

AN ACT in relation to children.

Be it enacted by the People of the State of Illinois,
represented in the General Assembly:

Section 5. The Early Intervention Services System Act is
amended by changing Sections 3 and 13.50 as follows:

(325 ILCS 20/3) (from Ch. 23, par. 4153)

Sec. 3. Definitions. As used in this Act:

(a) "Eligible infants and toddlers" means infants and
toddlers under 36 months of age with any of the following
conditions:

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

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

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

(4) Either (A) having entered the program under any
of the circumstances listed in paragraphs (1) through (3)
of this subsection but no longer meeting the current
eligibility criteria under those paragraphs, and
continuing to have any measurable delay, or (B) not
having attained a level of development in each area,
including (i) cognitive, (ii) physical (including vision
and hearing), (iii) language, speech, and communication,
(iv) psycho-social, or (v) self-help skills, that is at
least at the mean of the child's age equivalent peers;
and, in addition to either item (A) or item (B), (C)
having been determined by the multidisciplinary
individualized family service plan team to require the
continuation of early intervention services in order to
support continuing developmental progress, pursuant to

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

(b) "Developmental delay" means a delay in one or more of the following areas of childhood development as measured by appropriate diagnostic instruments and standard procedures: cognitive; physical, including vision and hearing; language, speech and communication; psycho-social; or self-help skills. The term means a delay of 30% or more below the mean in function in one or more of those areas.

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

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

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

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

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

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

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

(3) are provided under public supervision;

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

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

(A) physical development, including vision and hearing,

(B) cognitive development,

(C) communication development,

(D) social or emotional development, or

(E) adaptive development;

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

(7) include one or more of the following:

(A) family training,

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

(C) special instruction,

(D) speech, language pathology and audiology,

(E) occupational therapy,

(F) physical therapy,

(G) psychological services,

(H) service coordination services,

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

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

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

services,

(L) vision services,

(M) transportation, and

(N) assistive technology devices and services;

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

(A) child development specialists or special educators,

(B) speech and language pathologists and audiologists,

(C) occupational therapists,

(D) physical therapists,

(E) social workers,

(F) nurses,

(G) nutritionists,

(H) optometrists,

(I) psychologists, and

(J) physicians;

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

(10) are provided throughout the year; and

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

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

(g) "Local interagency agreement" means an agreement entered into by local community and State and regional agencies receiving early intervention funds directly from the State and made in accordance with State interagency

agreements providing for the delivery of early intervention services within a local community area.

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

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

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

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

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

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

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

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

(325 ILCS 20/13.50)

Sec. 13.50. Early Intervention Legislative Advisory

Committee. No later than 60 days after the effective date of this amendatory Act of 92nd General Assembly, there shall be convened the Early Intervention Legislative Advisory Committee. The majority and minority leaders of the General Assembly shall each appoint 2 members to the Committee. The Committee's term is for a period of 4 2 years, and the Committee shall publicly convene no less than 4 times per year. The Committee's responsibilities shall include, but not be limited to, providing guidance to the lead agency regarding programmatic and fiscal management and accountability, provider development and accountability, contracting, and program outcome measures. During the life of the Committee, on a quarterly basis, or more often as the Committee may request, the lead agency shall provide to the Committee, and simultaneously to the public, through postings on the lead agency's early intervention website, quarterly reports containing monthly data and other early intervention program information that the Committee requests. The first data report must be supplied no later than September 21, 2001, and must include the previous 2 quarters of data.

(Source: P.A. 92-307, eff. 8-9-01.)

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