

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.)