



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3327

Introduced 2/18/2025, by Rep. Janet Yang Rohr

#### SYNOPSIS AS INTRODUCED:

210 ILCS 85/11.7a new  
325 ILCS 3/10-15  
325 ILCS 3/10-35  
325 ILCS 3/10-45

Amends the Department of Early Childhood Act. Expands the definition of "eligible infants and toddlers" to list infants having a birth weight less than 1,000 grams. Requires the Department of Early Childhood, as the designated lead agency to administer the system of early intervention services on and after July 1, 2026, to develop informational materials and handouts for hospitals to distribute to the parents or legal guardians of severely premature infants, explaining that infants having a birth weight of less than 1,000 grams automatically qualify for early intervention services up until their 3rd birthday. Provides that the informational materials and handouts shall also contain information on the benefits of early intervention services for severely premature infants, the website addresses and phone numbers that parents and legal guardians can access to obtain more information on early intervention services, and the contact information of the early intervention regional intake entity designated to coordinate services for eligible infants. Requires the statewide system of coordinated, comprehensive, interagency and interdisciplinary early intervention programs to include in its public awareness program, a special focus on the early identification of infants who automatically qualify for early intervention services on account of having a birth weight less than 1,000 grams. Amends the Hospital Licensing Act. Requires hospitals to distribute, free of charge, to the parents or legal guardians of each severely premature infant having a birth weight of less than 1,000 grams informational materials and handouts developed by the Department of Early Childhood on the availability of early intervention services for severely premature infants. Requires a nurse or physical therapist to review the proffered materials with the infant's parents or legal guardians prior to discharge and explain that premature infants having a birth weight of less than 1,000 grams automatically qualify for early intervention services up until their 3rd birthday, including speech, physical, occupational, and other therapies.

LRB104 11240 KTG 21322 b

A BILL FOR

1 AN ACT concerning children.

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

4 Section 1. The Hospital Licensing Act is amended by adding  
5 Section 11.7a as follows:

6 (210 ILCS 85/11.7a new)

7 Sec. 11.7a. Early intervention services education. A  
8 hospital shall distribute, free of charge, to the parents or  
9 legal guardians of each severely premature infant having a  
10 birth weight of less than 1,000 grams informational materials  
11 and handouts developed by the Department of Early Childhood on  
12 the availability of early intervention services for severely  
13 premature infants. The informational materials and handouts  
14 shall be provided to the parents or legal guardians, upon  
15 discharge from the hospital. Prior to discharge, a nurse or  
16 physical therapist shall review the proffered materials with  
17 the infant's parents or legal guardians and explain that  
18 premature infants having a birth weight of less than 1,000  
19 grams automatically qualify for early intervention services up  
20 until their 3rd birthday, including speech, physical,  
21 occupational, and other therapies.

22 Section 5. The Department of Early Childhood Act is

1 amended by changing Sections 10-15, 10-35, 10-45 as follows:

2 (325 ILCS 3/10-15)

3 Sec. 10-15. Definitions. As used in this Act:

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

7 (1) Developmental delays.

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

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

12 (3.5) Having a birth weight less than 1,000 grams.

13 (4) Either (A) having entered the program under any of  
14 the circumstances listed in paragraphs (1) through (3.5)  
15 ~~(3)~~ of this subsection but no longer meeting the current  
16 eligibility criteria under those paragraphs, and  
17 continuing to have any measurable delay, or (B) not having  
18 attained a level of development in each area, including  
19 (i) cognitive, (ii) physical (including vision and  
20 hearing), (iii) language, speech, and communication, (iv)  
21 social or emotional, or (v) adaptive, that is at least at  
22 the mean of the child's age equivalent peers; and, in  
23 addition to either item (A) or item (B), (C) having been  
24 determined by the multidisciplinary individualized family  
25 service plan team to require the continuation of early

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

8 "Eligible infants and toddlers" includes any child under  
9 the age of 3 who is the subject of a substantiated case of  
10 child abuse or neglect as defined in the federal Child Abuse  
11 Prevention and Treatment Act.

12 (b) "Developmental delay" means a delay in one or more of  
13 the following areas of childhood development as measured by  
14 appropriate diagnostic instruments and standard procedures:  
15 cognitive; physical, including vision and hearing; language,  
16 speech and communication; social or emotional; or adaptive.  
17 The term means a delay of 30% or more below the mean in  
18 function in one or more of those areas.

