

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 Sections 3 and 13.50 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,
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. The term means a delay of 30% or more
13 below the mean in function in one or more of those areas.

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

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

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

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

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

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

- 1 (2) are selected in collaboration with the child's
- 2 family;
- 3 (3) are provided under public supervision;
- 4 (4) are provided at no cost except where a schedule
- 5 of sliding scale fees or other system of payments by
- 6 families has been adopted in accordance with State and
- 7 federal law;
- 8 (5) are designed to meet an infant's or toddler's
- 9 developmental needs in any of the following areas:
 - 10 (A) physical development, including vision and
 - 11 hearing,
 - 12 (B) cognitive development,
 - 13 (C) communication development,
 - 14 (D) social or emotional development, or
 - 15 (E) adaptive development;
- 16 (6) meet the standards of the State, including the
- 17 requirements of this Act;
- 18 (7) include one or more of the following:
 - 19 (A) family training,
 - 20 (B) social work services, including
 - 21 counseling, and home visits,
 - 22 (C) special instruction,
 - 23 (D) speech, language pathology and audiology,
 - 24 (E) occupational therapy,
 - 25 (F) physical therapy,
 - 26 (G) psychological services,
 - 27 (H) service coordination services,
 - 28 (I) medical services only for diagnostic or
 - 29 evaluation purposes,
 - 30 (J) early identification, screening, and
 - 31 assessment services,
 - 32 (K) health services specified by the lead
 - 33 agency as necessary to enable the infant or toddler
 - 34 to benefit from the other early intervention

1 services,

2 (L) vision services,

3 (M) transportation, and

4 (N) assistive technology devices and services;

5 (8) are provided by qualified personnel, including

6 but not limited to:

7 (A) child development specialists or special

8 educators,

9 (B) speech and language pathologists and

10 audiologists,

11 (C) occupational therapists,

12 (D) physical therapists,

13 (E) social workers,

14 (F) nurses,

15 (G) nutritionists,

16 (H) optometrists,

17 (I) psychologists, and

18 (J) physicians;

19 (9) are provided in conformity with an

20 Individualized Family Service Plan;

21 (10) are provided throughout the year; and

22 (11) are provided in natural environments,

23 including the home and community settings in which

24 infants and toddlers without disabilities would

25 participate to the extent determined by the

26 multidisciplinary Individualized Family Service Plan.

27 (f) "Individualized Family Service Plan" or "Plan" means

28 a written plan for providing early intervention services to a

29 child eligible under this Act and the child's family, as set

30 forth in Section 11.

31 (g) "Local interagency agreement" means an agreement

32 entered into by local community and State and regional

33 agencies receiving early intervention funds directly from the

34 State and made in accordance with State interagency

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

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

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

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

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

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

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

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

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

32 (325 ILCS 20/13.50)

33 Sec. 13.50. Early Intervention Legislative Advisory

1 Committee. No later than 60 days after the effective date of
2 this amendatory Act of 92nd General Assembly, there shall be
3 convened the Early Intervention Legislative Advisory
4 Committee. The majority and minority leaders of the General
5 Assembly shall each appoint 2 members to the Committee. The
6 Committee's term is for a period of 4 2 years, and the
7 Committee shall publicly convene no less than 4 times per
8 year. The Committee's responsibilities shall include, but not
9 be limited to, providing guidance to the lead agency
10 regarding programmatic and fiscal management and
11 accountability, provider development and accountability,
12 contracting, and program outcome measures. During the life
13 of the Committee, on a quarterly basis, or more often as the
14 Committee may request, the lead agency shall provide to the
15 Committee, and simultaneously to the public, through postings
16 on the lead agency's early intervention website, quarterly
17 reports containing monthly data and other early intervention
18 program information that the Committee requests. The first
19 data report must be supplied no later than September 21,
20 2001, and must include the previous 2 quarters of data.
21 (Source: P.A. 92-307, eff. 8-9-01.)

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