

1 AMENDMENT TO HOUSE BILL 414

2 AMENDMENT NO. _____. Amend House Bill 414 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Early Intervention Services System Act
5 is 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 toddlers" means infants and
9 toddlers under 36 months of age with any of the following
10 conditions:

11 (1) Developmental delays ~~as---defined---by---the~~
12 ~~Department-by-rule.~~

13 (2) A physical or mental condition which typically
14 results in developmental delay.

15 (3) Being at risk of having substantial
16 developmental delays based on informed clinical judgment.

17 (4) Either (A) having entered the program under any
18 of the circumstances listed in paragraphs (1) through (3)
19 of this subsection but no longer meeting the current
20 eligibility criteria under those paragraphs, and
21 continuing to have any measurable delay, or (B) not
22 having attained a level of development in each area,

1 including (i) cognitive, (ii) physical (including vision
2 and hearing), (iii) language, speech, and communication,
3 (iv) psycho-social, or (v) self-help skills, that is at
4 least at the mean of the child's age equivalent peers;
5 and, in addition to either item (A) or item (B), (C)
6 having been determined by the multidisciplinary
7 individualized family service plan team to require the
8 continuation of early intervention services in order to
9 support continuing developmental progress, pursuant to
10 the child's needs and provided in an appropriate
11 developmental manner. The type, frequency, and intensity
12 of services shall differ from the initial individualized
13 family services plan because of the child's developmental
14 progress, and may consist of only service coordination,
15 evaluation, and assessments.

16 (b) "Developmental delay" means a delay in one or more
17 of the following areas of childhood development as measured
18 by appropriate diagnostic instruments and standard
19 procedures: cognitive; physical, including vision and
20 hearing; language, speech and communication; psycho-social;
21 or self-help skills. From July 1, 2003 through June 30, 2004,
22 the term means a delay of 30% or more below the mean in
23 function in one or more of those areas. From July 1, 2004
24 through June 30, 2005, the term means a delay of 20% or more
25 below the mean in function in one or more of those areas. On
26 and after July 1, 2005, the term means a delay of 10% or more
27 below the mean in function in one or more of those areas.

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

30 (1) a diagnosed medical disorder bearing a
31 relatively well known expectancy for developmental
32 outcomes within varying ranges of developmental
33 disabilities; or

34 (2) a history of prenatal, perinatal, neonatal or

1 early developmental events suggestive of biological
2 insults to the developing central nervous system and
3 which either singly or collectively increase the
4 probability of developing a disability or delay based on
5 a medical history.

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

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

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

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

17 (3) are provided under public supervision;

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

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

24 (A) physical development, including vision and
25 hearing,

26 (B) cognitive development,

27 (C) communication development,

28 (D) social or emotional development, or

29 (E) adaptive development;

30 (6) meet the standards of the State, including the
31 requirements of this Act;

32 (7) include one or more of the following:

33 (A) family training,

34 (B) social work services, including

1 counseling, and home visits,

2 (C) special instruction,

3 (D) speech, language pathology and audiology,

4 (E) occupational therapy,

5 (F) physical therapy,

6 (G) psychological services,

7 (H) service coordination services,

8 (I) medical services only for diagnostic or
9 evaluation purposes,

10 (J) early identification, screening, and
11 assessment services,

12 (K) health services specified by the lead
13 agency as necessary to enable the infant or toddler
14 to benefit from the other early intervention
15 services,

16 (L) vision services,

17 (M) transportation, and

18 (N) assistive technology devices and services;

19 (8) are provided by qualified personnel, including
20 but not limited to:

21 (A) child development specialists or special
22 educators,

23 (B) speech and language pathologists and
24 audiologists,

25 (C) occupational therapists,

26 (D) physical therapists,

27 (E) social workers,

28 (F) nurses,

29 (G) nutritionists,

30 (H) optometrists,

31 (I) psychologists, and

32 (J) physicians;

33 (9) are provided in conformity with an
34 Individualized Family Service Plan;

1 (10) are provided throughout the year; and

2 (11) are provided in natural environments,
3 including the home and community settings in which
4 infants and toddlers without disabilities would
5 participate to the extent determined by the
6 multidisciplinary Individualized Family Service Plan.

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

11 (g) "Local interagency agreement" means an agreement
12 entered into by local community and State and regional
13 agencies receiving early intervention funds directly from the
14 State and made in accordance with State interagency
15 agreements providing for the delivery of early intervention
16 services within a local community area.

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

19 (i) "Lead agency" means the State agency responsible for
20 administering this Act and receiving and disbursing public
21 funds received in accordance with State and federal law and
22 rules.

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

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

27 (k) "Regional intake entity" means the lead agency's
28 designated entity responsible for implementation of the Early
29 Intervention Services System within its designated geographic
30 area.

31 (l) "Early intervention provider" means an individual
32 who is qualified, as defined by the lead agency, to provide
33 one or more types of early intervention services, and who has
34 enrolled as a provider in the early intervention program.

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

11 (Source: P.A. 91-538, eff. 8-13-99; 92-307, eff. 8-9-01.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."