay, or (B) not having
5 attained a level of development in each area, including (i)
6 cognitive, (ii) physical (including vision and hearing),
7 (iii) language, speech, and communication, (iv)
8 psycho-social, or (v) self-help skills, that is at least at
9 the mean of the child's age equivalent peers; and, in
10 addition to either item (A) or item (B), (C) having been
11 determined by the multidisciplinary individualized family
12 service plan team to require the continuation of early
13 intervention services in order to support continuing
14 developmental progress, pursuant to the child's needs and
15 provided in an appropriate developmental manner. The type,
16 frequency, and intensity of services shall differ from the
17 initial individualized family services plan because of the
18 child's developmental progress, and may consist of only
19 service coordination, evaluation, and assessments.

20 (b) "Developmental delay" means a delay in one or more of
21 the following areas of childhood development as measured by
22 appropriate diagnostic instruments and standard procedures:
23 cognitive; physical, including vision and hearing; language,
24 speech and communication; psycho-social; or self-help skills.
25 The term means a delay of 30% or more below the mean in
26 function in one or more of those areas.

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

3 (1) a diagnosed medical disorder bearing a relatively
4 well known expectancy for developmental outcomes within
5 varying ranges of developmental disabilities; or

6 (2) a history of prenatal, perinatal, neonatal or early
7 developmental events suggestive of biological insults to
8 the developing central nervous system and which either
9 singly or collectively increase the probability of
10 developing a disability or delay based on a medical
11 history.

12 (d) "Informed clinical judgment" means both clinical
13 observations and parental participation to determine
14 eligibility by a consensus of a multidisciplinary team of 2 or
15 more members based on their professional experience and
16 expertise.

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

18 (1) are designed to meet the developmental needs of
19 each child eligible under this Act and the needs of his or
20 her family;

21 (2) are selected in collaboration with the child's
22 family;

23 (3) are provided under public supervision;

24 (4) are provided at no cost except where a schedule of
25 sliding scale fees or other system of payments by families
26 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

1 from the other early intervention services,
2 (L) vision services,
3 (M) transportation, and
4 (N) assistive technology devices and services;
5 (8) are provided by qualified personnel, including but
6 not limited to:
7 (A) child development specialists or special
8 educators,
9 (B) speech and language pathologists and
10 audiologists,
11 (C) occupational therapists,
12 (D) physical therapists,
13 (E) social workers,
14 (F) nurses,
15 (G) nutritionists,
16 (H) optometrists,
17 (I) psychologists, and
18 (J) physicians;
19 (9) are provided in conformity with an Individualized
20 Family Service Plan;
21 (10) are provided throughout the year; and
22 (11) are provided in natural environments, including
23 the home and community settings in which infants and
24 toddlers without disabilities would participate to the
25 extent determined by the multidisciplinary Individualized
26 Family Service Plan.

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

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

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

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

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

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

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

25 (l) "Early intervention provider" means an individual who
26 is qualified, as defined by the lead agency, to provide one or

1 more types of early intervention services, and who has enrolled
2 as a provider in the early intervention program.

3 (m) "Fully credentialed early intervention provider" means
4 (i) a licensed occupational therapist, a licensed occupational
5 therapy assistant, a licensed physical therapist, a licensed
6 physical therapy assistant, a licensed speech language
7 pathologist, a licensed speech language pathology assistant,
8 or a licensed audiologist or (ii) an individual who has met the
9 standards in the State applicable to the relevant profession,
10 and has met such other qualifications as the lead agency has
11 determined are suitable for personnel providing early
12 intervention services, including pediatric experience,
13 education, and continuing education. The lead agency shall
14 establish these qualifications by rule filed no later than 180
15 days after the effective date of this amendatory Act of the
16 92nd General Assembly.

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

18 (325 ILCS 20/10) (from Ch. 23, par. 4160)

19 Sec. 10. Standards. The Council and the lead agency, with
20 assistance from parents and providers, shall develop and
21 promulgate policies and procedures relating to the
22 establishment and implementation of program and personnel
23 standards to ensure that services provided are consistent with
24 any State-approved or recognized certification, licensing,
25 registration, or other comparable requirements which apply to

1 the area of early intervention program service standards. Only
2 State-approved public or private early intervention service
3 providers shall be eligible to receive State and federal
4 funding for early intervention services. All early childhood
5 intervention staff shall hold the highest entry requirement
6 necessary for that position. In the case of a licensed
7 occupational therapist, licensed occupational therapy
8 assistant, licensed physical therapist, licensed physical
9 therapy assistant, licensed speech language pathologist,
10 licensed speech language pathology assistant, or licensed
11 audiologist who provides early intervention services in
12 Illinois, the Department of Human Services shall deem that
13 person's licensure as an occupational therapist, occupational
14 therapy assistant, physical therapist, physical therapy
15 assistant, speech language pathologist, speech language
16 pathology assistant, or audiologist to meet the requirement
17 under this subsection.

18 To be a State-approved early intervention service
19 provider, an individual (i) shall not have served or completed,
20 within the preceding 5 years, a sentence for conviction of any
21 felony that the Department establishes by rule and (ii) shall
22 not have been indicated as a perpetrator of child abuse or
23 neglect, within the preceding 5 years, in an investigation by
24 Illinois (pursuant to the Abused and Neglected Child Reporting
25 Act) or another state. The Department is authorized to receive
26 criminal background checks for such providers and persons

1 applying to be such a provider and to receive child abuse and
2 neglect reports regarding indicated perpetrators who are
3 applying to provide or currently authorized to provide early
4 intervention services in Illinois. Beginning January 1, 2004,
5 every provider of State-approved early intervention services
6 and every applicant to provide such services must authorize, in
7 writing and in the form required by the Department, a criminal
8 background check and check of child abuse and neglect reports
9 regarding the provider or applicant as a condition of
10 authorization to provide early intervention services. The
11 Department shall use the results of the checks only to
12 determine State approval of the early intervention service
13 provider and shall not re-release the information except as
14 necessary to accomplish that purpose.

15 (Source: P.A. 93-147, eff. 1-1-04.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."