

## **Part C COVID-19 Health Emergency Guidance**

This document outlines the Child Development Centers' (CDC) responsibilities to infants and toddlers with disabilities and their families, and to the staff serving these children and families. The guidance for ongoing questions about delivering services in this document are not intended to be a replacement for careful study of the Individuals with Disabilities Education Act (IDEA, 34 CFR Parts 303), but are considered valid during the time frame that the COVID-19 Health Emergency declaration is in place.

### **Wyoming Early Intervention (EI) System Information**

Please note: During the timeframe of this special circumstance of COVID-19 Health Emergency, parental consent for all IFSP activities can be given **verbally** to the IFSP Team. All verbal consents must be noted on the appropriate IFSP forms where a signature is indicated, and on the Prior Written Notice (PWN) for the IFSP activity.

### **Referrals and Eligibility**

Families of children who are referred during the COVID-19 Health Emergency declaration must be provided:

- Timely scheduling (within 45 days from referral notice) of a meeting to discuss the reason for the child's referral and next steps for determining eligibility. This can be conducted by teleconferencing platform or by phone conferencing. .
- An IFSP Determination Meeting which will be conducted in order to obtain information on the following:
  - Child's skill level in all five developmental domains in order to determine eligibility for services and the need for early intervention
    - Parental consent must be provided to the IFSP team before any eligibility determination can be conducted. This can be verbal and noted on the Prior Written Notice (PWN) form for documentation of the consent. This is only applicable when a written consent is not attainable.

During this meeting:

- The IFSP team will complete a "Release of Information Form" during the eligibility determination process if medical information or any other evaluation information is being used for the determination of eligibility.
  - This form can be completed by the IFSP team member and a verbal consent can be noted on the form. \*Please note: An outside agency that is providing the medical information for initial eligibility may require a parent's signature on the "Release of Information" form. The CDC staff

would have to remedy those situations by obtaining the signature from the parent using scanning and email processes, or by mail.

Once the eligibility determination information is obtained that satisfies the documentation of a medical diagnosis, then:

- The child is enrolled into the Part C program and an IFSP is developed to meet the priorities and needs of the child and family within the parameters of the COVID-19 Health Emergency social distancing recommendations.
  - All children with a verified “Medical Diagnosed” that have a high probability of experiencing a Developmental Delay (DD) because of the diagnosis will be eligible for services based on the medical documentation only. There is no need for any further evaluation (examples are hospital referrals).
- Children with a “suspected” developmental delay (DD) which meets the State’s criteria can be served using an “Interim IFSP” during the timeframe of the COVID-19 Health Emergency declaration. No formal evaluation will be needed other than observations of the child, if applicable, and information from the parent/caregiver that validates the delay, as can be determined through the teleconferencing platform or phone conferencing methods. This eligibility determination must include at least two separate disciplines within the IFSP Team. This will be documented on the MDT form and included in the child’s IFSP Welligent file.
  - Once the order for social distancing has been lifted and formal evaluations can be conducted in person with the child and family, then the formal evaluation for eligibility must be completed for continuation of services. No time limit is being proposed for this eligibility determination category other than the termination of the COVID-19 Health Emergency declaration. Children who do not meet the eligibility criteria for receiving services at that time must be exited from the program.

### **Developing the Initial Individualized Family Service Plan (IFSP)**

All families with children who are initially considered eligible for services during the COVID-19 Health Emergency using the above listed categories shall have the following provided to them:

- A teleconferencing or phone conferencing meeting to discuss the eligibility determination.
- A teleconferencing or phone conferencing IFSP Team meeting to complete the initial plan.

Both of these steps can be completed at the same time if needed.

- Once the plan is developed, it must be reviewed and agreed upon by the team members, including the parent/caregiver. The parent may consent to services by verbal agreement and this consent must be noted on the IFSP Signature page,

and on the PWN that outlines the discussion of the plan. It is recommended, when possible, that the IFSP Team acquire the written signature of parents at some point during the first few weeks of the service provision and implementation, and include that in the child's file.

- A detailed PWN must be emailed or mailed to the family stating all the provisions of service delivery (including the teleconferencing service delivery provision), what services will be delivered and by what discipline, length of time of the service, and frequency of the services.

### **Delivering Services to Children and Families Enrolled in Part C and Holding an Existing IFSP**

- The IFSP team members shall meet with families using teleconferencing or phone conferencing to discuss the COVID-19 emergency IFSP changes in service delivery. These meetings will be dependent on the IFSP configuration and may be conducted as a whole or at different intervals as needed. The parent/caregiver must be informed of the agreed-upon actions as outlined in the meetings using the PWN before any IFSP team decision can be acted on.
  - Some families may elect to not receive services via teleconferencing or phone conferencing.