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

21 (1) a diagnosed medical disorder or exposure to a  
22 toxic substance bearing a relatively well known expectancy  
23 for developmental outcomes within varying ranges of  
24 developmental disabilities; or

25 (2) a history of prenatal, perinatal, neonatal or  
26 early developmental events suggestive of biological



- 1 (E) adaptive development;
- 2 (6) meet the standards of the State, including the  
3 requirements of this Act;
- 4 (7) include one or more of the following:
- 5 (A) family training,
- 6 (B) social work services, including counseling,  
7 and home visits,
- 8 (C) special instruction,
- 9 (D) speech, language pathology and audiology,
- 10 (E) occupational therapy,
- 11 (F) physical therapy,
- 12 (G) psychological services,
- 13 (H) service coordination services,
- 14 (I) medical services only for diagnostic or  
15 evaluation purposes,
- 16 (J) early identification, screening, and  
17 assessment services,
- 18 (K) health services specified by the lead agency  
19 as necessary to enable the infant or toddler to  
20 benefit from the other early intervention services,
- 21 (L) vision services,
- 22 (M) transportation,
- 23 (N) assistive technology devices and services,
- 24 (O) nursing services,
- 25 (P) nutrition services, and
- 26 (Q) sign language and cued language services;

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

3 (A) child development specialists or special  
4 educators, including teachers of children with hearing  
5 impairments (including deafness) and teachers of  
6 children with vision impairments (including  
7 blindness),

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) dietitian nutritionists,

15 (H) vision specialists, including ophthalmologists  
16 and optometrists,

17 (I) psychologists, and

18 (J) physicians;

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

21 (10) are provided throughout the year; and

22 (11) are provided in natural environments, to the  
23 maximum extent appropriate, which may include the home and  
24 community settings, unless justification is provided  
25 consistent with federal regulations adopted under Sections  
26 1431 through 1444 of Title 20 of the United States Code.

1 (f) "Individualized Family Service Plan" or "Plan" means a  
2 written plan for providing early intervention services to a  
3 child eligible under this Act and the child's family, as set  
4 forth in Section 10-65.

5 (g) "Local interagency agreement" means an agreement  
6 entered into by local community and State and regional  
7 agencies receiving early intervention funds directly from the  
8 State and made in accordance with State interagency agreements  
9 providing for the delivery of early intervention services  
10 within a local community area.

11 (h) "Council" means the Illinois Interagency Council on  
12 Early Intervention established under Section 10-30.

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

17 (i-5) "Central billing office" means the central billing  
18 office created by the lead agency under Section 10-75.

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

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

25 (l) "Early intervention provider" means an individual who  
26 is qualified, as defined by the lead agency, to provide one or

1 more types of early intervention services, and who has  
2 enrolled as a provider in the early intervention program.

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

11 (n) "Telehealth" has the meaning given to that term in  
12 Section 5 of the Telehealth Act.

13 (o) "Department" means Department of Early Childhood  
14 unless otherwise specified.

15 (Source: P.A. 103-594, eff. 6-25-24.)

16 (325 ILCS 3/10-35)

17 Sec. 10-35. Lead agency. Through June 30, 2026, the  
18 Department of Human Services is designated the lead agency and  
19 shall provide leadership in establishing and implementing the  
20 coordinated, comprehensive, interagency and interdisciplinary  
21 system of early intervention services. On and after July 1,  
22 2026, the Department of Early Childhood is designated the lead  
23 agency and shall provide leadership in establishing and  
24 implementing the coordinated, comprehensive, interagency and  
25 interdisciplinary system of early intervention services. The

1 lead agency shall not have the sole responsibility for  
2 providing these services. Each participating State agency  
3 shall continue to coordinate those early intervention services  
4 relating to health, social service and education provided  
5 under this authority.

6 The lead agency is responsible for carrying out the  
7 following:

8 (a) The general administration, supervision, and  
9 monitoring of programs and activities receiving assistance  
10 under Section 673 of the Individuals with Disabilities  
11 Education Act (20 United States Code 1473).

