

1 AN ACT in relation to 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 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 that which  
14 typically 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,  
23 including (i) cognitive, (ii) physical (including vision  
24 and hearing), (iii) language, speech, and communication,  
25 (iv) psycho-social, or (v) self-help skills, that is at  
26 least at the mean of the child's age equivalent peers;  
27 and, in addition to either item (A) or item (B), (C)  
28 having been determined by the multidisciplinary  
29 individualized family service plan team to require the  
30 continuation of early intervention services in order to  
31 support continuing developmental progress, pursuant to

1 the child's needs and provided in an appropriate  
2 developmental manner. The type, frequency, and intensity  
3 of services shall differ from the initial individualized  
4 family services plan because of the child's developmental  
5 progress, and may consist of only service coordination,  
6 evaluation, and assessments.

7 (b) "Developmental delay" means a delay in one or more  
8 of the following areas of childhood development as measured  
9 by appropriate diagnostic instruments and standard  
10 procedures: cognitive; physical, including vision and  
11 hearing; language, speech and communication; psycho-social;  
12 or self-help skills.

13 (c) "Physical or mental condition that which typically  
14 results in developmental delay" means:

15 (1) a diagnosed medical disorder bearing a  
16 relatively well known expectancy for developmental  
17 outcomes within varying ranges of developmental  
18 disabilities; or

19 (2) a history of prenatal, perinatal, neonatal or  
20 early developmental events suggestive of biological  
21 insults to the developing central nervous system and  
22 which either singly or collectively increase the  
23 probability of developing a disability or delay based on  
24 a medical history.

25 (d) "Informed clinical judgment" means both clinical  
26 observations and parental participation to determine  
27 eligibility by a consensus of a multidisciplinary team of 2  
28 or more members based on their professional experience and  
29 expertise.

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

31 (1) are designed to meet the developmental needs of  
32 each child eligible under this Act and the needs of his  
33 or her family;

34 (2) are selected in collaboration with the child's

1 family;

2 (3) are provided under public supervision;

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

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

9 (A) physical development, including vision and  
10 hearing,

11 (B) cognitive development,

12 (C) communication development,

13 (D) social or emotional development, or

14 (E) adaptive development;

15 (6) meet the standards of the State, including the  
16 requirements of this Act;

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

18 (A) family training,

19 (B) social work services, including  
20 counseling, and home visits,

21 (C) special instruction,

22 (D) speech, language pathology and audiology,

23 (E) occupational therapy,

24 (F) physical therapy,

25 (G) psychological services,

26 (H) service coordination services,

27 (I) medical services only for diagnostic or  
28 evaluation purposes,

29 (J) early identification, screening, and  
30 assessment services,

31 (K) health services specified by the lead  
32 agency as necessary to enable the infant or toddler  
33 to benefit from the other early intervention  
34 services,

- 1 (L) vision services,
- 2 (M) transportation, and
- 3 (N) assistive technology devices and services;

4 (8) are provided by qualified personnel, including  
5 but not limited to:

- 6 (A) child development specialists or special  
7 educators,
- 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) nutritionists,
- 15 (H) optometrists,
- 16 (I) psychologists, and
- 17 (J) physicians;

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

20 (10) are provided throughout the year; and

21 (11) are provided in natural environments,  
22 including the home and community settings in which  
23 infants and toddlers without disabilities would  
24 participate to the extent determined by the  
25 multidisciplinary Individualized Family Service Plan.

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

30 (g) "Local interagency agreement" means an agreement  
31 entered into by local community and State and regional  
32 agencies receiving early intervention funds directly from the  
33 State and made in accordance with State interagency  
34 agreements providing for the delivery of early intervention

1 services within a local community area.

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

4 (i) "Lead agency" means the State agency responsible for  
5 administering this Act and receiving and disbursing public  
6 funds received in accordance with State and federal law and  
7 rules.

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

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

12 (k) "Regional intake entity" means the lead agency's  
13 designated entity responsible for implementation of the Early  
14 Intervention Services System within its designated geographic  
15 area.

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

20 (m) "Fully credentialed early intervention provider"  
21 means an individual who has met the standards in the State  
22 applicable to the relevant profession, and has met such other  
23 qualifications as the lead agency has determined are suitable  
24 for personnel providing early intervention services,  
25 including pediatric experience, education, and continuing  
26 education. The lead agency shall establish these  
27 qualifications by rule filed no later than 180 days after the  
28 effective date of this amendatory Act of the 92nd General  
29 Assembly.

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