If the team decides to discontinue a service due to the COVID-19 Health Emergency, the following will apply for the discontinued service:

- The parent/caregiver will be included in the discussion to discontinue the IFSP service by a phone conference or a teleconference meeting.
- The Family Service Coordinator will document, on the PWN, what services will be discontinued and that these services will reconvene after the COVID-19 Health Emergency has been lifted.
- The PWN will be provided to the parent/caregiver via email or mail before the action can be implemented, and will note the parent's/caregiver's consent to the action.
  - Special Note concerning the discontinued service:
    - It is the EIEP determination that compensatory services will not be required after the health emergency is lifted, and the discontinued service can be delivered as originally stated in the IFSP.

### **Conducting IFSP Required Meetings During the COVID-19 Health Emergency**

- The IFSP team members must attempt to meet to complete the required IFSP meetings (Initial IFSP, Periodic IFSP Review, Annual IFSP, Transition Planning meeting and Transition Conference for children potentially eligible for Part B 619 program). These meetings must be conducted within the timeline required by federal regulations. If the

required meeting timelines are not met, documentation for the delay must be provided in the Welligent system.

- Extreme family circumstances of the COVID-19 Health Emergency are considered acceptable justification for the delay in timeliness of any required IFSP meeting.
- Once the required meeting is completed, all IFSP-related discussions must be outlined in a PWN. This PWN must be provided to the family by email or mail before any changes to the IFSP can be implemented.

### **Part C Exits During the COVID-19 Health Emergency and COS Reporting**

- All children who have met their IFSP Child Outcomes and are no longer considered a child with a disability shall be exited from teleconferencing IFSP services.
  - A PWN must be provided to the parents detailing the reasons for exiting the child from services. In addition:
    - A Battelle Developmental Inventory-II (BDI-2) cannot be conducted for this Exit Child Outcome Summary (COS) reporting due to the COVID-19 Health Emergency that blocks access to the child for evaluation.
    - COS Welligent documentation (for Entry or Exit) must document that the BDI-2 was not completed due to “Other” justification tab and the COVID-19 Health Emergency documentation will be entered into the notes section.

### **Assistance to CDCs for Teleconferencing Services**

Due to the unique circumstances that the COVID-19 Health Emergency has on the IFSP service provision, the EIEP has decided to allow the funding provided in the current Part C contract earmarked as “Professional Development” to be used to purchase Education Materials. The purpose of the “Education Materials” can fit many descriptions. Examples could include :

- Purchasing Early Intervention supplemental materials to provide to families while coaching the family using a teleconferencing platform.
- Providing fiscal support for families to access the internet when a fee is required to receive teleconferencing services.

If you need further guidance on this provision, please contact the EIEP Staff before any purchase.

\*All reimbursements for Education Materials will be noted on the Monthly Reconciliation Form for Federal Funds and deducted from your Professional Development money. Any invoices from these purchases must be filed in your fiscal office and match the line item amount listed on your Monthly Reconciliation

Form for Federal Funds. These funds are only available during the SFY20 contract timeline.

### **Children Referred to Part B 619 During the COVID-19 Health Emergency**

Families whose children are referred to the Part B 619 Program from the Part C providers must be provided a Part C conference meeting to discuss this referral. This can be conducted using a teleconference platform or by phone conferencing. A PWN must be provided to the family/caregiver after the completion of the meeting that outlines all of the topics discussed.

- All required transition meetings and notices to the LEA timelines are to be met when possible (at least 90 days before the child's third birthday). Appropriate justification for not meeting the timeline involves extreme family circumstances that prevent the timeliness of the meeting or the child is more than 27 months at the time of enrollment to the Part C program and therefore a timely transition meeting could not be scheduled. Either way, this meeting must be conducted. The dates of these meetings will be entered into the Welligent system.

For children who most likely will meet the Part B 619 Eligibility Criteria, a "Special Provision" has been allowed during this COVID-19 Health Emergency timeframe:

- Due to the barriers that the COVID-19 Health Emergency has on children receiving a timely eligibility determination and preschool special education services, it is the decision of the Part C program to allow continuation of Part C services after the age of three. The continuation of services will only be used for children currently enrolled in Part C services. This decision to continue Part C services is up to the IFSP Team, which includes the family/caregiver. The services will be allowed to continue up until the time that the Part B 619 program has resumed normal preschool services or the start of the 2020 regular school year, whichever occurs first.
  - It is recommended that the local Part B program provider be a part of this discussion when possible.
  - Please note, children who continue to be served in the Part C program after the age of three will be funded by state general funds only. No Part C federal funds can be used to pay for salaries of staff serving these children. No increase of funds will be allotted to your state general funds in your SFY20 contracts.

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RESOURCE Links:

<https://ectacenter.org/topics/disaster/tele-intervention.asp>

<https://www.assurethefuture.org/tele-intervention.html>

[https://ecpcta.org/covid-19-resources/?mc\\_cid=19d4c76eb9&mc\\_eid=d6d43cdb40](https://ecpcta.org/covid-19-resources/?mc_cid=19d4c76eb9&mc_eid=d6d43cdb40)