12 (b) The identification and coordination of all  
13 available resources within the State from federal, State,  
14 local and private sources.

15 (c) The development of procedures to ensure that  
16 services are provided to eligible infants and toddlers and  
17 their families in a timely manner pending the resolution  
18 of any disputes among public agencies or service  
19 providers.

20 (c-5) The development of informational materials and  
21 handouts for hospitals to distribute to the parents or  
22 legal guardians of severely premature infants, explaining  
23 that infants having a birth weight of less than 1,000  
24 grams automatically qualify for early intervention  
25 services up until their 3rd birthday, including speech,  
26 physical, occupational, and other therapies. The materials

1 and handouts should also contain information on the  
2 benefits of early intervention services for severely  
3 premature infants, the website addresses and phone numbers  
4 that parents and legal guardians can access to obtain more  
5 information on early intervention services, and the  
6 contact information of the early intervention regional  
7 intake entity designated to coordinate services for  
8 eligible infants.

9 (d) The resolution of intra-agency and interagency  
10 regulatory and procedural disputes.

11 (e) The development and implementation of formal  
12 interagency agreements, and the entry into such  
13 agreements, between the lead agency and (i) the Department  
14 of Healthcare and Family Services, (ii) the University of  
15 Illinois Division of Specialized Care for Children, and  
16 (iii) other relevant State agencies that:

17 (1) define the financial responsibility of each  
18 agency for paying for early intervention services  
19 (consistent with existing State and federal law and  
20 rules, including the requirement that early  
21 intervention funds be used as the payor of last  
22 resort), a hierarchical order of payment as among the  
23 agencies for early intervention services that are  
24 covered under or may be paid by programs in other  
25 agencies, and procedures for direct billing,  
26 collecting reimbursements for payments made, and

1 resolving service and payment disputes; and

2 (2) include all additional components necessary to  
3 ensure meaningful cooperation and coordination. By  
4 January 31, 2027, interagency agreements under this  
5 paragraph (e) must be reviewed and revised to  
6 implement the purposes of this Act.

7 (f) The maintenance of an early intervention website.  
8 The lead agency shall post and keep posted on this website  
9 the following: (i) the current annual report required  
10 under subdivision (b)(5) of Section 10-30 of this Act, and  
11 the annual reports of the prior 3 years, (ii) the most  
12 recent Illinois application for funds prepared under  
13 Section 637 of the Individuals with Disabilities Education  
14 Act filed with the United States Department of Education,  
15 (iii) proposed modifications of the application prepared  
16 for public comment, (iv) notice of Council meetings,  
17 Council agendas, and minutes of its proceedings for at  
18 least the previous year, (v) proposed and final early  
19 intervention rules, and (vi) all reports created for  
20 dissemination to the public that are related to the early  
21 intervention program, including reports prepared at the  
22 request of the Council and the General Assembly. Each such  
23 document shall be posted on the website within 3 working  
24 days after the document's completion.

25 (g) Before adopting any new policy or procedure  
26 (including any revisions to an existing policy or

1 procedure) needed to comply with Part C of the Individuals  
2 with Disabilities Education Act, the lead agency must hold  
3 public hearings on the new policy or procedure, provide  
4 notice of the hearings at least 30 days before the  
5 hearings are conducted to enable public participation, and  
6 provide an opportunity for the general public, including  
7 individuals with disabilities and parents of infants and  
8 toddlers with disabilities, early intervention providers,  
9 and members of the Council to comment for at least 30 days  
10 on the new policy or procedure needed to comply with Part C  
11 of the Individuals with Disabilities Education Act and  
12 with 34 CFR Part 300 and Part 303.

13 (Source: P.A. 103-594, eff. 6-25-24.)

14 (325 ILCS 3/10-45)

15 Sec. 10-45. Essential components of the statewide service  
16 system. As required by federal laws and regulations, a  
17 statewide system of coordinated, comprehensive, interagency  
18 and interdisciplinary programs shall be established and  
19 maintained. The framework of the statewide system shall be  
20 based on the components set forth in this Section. This  
21 framework shall be used for planning, implementation,  
22 coordination and evaluation of the statewide system of locally  
23 based early intervention services.

