



## **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. It is recommended that a Parent's written signature should be obtained and included in the childfile as soon as possible after the verbal consent is given.

### **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.

## **During the discussion for determining eligibility the IFSP Team would:**

Obtain parental consent. Parental consent must be provided to the IFSP team before any eligibility determination evaluations 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.

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 or any other 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.

All children with a verified “Medical Diagnosed Condition” 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 restrictions. 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.

## **Eligibility Determination Notification to Parent/Caregiver**

An IFSP Determination Meeting must be conducted in order to discuss the following:

A discussion on eligibility for receiving services under the State's eligibility criteria along with an explanation on how the IFSP Team made its decision.

**If the child is eligible for services then the following would also be discussed-**

A discussion about the child's skill level in all five developmental domains in order to determine services and the need for early intervention.

Child is enrolled into the Part C program

An initial IFSP meeting is scheduled

### **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 IFSP Team meeting to complete the initial plan.

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 restrictions 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:

This applies to agencies whose Center offices are closed to outside community members as defined in guidance provided in IDEA Part C Office TA Guidance – COVID-19 # 20031901 which states:

- ❖ “Make up visits and/or compensatory services will not be required for offices which are closed during this time of disease outbreak”

- It is the EIEP determination that compensatory services will not be required after the health emergency social distancing requirement is removed, and the discontinued service can be delivered as originally stated in the IFSP. It is required that the IFSP Team continues to conduct periodic reviews to ensure the services are meeting the needs of the child and family in order to reach the identified IFSP outcomes. All service provisions must reflect these reviews.

### **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 IFSP services.

A PWN must be provided to the parents detailing the reasons for exiting the child from services.

### **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.

### **Update 4/10/2020**

#### **“Interim IFSP” Eligibility Category Purpose**

An interim IFSP is appropriate in the event of exceptional circumstances i.e. the child is seriously ill, preventing completion of the evaluation and assessment within 45 days.

The EIEP considers COVID-19 restrictions to meet the "exceptional circumstances" clause.

EXAMPLE- Speech- due to the comprehensive evaluations could not be completed because of COVID-19 restrictions, the IFSP Team, using the information that could be obtained from parents and observations, has decided that this child potentially meets the state's criteria of eligibility for receiving early intervention services. This eligibility status will be validated once the restrictions are removed by conducting a comprehensive evaluation for continuing eligibility.

A **PWN** must be provided to the parent/caregiver that details the use of this eligibility category. It must also inform the family that a comprehensive evaluation will be conducted within 45 days of the removal of the social distancing restrictions for continuation of eligibility status.

## **Other considerations for determining eligibility**

### Interim IFSP eligibility category vs ICO

Interim IFSP eligibility should be used for all initially enrolled children who are not included in the Diagnosed Medical Condition eligibility category during the barrier to conducting a comprehensive evaluation for determining eligibility. This would be even for the infants/toddlers who would have been considered in the eligibility category of Informed Clinical Opinion (ICO). ICO should only be used after you have conducted a comprehensive evaluation of the child and the child does not meet the criteria but the IFSP Team still considers this child to meet the eligibility. This is usually due to the child displaying delays in their skills that are not measurable with a standard evaluation tool.i.e. quality of motor skills, tonality of the child's speech; etc.

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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)