

SB0297



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0297

Introduced 1/24/2017, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

325 ILCS 20/3

from Ch. 23, par. 4153

Amends the Early Intervention Services System Act. Makes a technical change in a Section concerning definitions.

LRB100 04826 KTG 14836 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 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 ~~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 opinion.

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) social or

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

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

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

22 (1) a diagnosed medical disorder bearing a relatively
23 well known expectancy for developmental outcomes within
24 varying ranges of developmental disabilities; or

25 (2) a history of prenatal, perinatal, neonatal or early
26 developmental events suggestive of biological insults to

1 the developing central nervous system and which either
2 singly or collectively increase the probability of
3 developing a disability or delay based on a medical
4 history.

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

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

11 (1) are designed to meet the developmental needs of
12 each child eligible under this Act and the needs of his or
13 her family;

14 (2) are selected in collaboration with the child's
15 family;

16 (3) are provided under public supervision;

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

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

22 (A) physical development, including vision and
23 hearing,

24 (B) cognitive development,

25 (C) communication development,

26 (D) social or emotional development, or

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

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

3 (A) child development specialists or special
4 educators, including teachers of children with hearing
5 impairments (including deafness) and teachers of
6 children with vision impairments (including
7 blindness),

8 (B) speech and language pathologists and
9 audiologists,

10 (C) occupational therapists,

11 (D) physical therapists,

12 (E) social workers,

13 (F) nurses,

14 (G) dietitian nutritionists,

15 (H) vision specialists, including ophthalmologists
16 and optometrists,

17 (I) psychologists, and

18 (J) physicians;

19 (9) are provided in conformity with an Individualized
20 Family Service Plan;

21 (10) are provided throughout the year; and

22 (11) are provided in natural environments, to the
23 maximum extent appropriate, which may include the home and
24 community settings, unless justification is provided
25 consistent with federal regulations adopted under Sections
26 1431 through 1444 of Title 20 of the United States Code.

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

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

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

13 (i) "Lead agency" means the State agency responsible for
14 administering this Act and receiving and disbursing public
15 funds received in accordance with State and federal law and
16 rules.

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

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

21 (k) "Regional intake entity" means the lead agency's
22 designated entity responsible for implementation of the Early
23 Intervention Services System within its designated geographic
24 area.

25 (l) "Early intervention provider" means an individual who
26 is qualified, as defined by the lead agency, to provide one or

1 more types of early intervention services, and who has enrolled
2 as a provider in the early intervention program.

3 (m) "Fully credentialed early intervention provider" means
4 an individual who has met the standards in the State applicable
5 to the relevant profession, and has met such other
6 qualifications as the lead agency has determined are suitable
7 for personnel providing early intervention services, including
8 pediatric experience, education, and continuing education. The
9 lead agency shall establish these qualifications by rule filed
10 no later than 180 days after the effective date of this
11 amendatory Act of the 92nd General Assembly.

12 (Source: P.A. 97-902, eff. 8-6-12; 98-41, eff. 6-28-13.)