

# HB0779



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB0779**

Introduced 01/31/11, by Rep. Michael J. Madigan

#### SYNOPSIS AS INTRODUCED:

325 ILCS 20/11

from Ch. 23, par. 4161

Amends the Early Intervention Services System Act. Makes a technical change in a Section concerning family service plans.

LRB097 03607 KTG 43644 b

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 11 as follows:

6 (325 ILCS 20/11) (from Ch. 23, par. 4161)

7 Sec. 11. Individualized Family Service Plans.

8 (a) Each eligible infant or toddler and ~~and~~ that infant's  
9 or toddler's family shall receive:

10 (1) timely, comprehensive, multidisciplinary  
11 assessment of the unique needs of each eligible infant and  
12 toddler, and assessment of the concerns and priorities of  
13 the families to appropriately assist them in meeting their  
14 needs and identify services to meet those needs; and

15 (2) a written Individualized Family Service Plan  
16 developed by a multidisciplinary team which includes the  
17 parent or guardian. The individualized family service plan  
18 shall be based on the multidisciplinary team's assessment  
19 of the resources, priorities, and concerns of the family  
20 and its identification of the supports and services  
21 necessary to enhance the family's capacity to meet the  
22 developmental needs of the infant or toddler, and shall  
23 include the identification of services appropriate to meet

1 those needs, including the frequency, intensity, and  
2 method of delivering services. During and as part of the  
3 initial development of the individualized family services  
4 plan, and any periodic reviews of the plan, the  
5 multidisciplinary team shall consult the lead agency's  
6 therapy guidelines and its designated experts, if any, to  
7 help determine appropriate services and the frequency and  
8 intensity of those services. All services in the  
9 individualized family services plan must be justified by  
10 the multidisciplinary assessment of the unique strengths  
11 and needs of the infant or toddler and must be appropriate  
12 to meet those needs. At the periodic reviews, the team  
13 shall determine whether modification or revision of the  
14 outcomes or services is necessary.

15 (b) The Individualized Family Service Plan shall be  
16 evaluated once a year and the family shall be provided a review  
17 of the Plan at 6 month intervals or more often where  
18 appropriate based on infant or toddler and family needs. The  
19 lead agency shall create a quality review process regarding  
20 Individualized Family Service Plan development and changes  
21 thereto, to monitor and help assure that resources are being  
22 used to provide appropriate early intervention services.

23 (c) The evaluation and initial assessment and initial Plan  
24 meeting must be held within 45 days after the initial contact  
25 with the early intervention services system. With parental  
26 consent, early intervention services may commence before the

1 completion of the comprehensive assessment and development of  
2 the Plan.

3 (d) Parents must be informed that, at their discretion,  
4 early intervention services shall be provided to each eligible  
5 infant and toddler in the natural environment, which may  
6 include the home or other community settings. Parents shall  
7 make the final decision to accept or decline early intervention  
8 services. A decision to decline such services shall not be a  
9 basis for administrative determination of parental fitness, or  
10 other findings or sanctions against the parents. Parameters of  
11 the Plan shall be set forth in rules.

12 (e) The regional intake offices shall explain to each  
13 family, orally and in writing, all of the following:

14 (1) That the early intervention program will pay for  
15 all early intervention services set forth in the  
16 individualized family service plan that are not covered or  
17 paid under the family's public or private insurance plan or  
18 policy and not eligible for payment through any other third  
19 party payor.

20 (2) That services will not be delayed due to any rules  
21 or restrictions under the family's insurance plan or  
22 policy.

23 (3) That the family may request, with appropriate  
24 documentation supporting the request, a determination of  
25 an exemption from private insurance use under Section  
26 13.25.

1           (4) That responsibility for co-payments or  
2 co-insurance under a family's private insurance plan or  
3 policy will be transferred to the lead agency's central  
4 billing office.

5           (5) That families will be responsible for payments of  
6 family fees, which will be based on a sliding scale  
7 according to income, and that these fees are payable to the  
8 central billing office, and that if the family encounters a  
9 catastrophic circumstance, as defined under subsection (f)  
10 of Section 13 of this Act, making it unable to pay the  
11 fees, the lead agency may, upon proof of inability to pay,  
12 waive the fees.

13          (f) The individualized family service plan must state  
14 whether the family has private insurance coverage and, if the  
15 family has such coverage, must have attached to it a copy of  
16 the family's insurance identification card or otherwise  
17 include all of the following information:

18           (1) The name, address, and telephone number of the  
19 insurance carrier.

20           (2) The contract number and policy number of the  
21 insurance plan.

22           (3) The name, address, and social security number of  
23 the primary insured.

24           (4) The beginning date of the insurance benefit year.

25          (g) A copy of the individualized family service plan must  
26 be provided to each enrolled provider who is providing early

1 intervention services to the child who is the subject of that  
2 plan.

3 (Source: P.A. 91-538, eff. 8-13-99; 92-10, eff. 6-11-01;  
4 92-307, eff. 8-9-01; 92-651, eff. 7-11-02.)