

HB3517



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3517

Introduced 2/28/2007, by Rep. Ruth Munson - Sidney H. Mathias -
Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

325 ILCS 20/3

from Ch. 23, par. 4153

Amends the Early Intervention Services System Act. Provides that for purposes of the Act, "eligible infants and toddlers" (that is, infants and toddlers who are eligible for services under the Act) also means infants and toddlers under 48 (instead of 36) months of age who have been diagnosed with autism. Effective immediately.

LRB095 09840 DRJ 30051 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning 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 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)

1 psycho-social, or (v) self-help skills, that is at least at
2 the mean of the child's age equivalent peers; and, in
3 addition to either item (A) or item (B), (C) having been
4 determined by the multidisciplinary individualized family
5 service plan team to require the continuation of early
6 intervention services in order to support continuing
7 developmental progress, pursuant to the child's needs and
8 provided in an appropriate developmental manner. The type,
9 frequency, and intensity of services shall differ from the
10 initial individualized family services plan because of the
11 child's developmental progress, and may consist of only
12 service coordination, evaluation, and assessments.

13 "Eligible infants and toddlers" also means infants and
14 toddlers under 48 months of age who have been diagnosed with
15 autism.

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

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

25 (1) a diagnosed medical disorder bearing a relatively
26 well known expectancy for developmental outcomes within

1 varying ranges of developmental disabilities; or

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

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

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

14 (1) are designed to meet the developmental needs of
15 each child eligible under this Act and the needs of his or
16 her family;

17 (2) are selected in collaboration with the child's
18 family;

19 (3) are provided under public supervision;

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

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

25 (A) physical development, including vision and
26 hearing,

- 1 (B) cognitive development,
2 (C) communication development,
3 (D) social or emotional development, or
4 (E) adaptive development;
- 5 (6) meet the standards of the State, including the
6 requirements of this Act;
- 7 (7) include one or more of the following:
- 8 (A) family training,
9 (B) social work services, including counseling,
10 and home visits,
11 (C) special instruction,
12 (D) speech, language pathology and audiology,
13 (E) occupational therapy,
14 (F) physical therapy,
15 (G) psychological services,
16 (H) service coordination services,
17 (I) medical services only for diagnostic or
18 evaluation purposes,
19 (J) early identification, screening, and
20 assessment services,
21 (K) health services specified by the lead agency as
22 necessary to enable the infant or toddler to benefit
23 from the other early intervention services,
24 (L) vision services,
25 (M) transportation, and
26 (N) assistive technology devices and services;

1 (8) are provided by qualified personnel, including but
2 not limited to:

3 (A) child development specialists or special
4 educators,

5 (B) speech and language pathologists and
6 audiologists,

7 (C) occupational therapists,

8 (D) physical therapists,

9 (E) social workers,

10 (F) nurses,

11 (G) nutritionists,

12 (H) optometrists,

13 (I) psychologists, and

14 (J) physicians;

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

17 (10) are provided throughout the year; and

18 (11) are provided in natural environments, including
19 the home and community settings in which infants and
20 toddlers without disabilities would participate to the
21 extent determined by the multidisciplinary Individualized
22 Family Service Plan.

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

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

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

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

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

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

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

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

25 (m) "Fully credentialed early intervention provider" means
26 an individual who has met the standards in the State applicable

1 to the relevant profession, and has met such other
2 qualifications as the lead agency has determined are suitable
3 for personnel providing early intervention services, including
4 pediatric experience, education, and continuing education. The
5 lead agency shall establish these qualifications by rule filed
6 no later than 180 days after the effective date of this
7 amendatory Act of the 92nd General Assembly.

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.