

## Early Intervention Services Policy

I. **Purpose:** It is the intent of San Andreas Regional Center to partner with Local Education Agencies as identified in the Individuals with Disabilities Education Act (IDEA) to ensure that eligible infants and toddlers receive early intervention assessment and prescribed services within mandated timelines, in compliance with all state and federal laws, regulations, and court decisions.

II. **Definitions:**

- **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act, and mean a person who has been found eligible and receives services from the regional center.**
- *Early Start* is a joint program between the Department of Developmental Services and the Department of Education, coordinated through the regional centers and county office of education, to provide early intervention services as directed by the federal Individuals with Disabilities Education Act, Part C and the California Early Intervention Services Act. The program is intended to provide appropriate, individually designed services to infants and toddlers under 36 months of age who have or are at risk of having disabilities.
- *Early Intervention Services* means those services designed to meet the developmental needs of each eligible infant or toddler and the needs of the family related to the infant or toddler's development. Services may include: assistive technology, audiology, family training, counseling, home visits, health services, medical services for diagnostic purposes, nursing services, nutrition services, occupational therapy (OT), physical therapy (PT), psychological services, service coordination, specialized instruction, speech, language services, vision services, transportation, and social work services. San Andreas Regional Center will follow all applicable Trailer Bill changes since 2009.
- *Early Intervention Programs* occur in such places as the home, where the parent receives instruction with the infant, as well as child care centers, school settings, or private infant programs where the child and parent interact with other infants and parents.

To the maximum extent appropriate to the needs of the child, early intervention services must be provided in natural environments, including the home and community settings in which children without disabilities participate.

- *Local Education Agency (LEA)* means the school district in which the infant or toddler resides, the county office of education, or the Special Education Local Plan Area (SELPA) that is responsible for providing early intervention services to infants or toddlers with disabilities.
- *Funded capacity* means the number of eligible students (infants and toddlers) that the California Department of Education requires an LEA to serve in order to maintain funding for its classes, programs and services in a given year.
- *Individualized Family Service Plan (IFSP)* means a plan written by San Andreas Regional Center and/or the Local Education Agency with the family's participation for providing early intervention services to eligible infants or toddlers under 36 months and their families in order to meet their early intervention needs.

III. **Policy:** San Andreas Regional Center shall fund early intervention services for infants and toddlers identified as at risk for developmental needs when the LEA has reached its funded capacity for early intervention services, San Andreas Regional Center shall provide those services for infants and toddlers who are eligible for San Andreas' services. As long as an LEA is operating below its funded capacity, the LEA shall fund those services for infants and toddlers who are eligible. San Andreas shall be the payer of last resort after all other public and private sources for payment have been exhausted. Referrals may include, but not be limited to, California Children Services, Medi-Cal, or private insurance providers that may have responsibility for payment. This review shall not delay the provision of early intervention services specified in the IFSP. Early intervention services specified on the IFSP shall begin as soon as possible. Use of private insurance for required early intervention services is mandatory. San Andreas Regional Center shall cover deductibles or co-payment costs in order to access private insurance benefits.

San Andreas shall ensure that all initial referrals received by the regional center or the Local Education Agency (LEA) shall be completed within forty-five (45) days of the date of referral.

San Andreas shall use existing information whenever possible to determine continued eligibility and to minimize delay in the provision of appropriate early intervention services by paying any applicable copayment, coinsurance, or deductible associated with the service or support so long as the individual is covered by their parent, guardian, or caregiver's health care service or health insurance plan and no other third party holds liability for the cost of the service or support.

- IV. **Purchase of Service Standard:** San Andreas and the LEAs (Local Education Agency) shall arrange, provide, or purchase early intervention services required by the IFSP (Individualized Family Service Plan) within 45 days of the signed IFSP. They shall not place an infant or toddler on a waiting list for early intervention services stated in the Individualized Family Service Plan (IFSP). San Andreas Regional Center may also purchase eligibility assessment services as needed.

San Andreas shall not continue to provide IFSP (Individualized Family Service Plan) services to a child who is 3 years old except where the child has been found eligible for regional center services until the beginning of the next school term while the special education preschool program is not in session and the multidisciplinary team determines that services are necessary.

- V. **Exception Process:** The executive director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards. The executive director has designated certain individuals within the regional center who are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

The first formal discussion of a request for service takes place at the planning team meeting. If the request falls within the service policy, the request is granted.

If the request for service is not consistent with the policy, the service coordinator starts the exception review process by exploring the basis for the request.

A time line for the director's exception review is set by agreement between the individual/family and the service coordinator but the time line may not exceed fifteen (15) days. Within that time, another planning team meeting will be convened. In the meantime the coordinator presents the information to the manager to determine whether a director's exception may be warranted. At the scheduled planning team meeting the decision will be made. The director's designee will attend the planning team meeting if necessary. If the exception is granted, the service coordinator amends the person-centered individual program plan, notifies the individual/family, and gives a copy of the amended plan to the individual/family.

- VI. **Notice of Action:** If the exception is not granted, the service coordinator promptly informs the individual/family that it has not been granted, informs the individual/family of their appeal rights, and sends a notice of action and a fair hearing form.

If a decision is made to deny, reduce, or cancel the service without the agreement of the individual or the individual's representative, a Notice of Action will be sent.

**DDS Approved October 27, 2020**  
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