24 The statewide system shall include, at a minimum:

25 (a) a definition of the term "developmentally

1 delayed", in accordance with the definition in Section  
2 10-15, that will be used in Illinois in carrying out  
3 programs under this Act;

4 (b) timetables for ensuring that appropriate early  
5 intervention services, based on scientifically based  
6 research, to the extent practicable, will be available to  
7 all eligible infants and toddlers in this State after the  
8 effective date of this Act;

9 (c) a timely, comprehensive, multidisciplinary  
10 evaluation of each potentially eligible infant and toddler  
11 in this State, unless the child meets the definition of  
12 eligibility based upon his or her medical and other  
13 records; for a child determined eligible, a  
14 multidisciplinary assessment of the unique strengths and  
15 needs of that infant or toddler and the identification of  
16 services appropriate to meet those needs and a  
17 family-directed assessment of the resources, priorities,  
18 and concerns of the family and the identification of  
19 supports and services necessary to enhance the family's  
20 capacity to meet the developmental needs of that infant or  
21 toddler;

22 (d) for each eligible infant and toddler, an  
23 Individualized Family Service Plan, including service  
24 coordination (case management) services;

25 (e) a comprehensive child find system, consistent with  
26 Part B of the Individuals with Disabilities Education Act

1 (20 United States Code 1411 through 1420 and as set forth  
2 in 34 CFR 300.115), which includes timelines and provides  
3 for participation by primary referral sources;

4 (f) a public awareness program focusing on early  
5 identification of eligible infants and toddlers, with a  
6 special focus on the early identification of infants who  
7 automatically qualify for early intervention services on  
8 account of having a birth weight less than 1,000 grams;

9 (g) a central directory which includes public and  
10 private early intervention services, resources, and  
11 experts available in this State, professional and other  
12 groups (including parent support groups and training and  
13 information centers) that provide assistance to infants  
14 and toddlers with disabilities who are eligible for early  
15 intervention programs assisted under Part C of the  
16 Individuals with Disabilities Education Act and their  
17 families, and research and demonstration projects being  
18 conducted in this State relating to infants and toddlers  
19 with disabilities;

20 (h) a comprehensive system of personnel development;

21 (i) a policy pertaining to the contracting or making  
22 of other arrangements with public and private service  
23 providers to provide early intervention services in this  
24 State, consistent with the provisions of this Act,  
25 including the contents of the application used and the  
26 conditions of the contract or other arrangements;

1           (j) a procedure for securing timely reimbursement of  
2 funds;

3           (k) procedural safeguards with respect to programs  
4 under this Act;

5           (l) policies and procedures relating to the  
6 establishment and maintenance of standards to ensure that  
7 personnel necessary to carry out this Act are  
8 appropriately and adequately prepared and trained;

9           (m) a system of evaluation of, and compliance with,  
10 program standards;

11           (n) a system for compiling data on the numbers of  
12 eligible infants and toddlers and their families in this  
13 State in need of appropriate early intervention services;  
14 the numbers served; the types of services provided; and  
15 other information required by the State or federal  
16 government; and

17           (o) a single line of responsibility in a lead agency  
18 designated by the Governor to carry out its  
19 responsibilities as required by this Act.

20           In addition to these required components, linkages may be  
21 established within a local community area among the prenatal  
22 initiatives affording services to high risk pregnant women.  
23 Additional linkages among at risk programs and local literacy  
24 programs may also be established.

25           On and after July 1, 2026, the Department of Early  
26 Childhood shall continue implementation of the 5-fiscal-year

1 implementation plan that was created by the Department of  
2 Human Services with the concurrence of the Interagency Council  
3 on Early Intervention. The plan shall list specific activities  
4 to be accomplished each year, with cost estimates for each  
5 activity. The lead agency shall, with the concurrence of the  
6 Interagency Council, submit to the Governor's Office a report  
7 on accomplishments of the previous year and a revised list of  
8 activities for the remainder of the 5-fiscal-year plan, with  
9 cost estimates for each. The Governor shall certify that  
10 specific activities in the plan for the previous year have  
11 been substantially completed before authorizing relevant State  
12 or local agencies to implement activities listed in the  
13 revised plan that depend substantially upon completion of one  
14 or more of the earlier activities.

15 (Source: P.A. 103-594, eff. 6-25-24.)