



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

325 ILCS 20/3

from Ch. 23, par. 4153

Amends the Early Intervention Services System Act. Makes technical changes in a Section concerning "eligible infants and toddlers" and other defined terms.

LRB093 17037 DRJ 42701 b

1 AN ACT concerning early intervention services.

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.

12 (2) A physical or mental condition that ~~which~~ typically
13 results in developmental delay.

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

16 (4) Either (A) having entered the program under any of
17 the circumstances listed in paragraphs (1) through (3) of
18 this subsection but no longer meeting the current
19 eligibility criteria under those paragraphs, and
20 continuing to have any measurable delay, or (B) not having
21 attained a level of development in each area, including (i)
22 cognitive, (ii) physical (including vision and hearing),
23 (iii) language, speech, and communication, (iv)
24 psycho-social, or (v) self-help skills, that is at least at
25 the mean of the child's age equivalent peers; and, in
26 addition to either item (A) or item (B), (C) having been
27 determined by the multidisciplinary individualized family
28 service plan team to require the continuation of early
29 intervention services in order to support continuing
30 developmental progress, pursuant to the child's needs and
31 provided in an appropriate developmental manner. The type,
32 frequency, and intensity of services shall differ from the

1 initial individualized family services plan because of the
2 child's developmental progress, and may consist of only
3 service coordination, evaluation, and assessments.

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

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

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

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

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

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

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

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

33 (3) are provided under public supervision;

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

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

3 (A) physical development, including vision and
4 hearing,

5 (B) cognitive development,

6 (C) communication development,

7 (D) social or emotional development, or

8 (E) adaptive development;

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

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

12 (A) family training,

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

15 (C) special instruction,

16 (D) speech, language pathology and audiology,

17 (E) occupational therapy,

18 (F) physical therapy,

19 (G) psychological services,

20 (H) service coordination services,

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

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

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

28 (L) vision services,

29 (M) transportation, and

30 (N) assistive technology devices and services;

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

33 (A) child development specialists or special
34 educators,

35 (B) speech and language pathologists and
36 audiologists,

- 1 (C) occupational therapists,
2 (D) physical therapists,
3 (E) social workers,
4 (F) nurses,
5 (G) nutritionists,
6 (H) optometrists,
7 (I) psychologists, and
8 (J) physicians;

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

11 (10) are provided throughout the year; and

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

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

21 (g) "Local interagency agreement" means an agreement
22 entered into by local community and State and regional agencies
23 receiving early intervention funds directly from the State and
24 made in accordance with State interagency agreements providing
25 for the delivery of early intervention services within a local
26 community area.

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

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

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

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

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

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

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

18 (Source: P.A. 92-307, 8-9-01; 93-124, eff. 7-10-03.)